
Audio-Visual Recording Policy



October 2021



Northern Grampians Shire Council
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Audio-Visual Recording Policy



Council Policy

Responsible director	Director Corporate and Community Services
Responsible officer	Manager Governance and Civic Support
Functional area	Governance
Date adopted by Council	4 October 2021
Review date	October 2025

Purpose

This policy sets out the framework for livestreaming and audio-visual recording of public council meetings to encourage wider community involvement in council meetings and provide transparency and accountability. Council believes that providing flexibility in how people participate in council meetings creates genuine opportunity and access for all people to make meaningful and constructive contributions to council decision-making and increase public trust in council decisions.

Background

Council's *Governance Rules 2020* provide that council may adopt policies, guidelines, and procedures from time to time relating to public participation including livestreaming or broadcasting and recording of meetings and the use of available technology and systems to ensure the smooth and efficient conduct of council meetings.

Scope

This policy applies to all public council meetings, councillors, council officers and members of the public as visitors in the public gallery and as participants in the public meeting.

The policy applies to the recording of virtual council meetings to the extent that it complies with the *COVID-19 Omnibus (Emergency Measures) Act 2020* and *Ministerial Good Practice Guideline MGPG-1: Virtual Meeting*

This policy does not apply to the audio-visual recording of council meetings by the media or any other person.

Policy Objective

Livestreaming and audio-visual recording of council meetings are recognised as promoting and implementing the democratic process at the council level and providing the public, including those unable to attend meetings in person, with access to council decision-making and increasing public awareness of the decision-making process.

Livestreaming and audio-visual recording of council meetings will assist in the preparation of complete and accurate minutes and enable verification of minutes where specific issues of accuracy are raised.

The policy is supported by the following guidelines:

Livestreaming and audio-visual recording

Council officers will livestream and record public council meetings that can be viewed on council's YouTube channel or via a link on the council's website.

Cameras will be utilised to capture the council table where councillors and officers sit during the council meeting. During Public Question Time members of the community may have their image captured and recorded.

In the event of identification and treatment of problematic content or the unlawful disclosure of personal, health or sensitive information about individuals which is likely to harm a person's reputation or cause offence to a reasonable person, the Mayor reserves the discretion to ask that the audio-visual recording of the meeting be stopped or the recording to be not published on the council's website or made available in any form until the content had been removed.

Public notification

There will be signage visibly displayed at the entrance to the council chamber to inform members of the public gallery that the meeting is being recorded and livestreamed to council's YouTube channel. Signage will include that the recording of the meeting will also be made available on council's website.

The council's website will also include notification on its council meetings page to notify the public that meetings are now being recorded and livestreamed.

While all care will be taken to ensure the privacy of members of the public gallery is maintained, council will inform them that their presence may be captured on the recording.

At the commencement of the council meeting the Mayor will remind members of the public gallery that the council meeting is being livestreamed and recorded and made public on the council's website.

Meetings closed to the public

If during the council meeting council resolves to close the meeting (whole or in part) to the public in accordance with section 66(2) of the *Local Government Act 2020*, all livestreaming will be switched off. Recording of the meeting will continue and the viewers informed via a notice that the meeting is closed and will resume at the end of closed council. At the conclusion of the closed council meeting the livestreaming will re-commence to screen the part of the meeting where the Chief Executive Officer reports on the outcome of any decision made during the closed meeting.

Public participation in council meetings

The council's *Governance Rules 2020* provide for council to respond to questions from the community and for the public to make submissions to council. At each meeting there is an opportunity for members of the public to ask questions and address the meeting which includes them stating their names and addresses and these will be recorded.

In the exceptional circumstances that render an individual unable to be recorded, it is at the Mayor's discretion to call for a motion to close the meeting to the public provided that the request complies with the grounds set out in section 66(2) of the *Local Government Act 2020*.

Council's *Governance Rules 2020* provide that a person in the gallery must not operate film, photograph or use tape-recording or other equipment to reproduce sound and/or images at any meeting without first obtaining the consent of the Chair. The consent of the Chair may be revoked at any time during a meeting by the Chair stating that consent has been revoked and ordering that the recording ceases.

Editing of meeting recordings

Due to the instantaneous nature of livestreaming the council meeting there will be no editing of its contents.

Audio recordings of council meetings will only be edited before being made available on council's website in the following circumstances:

- when a member of the public who is addressing council has advised that they do not wish for their comments to be included in the audio recording
- to prevent the publishing of material that is offensive, defamatory, breaches copyright or breaches an individual's privacy, health or sensitive information

Audio recordings of council meeting will not be edited:

- because a speaker regrets their remarks
- to save embarrassment regarding comments made
- to edit out meeting procedural errors

A register of edited recordings will be maintained and record the date of the meeting, the matter edited and the reason why the editing was required.

Recordkeeping

All council meeting recordings can be downloaded from the council's website. Recordings of the livestream will be made available on council's website within 48 hours (two working days) of the council meeting. Audio-visual recordings can be accessed by the public free of charge.

All audio-visual recordings of council meetings will remain publicly available on the council's website for a period of two years.

Council meeting recordings will be kept for a period of two years and retained/destroyed in accordance with the *Northern Grampians Shire Council's Records Management Policy* and Public Record Office of Victoria Retention and Disposal Standards and Authorities.

Disclaimers

Personal and/or sensitive information may be collected about persons during council meetings, particularly where they are participating in the public participation section of the meeting.

If personal/sensitive information is disclosed during the meeting, either by the person directly or by a third party, this information will form part of the audio recordings which will be able to be accessed by members of the public.

By participating in council meetings, individuals consent to the use and disclosure of the information that they share during the meeting (including any personal/sensitive information) for the purposes of council carrying out its functions. Individuals also consent to the disclosure of that information to any person/s who access the recordings of the meeting online.

The opinions or statements made during the council meeting are those of the individual and not the opinions or statements of council.

Council takes no responsibility for technical issues beyond its control which hinder or prevent the production and/or publishing of audio-visual recordings, such as, failure of the recording device, power outages or website unavailability.

Legislation and Standards

This policy supports the *Council Plan 2021-25* Goal to Improve Organisational Effectiveness and Be a Better Council by being a more communicative, collaborative and customer-focused council.

Responsibilities

The Director Corporate and Community Services and Manager Governance and Civic Support are responsible for the development of and compliance with the policy and guidelines.

Review

Monitoring and regular assessment of this policy are necessary to ensure it remains current with the council's goals, processes, aims and requirements.

Assessment of the policy will be undertaken every four years to align with the council term to ensure it remains current with the council's goals, processes, aims and requirements and as a means by which to reduce council's exposure to risk. Triggers for an earlier assessment include legislative changes and introduction of new systems or procedures.

Communication and implementation

The policy will be communicated to the public via signage and council's website. It will be made available to councillors and council offices via the councillor portal, electronic document records management system and the GovernanceMatters Channel and referred to in councillor and staff induction and/or training.

References

[Northern Grampians Shire Council Governance Rules 2020](#)

[Victorian Ombudsman Investigation into the transparency of local government decision making 2016](#)

[Ministerial Good Practice Guideline MGPG-1: Virtual Meetings.](#)

Compliance

This policy requires relevant State Government legislative compliance:

- Local Government Act 2020*
- Gender Equality Act 2020*
- Privacy and Data Protection Act 2014*
- Charter of Human Rights and Responsibilities Act 2006*
- Freedom of Information Act 1982*
- Public Records Act 1973*

Privacy and Data Protection compliance

This policy has considered council's legal obligations, implications, and exposures. It ensures compliance with the *Privacy and Data Protection Act 2014* and Information Privacy Principles (IPPs) to the extent that council will be collecting the personal information of people attending the council meetings. The policy also considers the *Victorian Protective Data Security (VPDSS) Framework* that adopts a risk-based approach to protective data security and provides governance arrangements to protect identified information security risks across the domains of information, personnel, ICT and physical.

Gender Equality compliance

Councils must consider where relevant gender equality principles, workplace gender equality of rights, opportunities, responsibilities and outcomes and the promotion of gender equality in the policies, programs, and services it delivers.

Council believes that flexibility in how people can attend and participate in council meetings will enable greater access for members of the community who may have barriers that prevent regular attendance in person at a meeting.

As required under Part 3 of the *Gender Equality Act 2020*, officers have completed a gender impact assessment as the policy impacts the public. Gender impact assessments assess the effects that a council policy or program may have on people of different genders to ensure the policy better supports Victorians of all genders.

Charter of Human Rights compliance

It is considered that this policy has a positive impact on the following Human Right identified in the *Charter of Human Rights & Responsibilities Act 2006*

Taking part in public life – every person has the right to take part in public affairs

Definitions

Council meeting means a meeting of the council at which all the councillors are, subject to the Local Government Act 2020, entitled to attend and vote, no other person is entitled to vote and a decision to do an act, matter or thing is made by a resolution of the council

Review history

Date	Review details	Action
21 September 2021	Reported to ELT	
27 September 2021	Reported to Councillor Briefing	
4 October 2021	Reported to Council	Adopted