

Council Policy

Live Streaming and Recording Council Meetings



Council Policy	
Legal Authority	Local Government
Department	City Legal

1. Title
Live streaming and Recording Council Meetings

2. Purpose
The purpose of this policy is to ensure open and transparent government, and improve engagement with the community and accessibility to Council decision making through the live streaming and recording of Council meetings.

3. Scope
This policy provides guidance in relation to the live-streaming and recording of Council meetings held in the Council Chambers, including but not limited to:

- Ordinary Council Meetings;
- Special Council Meetings; and

any other Council or Committee meetings as determined by Council.

This policy establishes how audio and video recordings will be used and made available.

4. Definitions
Nil.

5. Policy statement

5.1 Live Streaming and recording

5.1.1 The live stream and recording will provide the public the opportunity to view Council meetings.

5.1.2 Clear signage will be prominently placed in the Council Chambers advising attendees that the meeting will be live streamed.

5.1.3 The Presiding Member will make an announcement at the start of every meeting, drawing attention to the fact that the meeting will be live streamed.

5.1.4 The primary purpose of live-streaming Council meetings is to give the public greater access to Council decisions, debate and discussions, by eliminating geographic and/or personal barriers that may prevent physical attendance at a Council meeting. Benefits to streaming meetings include increased accessibility to connect and engage with the broader community, reducing negative perceptions and the potential to maintain a record of a meeting for future reference.

5.1.5 The live streaming will be accessible on the City's website upon commencement of the relevant meeting and the recording of live streamed meetings will be made available on the City's website within two business days.

- 5.1.6 The City will make every reasonable effort to ensure that both the live stream and recording are available. However, should any technical difficulties arise, the live stream and/or recording may not be available or may be delayed.
- 5.1.7 The Presiding Member may cease live streaming if the meeting has been adjourned.
- 5.1.8 The City reserves all rights in relation to its copyright. Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the City.
- 5.1.9 No protection against any award of damages or costs, can be given to Elected Members, employees, or members of the public for any statements made, by any of those persons, during the course of a meeting, when the statement is subsequently held by a court to be defamatory.

5.2 Meeting or Items of Business Closed to Public

- 5.2.1 This policy does not apply where Council has resolved to close the meeting to members of the public, or where matters discussed are deemed confidential. Meetings closed for consideration of matters under section 5.23 of the *Local Government Act 1995* will not be live streamed.
- 5.2.2 Recording of confidential items is permitted for minute taking purposes, but will not be released to the public, or made available on the City's website.
- 5.2.3 Confidential recordings may be released, if requested, to the LG Standards Panel, the Department of Local Government, Sport and Cultural Industries, the Police or the Court.

5.3 Record Keeping

- 5.3.1 The official record of the meeting will be the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.
- 5.3.2 All recordings will be retained as part of the City's records in accordance with the *State Records Act 2000*.

5.4 Liability and Defamation

- 5.4.1 Under section 9.57A of the *Local Government Act 1995*, the City is not liable for an action of defamation in relation to a matter published on its official website as part of a broadcast, audio recording, or video recording, of Council proceedings.
- 5.4.2 Under section 9.56 of the *Local Government Act 1995*, Elected Members and employees are not liable in defamation for any statements made in good faith.
- 5.4.3 Further defences under the *Defamation Act 2005* may also be applicable.

- 5.4.4 The onus is on those in attendance at the meeting to ensure that their conduct, content and language are appropriate for the audience. The Presiding Member is responsible for maintaining the orderly proceedings of the meeting.
- 5.4.5 Following any meeting, the Chief Executive Officer, in concurrence with the Presiding Member may exclude all or part of any meeting recording considered inappropriate to be published. This may include, but is not limited to, material that may:
- i. breach the privacy of an individual;
 - ii. disclose confidential or privileged information;
 - iii. concern public safety or security;
 - iv. be offensive, abusive or discriminatory; or
 - v. constitutes hate speech.

6. References

Date of adoption and resolution No.	15 December 2021 #041 23 March 2022 #093
Review dates and resolution No.	
Next review due date	2024
Related documents	<p>Acts/Regulations <i>Local Government Act 1995</i></p> <p><i>State Records Act 2000</i></p> <p><i>Local Government Legislation Amendment Act 2019</i></p> <p><i>Defamation Act 2005</i></p> <p>Plans/Strategies/Policies/Processes <i>City of Kwinana Standing Orders Local Law 2019</i></p> <p>City of Kwinana Employee Code of Conduct</p> <p>City of Kwinana Code of Conduct for Elected Members, Committee Members and Candidates</p>

Note: Changes to references may be made without the need to take the Policy to Council for review.