

# **ATTACHMENT TO AGENDA ITEM**

**Ordinary Meeting**

**20 September 2016**

<b>Agenda Item 6.1</b>	<b>Live Streaming and Publishing Recordings of Council Meetings Policy 37.POL7</b>	
<b>Attachment 1</b>	<b>Live Streaming and Recording of Council Meetings Policy 37.POL7.....</b>	<b>191</b>

# GREATER SHEPPARTON CITY COUNCIL

Policy Number 37.POL7

## Live Streaming and Publishing Recordings of Council Meetings

Version 1.0

Adopted **Day Month Year**

Last Reviewed **Day Month Year**

<b>Business Unit:</b>	Corporate Services
<b>Responsible Officer:</b>	Team Leader Governance
<b>Approved By:</b>	Chief Executive Officer
<b>Next Review:</b>	Within six months of a General Election

**PURPOSE**

This Policy outlines the requirements associated with the live streaming and publishing recordings of Ordinary and Special Council Meetings via Councils website. This policy will inform members of the public and Councillors on Councils processes, the potential benefits and any mitigation action to manage potential risks.

**OBJECTIVE**

Council is committed to improving accessibility and community participation in Council Meetings. It is anticipated that the live streaming of meetings and making recordings available on Councils website will provide greater flexibility and convenient access for residents, as it will allow the public to watch the meeting in real time via the internet without the need to attend in person.

This gives the community greater access to Council decisions and debate, and eliminates geographic and time barriers which may prevent the public from attending meetings in person.

**SCOPE**

This Policy will apply to all public Ordinary and Special Council Meetings conducted by the Greater Shepparton City Council (Council). The policy does not extend to any meetings closed to the public in accordance with Section 89(2) of the *Local Government Act 1989*.

**DEFINITIONS**

Reference term	Definition
Chairperson	Chair of an Ordinary or Special Council meeting, usually the Mayor.
Council	Refers to the 'Greater Shepparton City Council'.
Ordinary Meeting	An Ordinary Meeting of the Council, as defined in Section 83(a) of the <i>Local Government Act 1989</i> .
Special Meeting	A Special Meeting of the Council, as defined in Section 83(b) of the <i>Local Government Act 1989</i> .
Confidential Council Meeting	A Meeting of the Council which has been closed to members of the public under Section 89(2) of the <i>Local Government Act 1989</i> .
Defamation	Intentional false communication which damages the reputation of another individual.
Privacy Breach	Unauthorised access to, or collection, use or disclosure of personal information.

**POLICY****1. Meetings to be Streamed Live and Recorded**

All public Ordinary and Special Council Meetings will be streamed live and made available to the public via Council's official Facebook page. The recording will then be uploaded to Council's website. While Confidential Council Meetings may also be recorded, these files will not be made publicly available.

#### Technical Disclaimer

There may be situations where, due to technical difficulties a live stream may not be available. Whilst every effort will be made to ensure the live streaming and website are up and running smoothly, the Council takes no responsibility for and cannot be held liable for, the live streaming or Council website being temporarily unavailable due to 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.

Every effort will also be made to notify the community if live streaming is subject to any disruptions via Facebook and Twitter.

The Chair has the discretion and authority at any time to direct the termination or interruption of live streaming if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, where the content of debate is considered misleading defamatory or potentially inappropriate to be published.

#### **2. Notice to the Public**

At the commencement of each meeting, the Chair shall notify those present that the meeting will be streamed live via Council's Facebook page and that the recording will be made publicly available on Council's website.

Appropriate signage will also be placed at the entrance to the meeting location notifying all attendees that the meeting will be streamed live. Notice will also be given on Council's website and printed in the meeting agenda.

#### **3. Access and Storage of Files**

All recordings will be uploaded to the Council website within five business days of the meeting. Following a Council meeting, members of the public will be able to access and watch the recording via links on Council's website. These files will remain on the website for a period of up to 12 months and on Council's Facebook page indefinitely.

Council reserves the right not to upload or publish a recording if it is believed it may contain information that could be considered misleading, offensive and/or defamatory. Council may, from time to time, also direct staff to remove recordings or portions of recordings from the website where it considers it appropriate or advisable to do so.

#### **4. Identified Risks and Mitigation Action**

Public Council meetings are an open forum of statements, questions and answers. Occasionally, comments could be made which may be regarded as offensive, defamatory or contrary to law.

By live streaming and publishing recordings of Ordinary and Special Council meetings, the potential audience is significantly increased, which also increases the likelihood and/or severity of potential liability.

No protection will be afforded to Councillors, staff or the public for comments made during meetings which are subsequently challenged in a court of law and determined to be slanderous.

While individuals are liable for any defamatory comments they make, the act of publishing such material on Council's website may see the organisation as partially liable.

To avoid any such occurrences, the Chair may at any time during a meeting request that a live stream and/or recording be terminated.

Following the meeting, all recordings will be vetted. The Director Corporate Services may choose to exclude part or all of any meeting recording which he or she deems to be inappropriate.

Material considered as inappropriate may include, but is not limited to:

- Defamation
- Infringement of Copyright
- Breach of Privacy / Disclosure of Personal Information
- Offensive Behaviour including Discrimination
- Vilification or Inciting Hatred
- Confidential or Privileged Council Information

#### **Privacy and Defamation Disclaimer**

A privacy and defamation disclaimer has been developed to ensure that gallery attendees are aware of possible privacy concerns regarding the live streaming of meetings. Privacy disclaimer signage will be posted at the entrance of the meeting location to advise attendees [Refer to Attachment 1].

The disclaimer relating to defamation will ensure Councillors are fully aware of the possible legal consequences arising from making defamatory statements and/or comments.

#### **Privacy**

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not streamed. However, Council expressly provides no assurances to this effect and in the event your image is webcast, by remaining in the public gallery area it is assumed that consent has been given to the Council to broadcast your image.

### **Defamation**

The opinions or statements made during the course of the Council meeting are those of the particular individuals, and not necessarily the opinions or statements of Council. The Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming/recording of the Council meetings

The Council does not accept any responsibility for the comments made or information provided during Council meetings and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error. The Council does not accept any responsibility or liability for any loss, damage, cost or expense you might incur as a result of the viewing, use or reliance of information or statements provided in the live streaming/recording of Council meetings.

### **RELATED POLICIES AND DIRECTIVES**

- *Councillor Code of Conduct*
- *Employee Code of Conduct*
- *Local Law No.2 – Processes of Local Government (Meetings and Common Seal)*

### **RELATED LEGISLATION**

- *Local Government Act 1989*
- *Privacy and Data Protection Act 2014*
- *Freedom of Information Act 1982*

### **REVIEW**

This Policy will be reviewed within six months of a General Election by the Team Leader Governance in conjunction with the Executive Leadership Team.

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**Peter Harriott**  
**CHIEF EXECUTIVE OFFICER**

### **ATTACHMENTS**

**Public Gallery Notice**  
**Meeting Chair's Statement**  
**Agenda and Website Disclaimer Statement**

**Attachment 1**  
**Public Gallery Notice**

**The following is what will be posted at the Council Meeting location.**

This public meeting is being streamed live on the internet via Greater Shepparton City Council's Facebook page. The recording will be made available on Council's website [www.greatershepparton.com.au](http://www.greatershepparton.com.au) after the meeting.

All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery it is assumed your consent is given in the event that your image is broadcast.

**Attachment 2****Meeting Chair's Statement – to be read at the commencement of each Council Meeting**

Please note that this Council meeting is being streamed live and recorded in accordance with the Council's Live Streaming and Recording of Council Meetings Policy.

All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery it is assumed your consent is given in the event that your image is broadcast.

For more information the policy is available on the Greater Shepparton City Council's website.



**Attachment 3****Agenda and Website Disclaimer****Agenda Disclaimer**

No responsibility whatsoever is implied or accepted by the Greater Shepparton City Council for any act, omission or statement occurring during the live streaming of the Ordinary and Special Council meetings.

**Website Disclaimer (Live Streaming)**

There may be situations where, due to technical difficulties a live stream may not be available. Whilst every effort will be made to ensure the live streaming and website are up and running smoothly, the Greater Shepparton City Council takes no responsibility for and cannot be held liable for, the live streaming or Council website being temporarily unavailable due to 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.