

PURPOSE

This policy provides direction as to the management of the audio/visual recording of meetings of Glenorchy City Council.

SCOPE

This policy applies to the audio/visual recording of all ordinary and special Council meetings, the Annual General Meeting and meetings of the Glenorchy Planning Authority (GPA).

RELATED DOCUMENTS

Tasmanian Good Governance Guide for Local Government in Tasmania.

STATUTORY REQUIREMENTS

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).

Acts	<i>Local Government Act 1993</i> <i>Right to Information Act 2009</i>
Regulations	<i>Local Government (Meeting Procedures) Regulations 2015</i>
Australian/International Standards	N/A

POLICY STATEMENT

Subject to any limitations in this policy, Council will make audio/visual recordings of all ordinary, and special meetings of Council, the GPA and the Annual General Meeting, including both the open and closed parts of Council and GPA meetings. The open sections of these meetings will also be live streamed via a media application.

Only the audio/visual recording relating to open parts of a meeting will be made available to the public.

Audio/visual recordings of closed meetings will not be made available to the public. Any audio/visual recordings of closed meetings of Council will be retained to enable confirmation of the Council minutes and then destroyed after 6 months.

Where audio/visual recording and live streaming of a meeting is not possible for technical reasons, the Chairperson will advise those present that the meeting is not being recorded. If an audio/visual recording is not made, or if an audio/visual file becomes damaged or unreadable for any reason, this information will be noted on Council's website/social media.

At the start of meetings being audio/visual recorded and/or live streamed, the Chairperson will announce to all present that:

- an audio/visual recording and live streaming of a meeting will last the length of the open to the public part of that meeting, unless otherwise directed by the Chairperson.
- members of the public are not permitted to make audio/visual recordings of Council meetings.

The Chairperson may use any form of words to convey the above messages that they consider appropriate.

The Chairperson has the authority at any time throughout a meeting to request the audio/visual recording or live stream to be terminated. However, the Chairperson should only terminate the audio/visual recording or live streaming in exceptional circumstances including (but not limited to):

- if a person's safety may be placed at risk by the continuation of the audio/visual recording or live streaming
- it is clearly evident that the discussion is, or is 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.

Council will ordinarily make any audio/visual recordings of open Council meetings available on Council's website (but the General Manager may, at their discretion, decide not to). Any recordings made available on Council's website will be considered by Council as a routine disclosure under the Right to Information Act 2009.

The original unmodified audio/visual recording will be retained in accordance with Council's information management requirements.

Background

Under regulation 33(1) (Audio Recording of Meetings) of the Regulations, Council ‘may determine that an audio recording is to be made of any meeting or part of a meeting’.

A consideration in implementing audio/visual recording or live streaming 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.

It is therefore essential that Council is vigilant when audio/visual recording or live streaming its meetings to minimise any risks of litigation.

DOCUMENT CONTROL

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ECM Document No.:	Policies by Directorate				