

## PURPOSE

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

## SCOPE

This policy applies to all council meetings of the Wodonga Council (the council).

It applies to all people in attendance at a council meeting.

## DEFINITIONS

**Closed council meeting:** that part of a council meeting that is closed to members of the public in accordance with section 89(2) of the Act.

**Council meeting:** an ordinary or special meeting of the council, where these terms have the same meaning as in the *Local Government Act 1989* (the Act).

**Local Law:** the *Meeting Procedure Local Law* (no. 1 of 2009).

**Public council meeting:** that part of a council meeting that is open to the public under section 89(1) 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 (Wikipedia).

## POLICY

### 1. Policy statement

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

Closed council 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 public council 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 public council meeting, 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 public council 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 public council 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.

The live streaming and video recording will cease when:

- the Chairperson declares the public meeting closed;
- whenever the meeting is adjourned as allowed under the Local Law; and
- at any other time if the council or the Chairperson revokes the permission to live stream or video record the meeting (clause 67.1 of the Local Law).

### 4. Publication

The video recording will be uploaded online within 48 hours of the conclusion of the meeting.

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

Following any public council 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. Disclaimer

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

Council does not accept any responsibility for any verbal comments made during public council 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.

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 council meeting.

Endorsed council minutes provide the definitive record of the council's resolutions.

### 6. 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.

### 7. 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.

### 8. 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.

## ATTACHMENTS

Nil.

## **RELATED POLICIES**

*Councillor Code of Conduct*

*Human Rights 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*

*Local Government Act 1989*

*Meeting Procedures Local Law (no. 1 of 2009)*

*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**

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.