

Title	Audio Recording of Meetings of Council
Council Resolution	Item 17 (26 October 2015)
Responsible Directorate	Corporate Governance
Due for Review	31 December 2019

STATEMENT

This policy provides direction as to the management of the audio recording of specific meetings of Council.

SCOPE

This policy applies to:

- all formal Council meetings (including special meetings).

These meetings are generally held in the Council Chambers at 374 Main Road, Glenorchy.

It does not apply to any other meetings at Council including the Audit Panel.

PROVISIONS

Under Regulations 33(1) and (4) (Audio recording of Meetings) of the *Local Government (Meeting Procedures) Regulations 2015* (Regulations), Council 'may determine that an audio recording is to be made of any meeting or part of a meeting' and 'may determine any other procedures relating to audio recording of meetings it considers appropriate', respectively.

Under Regulation 33(2)(a) and (b), having made that determination that an audio recording is to be made of any meeting or part of a meeting, that audio recording of the meeting that is not closed to the public must:

- be retained by the Council for at least six months, and
- made available for listening on written request by any person.

If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the Council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record: Regulation 33(3).

Those parts of meetings which are closed to the public and may be audio recorded by Council, will under no circumstances be made available to the public. Any audio recordings of closed meetings of Council will be destroyed upon confirmation of the minutes by Council.

The Chairperson will put to the vote by a simple majority as to whether any parts of meetings which are closed to the public are to be recorded in the first instance.

AUDIO RECORDING OF MEETINGS OF COUNCIL

Where practicable, the specified meetings of Council will be audio recorded. If in the situation of a technical difficulty that an audio recording is not possible, then the Chairperson will advise those present of the circumstances. In the event that an audio recording file becomes corrupt for any reason and therefore unavailable, this information will be provided on the Glenorchy City Council website (or equivalent).

At the commencement of those meetings being audio recorded, the Chairperson will announce to all present that an audio recording of the meeting will be made and that it will last the length of the open to the public part of that meeting, unless otherwise terminated by the Chairperson.

The Chairperson will also announce that members of the public are not permitted to make audio recordings of Council meetings.

The Chairperson has the authority at any time of the proceedings to direct the termination of the audio recording of a meeting. However, the Chairperson should only terminate the audio recording in exceptional circumstances including (but not limited to):

- if a person's safety may be placed at risk by the continuation of the audio recording
- it is clearly evident that the discussion is (or potentially likely to be):
 - defamatory
 - discriminatory (including vilification, inciting hatred and/or offensive behaviour)
 - an infringement of copyright
 - a breach of privacy and/or unlawful disclosure of personal information
 - a release of privileged or confidential information of Council.

If recorded, only the audio recording of proceedings made of meetings or parts of meetings open to the public will be made available to the public. The Council may, at its discretion, make any compressed audio recording (preserving adequate voice quality) to be accessible on the Glenorchy City Council website. Such recordings will be considered by Council as a routine disclosure under the *Right to Information Act 2009*.

The original unmodified audio recording will be suitably stored in accordance with the Council's Information Management requirements.

BACKGROUND

Under Regulation 33 (1) (Audio Recording of Meetings), Council 'may determine that an audio recording is to be made of any meeting or part of a meeting'.

A consideration in implementing audio recording is the increased exposure to litigation resulting from public discourse at meetings. Unlike Parliament, meetings of Council are not subject to parliamentary privilege, and both Council and the individual may be liable for things that are said that may be regarded as offensive, derogatory and/or defamatory. Accordingly, it is essential that Council is vigilant when audio recording its meetings in order that it limits unnecessary exposure to such litigation.

STATUTORY REFERENCES

ACTS

- *Local Government Act 1993*
- *Right to Information Act 2009*

REGULATIONS

- *Local Government (Meeting Procedures) Regulations 2015*