

PURPOSE

The purpose of this policy is to establish protocols for live streaming, video recording and subsequent uploading online of meeting recordings.

SCOPE

This policy applies to all Council meetings and delegated committee meetings of the Wodonga Council (the Council).

It applies to all people in attendance at these meetings.

DEFINITIONS

Closed council meeting: that part of a council meeting that is closed to members of the public in accordance with section 66(2)(a) of the *Local Government Act 2020* (the Act).

Council meeting: has the same meaning as in the Act.

Delegated Committee: has the same meaning as in the Act.

Governance Rules: under Section 60 of the Act; in particular s.60(1)(a) relating to the conduct of meetings and s.60(1)(c) relating to the form and availability of meeting records.

Open to the public has the same meaning as in the Act.

Public Council meeting: that part of a council meeting that is open to the public under section 66 of the Act.

Public Delegated Committee meeting: that part of a delegated committee meeting that is open to the public under section 66 of the Act.

Video recording: the recording of audio and images by an electronic device.

Live streaming: online streaming media simultaneously recorded and broadcast in real time to the viewer..

POLICY

1. Policy statement

Public council meetings and Public Delegated Committee meetings will be live streamed, video recorded and subsequently available for viewing on, or via, the council's website.

Any failure to live stream the meeting, or part of the meeting, will not invalidate the meeting, unless legislation otherwise requires a meeting to be broadcasted live on the Internet site of the council [s.66 of the Act], in which case the legislation will prevail over this policy.

Closed council meetings or Closed Delegated Committee meetings will not be live streamed or video recorded.

2. Public notice

The Chief Executive Officer (CEO) will ensure appropriate signage is placed at the entrance to the meeting location notifying all attendees that the meeting will be live streamed, video recorded and published to the internet. Notice will also be given on the council's website and in the published agenda.

Immediately prior to the commencement of each, the CEO or delegate will state that the meeting will be live streamed and video recorded, and that the video recording of the meeting will be uploaded online.

Persons in attendance at a meeting will be advised that incidental capture of an image or sound of persons in the public gallery may occur. By remaining at the meeting those persons give their consent to being filmed and the possible use of images and sound recordings in a live streaming or published video of the meeting.

3. Production

The live streaming and video recording will be from a single fixed camera.

The default camera position will be configured to provide vision of the councillors and executive Council officers present at the meeting.

There will be no panning or zooming.

In so far as it is practicable there will be no coverage of the public gallery. However, under certain circumstances the live streaming and video recording may capture an image or sound from a person attending the meeting in the public gallery.

There will be no editing of the live streaming unless otherwise provided for in this policy. In the event of technical difficulties that impact the livestream or recording, minor edits may be undertaken to ensure a clear and continual recording is made available to the community. Any such edits will be clearly described in the video's online description.

The live streaming and video recording of the meeting will cease when:

- the Chairperson declares the public meeting closed;
- whenever the meeting is adjourned as allowed under the Governance Rules; and
- at any other time if the council or the Chairperson revokes the permission to live stream or video record the meeting (as permitted under the Governance Rules).

4. Publication

In ordinary circumstances the video recording will be uploaded online within 48 hours of the conclusion of the meeting. Recordings will remain available on the website for a minimum of 24 months.

Bookmarks advising of the agenda items considered during the meeting may be added to the video recording to provide ease of navigation.

Following any meeting, the CEO has the authority to direct the removal of all or part of any video recording that is considered inappropriate to be published. Inappropriate material would be material that, in the opinion of the CEO, having regard to legislation (refer "Related Legislation") and case law, is any of the following:

- defamatory in nature
- an infringement of copyright
- a breach of privacy or discloses personal information
- offensive, abusive or discriminatory in nature
- incites hatred or vilifies another person
- confidential or privileged Council information.

In making this determination the CEO may seek independent legal advice.

5. Public Presentations and questions to ordinary council meetings

Where members of the public are permitted to address the council in accordance with the Governance Rules, their presentation will be captured in the live stream and published video. Equally, members of the public who submit a question for a council meeting should be aware that their question and, if assented to, name will be incorporated into the live stream and published video.

6. Disclaimer

Opinions expressed and statements made during a meeting are those of the individuals making them, and not those of the council. Unless set out in a resolution, the council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a meeting.

Wodonga Council does not accept any responsibility for any verbal comments made during meetings which may be inaccurate, incorrect or defamatory and does

not warrant nor represent that the material or statements made during the 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 that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live streaming or video recording of a meeting.

Endorsed council minutes or delegated committee minutes provide the definitive record of the resolutions.

7. Official record of the meeting

The live streaming and video recording is not an official record of the meeting. Only the official minutes may be relied upon as an official record of the meeting.

8. Copyright

The live streaming and video recording is protected by copyright and owned by Wodonga Council. It is provided by the council for personal and non-commercial use.

Video, images and audio contained in a live streaming and video recording must not be altered, reproduced or republished without the permission of the council. Copyright remains with the council.

9. Technical disclaimer

There may be situations where, due to technical difficulties beyond the council's control, it is not possible to live stream and / or video record and / or publish the video.

The council takes no responsibility for and accepts no liability in the event that a meeting is not live streamed and / or video recorded and / or published to the internet, unless otherwise provided for in the Act.

ATTACHMENTS

Nil.

RELATED POLICIES

Councillor Code of Conduct

Diversity, Equity and Inclusion Policy

Privacy Policy

Staff Code of Conduct

RELATED LEGISLATION

Charter of Human Rights and Responsibilities Act 2006

Defamation Act 2005

Freedom of Information Act 1982

Governance Rules

Local Government Act 2020

Privacy and Data Protection Act 2014

Public Records Act 1973

Racial and Religious Tolerance Act 2001

REFERENCES

Retention of the recordings in accordance with PROS 09/05 (Public Records Office Victoria's Retention and Disposal Authority for Records of Local Government Functions).

REVIEW

Wodonga Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance of the policy eg: typographical errors, a change to the name of a related policy, or a change to the name of legislation.

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