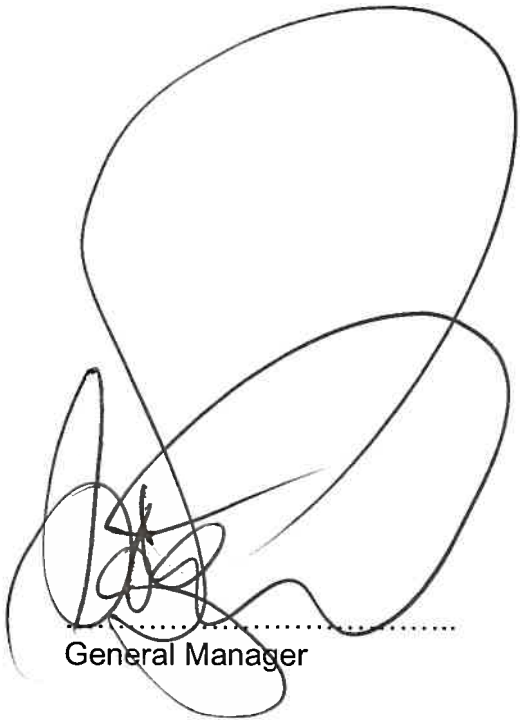




Live Streaming of Council Meetings Policy

DOCUMENT AUTHORISATION

RESPONSIBLE OFFICER:		EXECUTIVE ASSISTANT (MAYOR AND GENERAL MANAGER)			
REVIEWED BY:		MANEX			
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General Manager

10/3/21
.....
Date

PURPOSE

The purpose of this policy is to provide guidance in relation to the recording and live streaming of Council Meetings at Glen Innes Severn Council.

APPLICABILITY

This policy applies to:

- Ordinary and Extraordinary Council Meetings, with the exclusion of those meetings which are closed to the public in accordance with section 10(A) of the *Local Government Act 1993 (the Act)*;
- Councillors and Officers of Glen Innes Severn Council;
- Members of the public, both as visitors in the gallery and when invited to speak in the Meeting.

OUTCOMES

This Policy aims to improve accessibility and community participation in relation to decision making processes. It is envisaged that live streaming, recording and publishing Council Meetings on Council's website will provide more flexible and convenient access of Council debate and decisions to a wider audience.

Live streaming Council Meetings also eliminates geographic and time barriers which may prevent the public from attending meetings in person; thereby resulting in greater community confidence in the integrity and accountability of the decision-making process.

The Live Streaming of Council Meetings Policy provides the policy direction and guidelines for Councillors, Staff and the community.

ROLES AND RESPONSIBILITIES

The General Manager's Office will be responsible for:

- Communicating the relevant public notices in Attachments 1, 2 and 3, to be included in:
 - Public Notice in the Council Business Paper.
 - Public Notice Signage at the Meeting.
 - Public Notice on Council's Website.

- Including a copy of the recording on Council’s website and undertaking relevant archiving and destruction procedures after 12 months.
- Setting up, positioning and testing the video equipment for each Council Meeting.
- Providing ongoing support to ensure the live stream is operational for each Meeting.
- Publishing Council Meeting live stream recording links, to Council’s website.

DEFINITIONS

Closed Section of a Council Meeting A meeting of the council which has been closed to members of the public under section 10(A) of the *Local Government Act 1993*.

Chair the person who chairs a meeting of the Council, predominantly, the Mayor.

Defamation Intentional false communication which damages the reputation of another individual.

Live Streaming (Webcasting) The process of delivering multimedia content via the internet, in audio and/or video format from a single content source to multiple listeners/viewers.

POLICY STATEMENT

This Council Policy reflects Council’s commitment to transparent and accessible decision-making processes, with the introduction of live streaming and recording of Ordinary and Extraordinary Council Meetings. Any parts of Council’s Meetings that are closed to members of the public under section 10(A) of the Act are regarded as confidential and will not be recorded.

PROCEDURES

Live Streaming, Recording and Publishing

Ordinary and Extraordinary Council Meetings held in the William Gardner Conference Room at the Glen Innes Severn Learning Centre will be streamed live, recorded and published in accordance with this Policy and will be able to be accessed from Council's website: www.gisc.nsw.gov.au

Any parts of Council's Meetings that are closed to members of the public under section 10(A) of the Act are regarded as confidential and will not be recorded.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

Accessing Recordings

Ordinary and Extraordinary Council Meetings that are streamed live will be made available on Council's website within the earliest achievable timeframe following the relevant meeting. The recordings of Meetings will be available for a minimum of 12 months.

Following any meeting, the Chair and the General Manager have the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate to be published.

Material considered to be inappropriate may include, but is not limited to material that may:

- Be defamatory.
 - Infringe copyright.
 - Breach the privacy of an individual or unauthorised disclosure of the personal information of an individual.
 - Be offensive.
 - Constitute discrimination.
 - Constitute racial hatred or vilification, if based on the race, colour, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate.
 - Disclose confidential or privileged information.
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In the event of an edited copy being placed on the Council's website, Council will indicate that it is an edited recording. Council will also retain a copy of the unedited meeting webcast.

Publication of Notices – Informing Attendees

It is not the intention of live streaming, recording and publishing to capture those attending the Meeting in the gallery, however, this may occur due to camera angles and seating arrangements. By attending the public meeting, attendees are consenting to their image, voice or comments being recorded.

A notice will be displayed on the entry door to the William Gardner Conference Room informing attendees that live streaming, recording and publishing will be taking place.

At the commencement of each Meeting, the Chair will read a statement included in the Council Business Paper notifying those present that the Meeting will be live streamed on the internet and that a recording of the Meeting will be published on Council's website. [refer Attachment 1]

Notice will also be published on Council's website. [refer Attachment 3].

Public Interaction in Council Meetings

Public Forum

Council's Code of Meeting Practice and the Community Consultation Session Guidelines (pertaining to Council Meetings) set out the requirements for Public Forum guidelines with regards to a Council Meeting.

The Community Consultation Session takes place prior to the commencement of Council Meetings, and as such, will not be live streamed or recorded.

Presentations

Council's Code of Meeting Practice sets out the expected behaviours for participation in Council Meetings.

Any attendee who is invited to make or receive a presentation or acknowledgement from Council as part of the Council Meeting will be recorded and their voice and image will form part of the live stream and recording.

In circumstances where time permits, correspondence to the attendee shall be made to include the public notice information that Council undertakes live streaming and recordings of its Council Meetings. [refer Attachment 2]

RISK ASSESSMENT

Consideration has been given to the risks identified with implementing live streaming, recording and publishing at Council. By live streaming, recording and publishing meetings, the potential audience to Council Meetings is significantly increased, which as a result increases the likelihood of a legal matter arising and/or severity of potential liability. The potential additional risk is not considered greater than the benefit associated with increased visibility and transparency in Council decision making associated with live streaming.

Legal exposure relating to inappropriate behaviours of those in attendance

Councillors and Officers need to take care, especially in the heat of a council debate, not to make defamatory statements which could give rise to a civil action.

Councillors and Council Staff are guided by the Code of Conduct for Councillors, Code of Conduct for Council Staff and Code of Meeting Practice. Members of the Public are guided by the Glen Innes Severn Council Code of Meeting Practice.

As outlined previously, the Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming.

Attendees are advised that they may be subject to legal action as a result of their inappropriate and/or unacceptable behaviour and/or comments.

Legal exposure relating to breach of privacy and defamation

The video recording equipment will be configured, as far as practicable, to minimise coverage of the gallery area, however, attendees need to be aware that as this is a public meeting their image, voice or comments may be captured and published in the live stream.

By attending a public meeting of the Council attendees are consenting to being recorded and published.

LEGISLATION AND SUPPORTING DOCUMENTS

Relevant Legislation, Regulations and Industry Standards include:

- *Local Government Act 1993.*
- *Local Government (General) Regulation 2005.*
- *Privacy and Personal Information Protection Act 1998.*
- *Government Information (Public Access) Act 2009.*
- *Copyright Act 1968.*
- *State Records Act 1998.*
- *Office of Local Government Guide to Webcasting Council and Committee Meetings.*

Relevant Council Policies and Procedures include:

- The Glen Innes Severn Council Code of Conduct.
- The Glen Innes Severn Council Code of Meeting Practice.

VARIATION AND REVIEW

The Live Streaming of Council Meetings Policy will be reviewed every three (3) years, or earlier if deemed necessary, to ensure that it meets the requirements of legislation and the needs of Council. The term of the Policy does not expire on the review date, but will continue in force until superseded, rescinded or varied either by legislation or a new resolution of Council.

APPENDIX

Attachment 1 – Public Notice to be included in the Council Business Paper and to be read out by the meeting Chair

This Council Meeting is being streamed live, recorded and published in accordance with Council's Live Streaming of Council Meetings Policy. No other persons are permitted to record the Meeting, unless specifically authorised by Council to do so.

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to speak during the meeting will be recorded and their voice, image and comments will form part of the live stream and recording.

All speakers are requested to ensure their comments are relevant to the issue at hand and to refrain from making personal comments or criticisms.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Thank you.

Attachment 2 – Public Notice to be displayed as signage at the entrance of the Council Meeting

This Council Meeting is being streamed live, recorded and published in accordance with Council's Live Streaming of Council Meetings Policy.

A copy of the Policy can be viewed on Council's website.

By attending a public meeting of the Council, you are consenting to your image, voice and comments being recorded. Should you wish to attend and/or speak without being recorded you must make this request to Council staff prior to the meeting commencing.

This request can be made either by emailing council@gisc.nsw.gov.au by midday on the day of the meeting or in person no later than 15 minutes prior to the meeting.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include but are not limited to the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

It should be noted that no protection is afforded to Councillors, Council employees or the public for comments made during Meetings which are subsequently challenged in a court of law and/or determined to be defamatory.

Attachment 3 - Public Notice to be included on Council's website

All Council meetings of the Glen Innes Severn Council are streamed live, recorded and published in accordance with Council's Live Streaming of Council Meetings Policy, which is available on the Glen Innes Severn Council website at <http://webcast.gisc.nsw.gov.au/>

While meetings are open to the public, Council recognises that not everyone can attend in person. Live streaming gives all community members the opportunity to watch and listen to meetings, either in real time or at their convenience, giving greater access to Council decision making and debate.

By attending a public meeting of the Council attendees are consenting to their image, voice and comments being recorded. Should attendees wish to attend and/or speak without being recorded they must make this request to Council staff prior to the meeting commencing. This request can be made either by emailing council@gisc.nsw.gov.au before midday on the day of the meeting or in person no later than 15 minutes prior to the meeting.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

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