

# **GREATER SHEPPARTON CITY COUNCIL LIVE STREAMING AND PUBLISHING RECORDINGS OF COUNCIL AND DELEGATED COMMITTEE MEETINGS**

Adopted by Council: Day Month Year

Next Review: Within 12 months of a General Election



**LIVE STREAMING AND PUBLISHING RECORDINGS OF COUNCIL AND DELEGATED COMMITTEE MEETINGS**

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

## DOCUMENT REVISIONS

Version #	Summary of Changes	Date Adopted
1.0	The policy was first draft and adopted.	20 September 2016
1.1	Policy was revised following local Council elections in October 2016. It was updated to include minor administrative changes.	20 June 2017
1.2	Policy revised following local Council elections in October 2020. Updated to reference the <i>Local Government Act 2020</i> , the <i>COVID-19 Omnibus (Emergency Measures) Act 2020</i> , Council's Governance Rules, <i>Virtual Meeting Procedure</i> and application to Delegated Committee Meetings.	

## PURPOSE

This Policy outlines the requirements associated with the live streaming and publishing recordings of Scheduled and Additional Council Meetings via Council's website. This policy will inform members of the public and Councillors on Council 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 Council's website will provide greater flexibility and convenient access for residents. It will allow the public to watch meetings in real time via the internet without the need to attend in person.

In accordance with Council's Public Transparency Policy, the live streaming of meetings provides the community with greater access to Council decisions and debate. It eliminates some geographic, time and accessibility barriers which may otherwise prevent the public from attending meetings in person.

## SCOPE

This Policy will apply to all public Scheduled and Additional Council Meetings conducted by the Greater Shepparton City Council (Council). The policy also applies to Council's Delegated Committee Meetings to the extent that the *COVID-19 Omnibus (Emergency Measures)* legislation applies. It does not extend to any meetings closed to the public in accordance with Section 66(2) of the *Local Government Act 2020* (the Act).

## DEFINITIONS

Reference term	Definition
Chairperson	Refers to the individual responsible for Chairing the relevant meeting. In relation to a Scheduled or Additional Council meeting, it is the Mayor or Deputy Mayor in the absence of the Mayor. In the absence of both, it is the individual taking the chair in accordance with the Governance Rules.  In relation to a Delegated Committee meeting, it is a Councillor appointed as Chair by Council or the Mayor. In the absence of both, it is the individual taking the chair in accordance with the Governance Rules.
Council	Refers to the 'Greater Shepparton City Council'.
Scheduled Council Meeting	A Scheduled Meeting of the Council as defined in the Governance Rules and in accordance with Section 61(1) of the <i>Local Government Act 2020</i> .
Additional Council Meeting	An Additional Meeting of the Council as defined in the Governance Rules and in accordance with Section 61(1) of the <i>Local Government Act 2020</i> .

Confidential Council Meeting	A Meeting of the Council which has been closed to members of the public under Section 66(2)(a) of the <i>Local Government Act 2020</i> .
Delegated Committee	Means a Delegated Committee established by Council under Section 63 of the <i>Local Government Act 2020</i> .
Delegated Committee Meeting	Refers to a meeting of a delegated committee in accordance with Section 63(2) and (3) of the <i>Local Government Act 2020</i> .
Defamation	Intentional false communication which damages the reputation of another individual.
Privacy Breach	Unauthorised access to, modification, use, disclosure or loss of personal information held by Council.

## POLICY

### 1. Meetings to be Streamed Live and Recorded

All public Scheduled and Additional Council Meetings will be streamed live and made available to the public via an official Council social media page. All recordings will subsequently be made accessible on Council's website. While Confidential Council Meetings may also be recorded, these files will not be made publicly available.

Meetings of a Delegated Committee may be streamed live or recorded. The link to the recording should be made publically accessible on Council's website in accordance with section 395(1)(b) of the *Local Government Act 2020*.

In accordance with Part 12 – COVID 19 – temporary measures of the *Local Government Act 2020* and any additional public health advice, the physical public gallery may be closed to the public. Council Meetings during this time will be streamed live and only Councillors, relevant Council Officers and other authorised persons will appear in the video recording.

The Council or a Delegated Committee will not be required to live stream a meeting or make a recording available if the Council or Delegated Committee considers it necessary to close the meeting to the public in pursuant to Section 66(2) of the *Local Government Act 2020*.

#### 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.

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. For example, 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 an official Council social media 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 accessible via 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 recordings will remain accessible via the website for a period of up to 12 months and on an official Council social media 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 Scheduled and Additional 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**

A privacy collection notice and defamation disclaimer has been developed to ensure that gallery attendees are aware of possible privacy concerns regarding the live streaming of meetings. 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 a person's image is webcast, by remaining in the public gallery area it is deemed that consent has been given for the Council to broadcast the 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 that may be incurred as a result of the viewing, use or reliance on information or statements provided in the live streaming/recording of Council meetings.

## **RELATED POLICIES AND CORPORATE PROCEDURES**

- *Councillor Code of Conduct*
- *Employee Code of Conduct*
- *Governance Rules*
- *Virtual Meeting Procedure*

- *Public Transparency Policy*

#### **RELATED LEGISLATION**

- *Local Government Act 2020*
- *COVID-19 Omnibus (Emergency Measures) Act 2020*
- *Local Government Act 1989*
- *Privacy and Data Protection Act 2014*
- *Freedom of Information Act 1982*

#### **REVIEW**

This Policy will be reviewed within twelve 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**  
**Mayoral Statement**  
**Agenda and Website Disclaimer Statement**



## Attachment 1 Public Gallery Notice

**The following notice will be posted at the Council Meeting location:**

Greater Shepparton City Council manages your personal information in accordance with its Privacy Policy and the *Privacy and Data Protection Act 2014* (Vic).

To increase accessibility, this Council meeting will be live streamed on the internet via an official Greater Shepparton City Council social media page. A recording will subsequently be made publically available on Council's website at [www.greatershepparton.com.au](http://www.greatershepparton.com.au) as well as Council's social media pages.

Whilst all care is taken to maintain your privacy, as a visitor in the public gallery your presence may be inadvertently recorded. By remaining in the public gallery your consent is provided for the collection and public disclosure of your image.

For additional information concerning Council's privacy practices or to gain access to your personal information please contact the Governance Team on 5832 9700.

**Attachment 2****Mayoral 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 Publishing Recording of Council Meetings and Delegated Meetings Policy.

Whilst all care is taken to maintain your privacy; as a visitor in the public gallery your presence may be inadvertently recorded. By remaining in the public gallery your consent is provided for the collection and public disclosure of your image.

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 Scheduled and Additional 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.