



LIVE STREAMING OF COUNCIL MEETINGS POLICY

Policy Number	C67	Directorate	Corporate and Community Services
Council Meeting	25 July 2018	Department	Corporate Planning & Council Business
Meeting Item No.	5.1	Primary Author	Corporate Planning & Council Business Coordinator
Next Review Date	July 2022	Secondary Author	Council Business Officer

1. POLICY OBJECTIVE

This Policy aims to improve accessibility and community participation in relation to decision making processes. It is envisaged that live streaming, recording and publishing Council Meetings on Council’s website will provide more flexible and convenient access of Council debate and decisions to a wider audience.

Live streaming Council Meetings also eliminates geographic and time barriers which may prevent the public from attending meetings in person; thereby resulting in greater community confidence in the integrity and accountability of the decision making process.

The Live Streaming of Council Meetings Policy provides the policy direction and guidelines for Councillors, Officers and the community.

2. POLICY STATEMENT

This Council Policy reflects Council’s commitment to transparent and accessible decision making processes, with the introduction of live streaming and recording of Ordinary and Special Meetings of Council. Any parts of Council’s Meetings that are closed to members of the public under s.89(2) of the Local Government Act 1989 (the Act) are regarded as confidential and will not be recorded.

3. SCOPE

This Policy applies to:

- Ordinary and Special Meetings of Council;
- Councillors and Officers of the South Gippsland Shire Council; and
- Members of the public, both as visitors in the gallery and when invited to speak in the Meeting.

4. DEFINITIONS

Ordinary Meeting	Ordinary Meeting of Council is defined in s.83(a) Local Government Act 1989.
Special Meeting	Special Meetings of Council is defined in s.83(b) Local Government Act 1989.
Confidential Meeting	A Meeting of the Council which has been closed to members of the public under s.89(2) Local Government Act 1989.
Chair	The person who chairs a meeting of the Council.



Defamation	Intentional false communication which damages the reputation of another individual.
Streaming (webcasting)	The process of delivering multimedia content via the internet, in audio and/or video format from a single content source to multiple listeners/viewers.
Controls	Any process, policy, device, practice or other action which impacts on the consequence or likelihood of a particular risk occurring, that is currently in place.
Treatment Plan	Any process, policy, device, practice or other action which impacts on the consequence or likelihood of a particular risk occurring, that is in the process of being implemented.

5. PROCEDURES

5.1 Live Streaming, Recording and Publishing

Ordinary and Special Meetings held in the Council Chamber, Leongatha will be streamed live, recorded and published in accordance with this Policy and will be able to be accessed from Council's website: www.southgippsland.vic.gov.au

Any parts of Council's Meetings that are closed to members of the public under s.89(2) of the Act are regarded as confidential and will not be recorded.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, quality of viewing, device failure or malfunction, unavailability of social media platforms or power outages.

5.2 Accessing Recordings

Ordinary and Special Meetings that are streamed live will be made immediately available on Council's website. The recordings of Meetings will be available for a four year term of Council.

5.3 Publication of Notices – Informing Attendees

It is not the intention of live streaming, recording and publishing to capture those attending the Meeting in the gallery, however this may occur due to camera angles and seating arrangements. By attending the public meeting, attendees are consenting to their image, voice or comments being recorded.



There will be a number of notices informing attendees that live streaming, recording and publishing will be taking place.

At the commencement of each Meeting, the Chair will read a statement included in the Preliminary Matters of the Council Agenda notifying those present that the Meeting will be live streamed on the internet and that a recording of the Meeting will be published on Council's website.[refer **Attachment 1**]

Signage communicating a similar message will be visibly displayed in the foyer of the Council Chamber, Leongatha. [refer **Attachment 2**]

Notice will also be published on Council's website. [refer **Attachment 3**]

5.4 Public Interaction in Council Meetings

5.4.1 Public Question Time/ Public Hearings

Council's [Public Participation in Meetings with Council Policy](#) sets out the requirements for receiving and presenting questions in a Council Meeting.

Any attendee who is invited to read out a question or speak to their submission will be recorded and their voice and image will form part of the live stream, recording and publishing.

Should an attendee who is invited to read out their question or speak to their submission not wish to be recorded must make this request known to Council staff prior to the meeting commencing. This request can be made either by emailing council@southgippsland.vic.gov.au two hours prior to the Meeting or in person no later than 15 minutes prior to the meeting.

5.4.2 Presentation of Awards/ Public Acknowledgements

Council's [Public Participation in Meetings with Council Policy](#) sets out the expected behaviours for participation in Council Meetings.

Any attendee who is invited to make or receive a presentation or acknowledgement from Council will be recorded and their voice and image will form part of the live stream and recording.

In circumstances where time permits, correspondence to the attendee shall be made to include the public notice information that Council undertakes live streaming and recordings of its Council Meetings. [refer **Attachment 2**]

6. RISK ASSESSMENT

Consideration has been given to the risks identified with implementing live streaming, recording and publishing at Council. By live streaming, recording and publishing meetings, the potential audience to Council Meetings is significantly increased, which as a result increases the likelihood of a legal matter arising and/or severity of potential liability.



Council may be exposed to legal action that may result in financial loss and reputational damage from a range of causes. Controls are in place and additional treatment plans are currently being implemented to ensure that risk exposure is minimised as far as possible.

6.1 Legal exposure relating to inappropriate behaviours of those in attendance

Councillors and Officers need to take care, especially in the heat of a council debate, not to make defamatory statements which could give rise to a civil action.

Councillors and Officers are guided by their respective Codes of Conduct. Members of the Public are guided by the [Public Participation in Meetings with Council Policy](#).

As outlined previously, the Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming.

Attendees are advised that they may be subject to legal action as a result of their inappropriate and/or unacceptable behaviour and/or comments.

6.2 Technical issues beyond Council's control

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to the availability of the internet connection, quality of viewing, device failure or malfunction, unavailability of social media platforms or power outages.

6.3 Legal exposure relating to breach of privacy and defamation

Council has completed a Privacy Impact Statement in accordance with requirements set out by the Commissioner for Privacy and Data Protection and considered privacy matters in its risk mitigation treatment plan.

The video recording equipment will be configured, as far as practicable, to minimise coverage of the gallery area, however attendees need to be aware that as this is a public meeting their image, voice or comments may be captured and published in the live stream. By attending a public meeting of the Council attendees are consenting to being recorded and published.

A number of notices informing that live streaming and recording will be taking place have been prepared to ensure that attendees are made aware of their consent. [refer **Attachment 1, 2 and 3**]



7. IMPLEMENTATION STATEMENT

The **Corporate Planning and Council Business Team** will be responsible for:

- Communicating the relevant public notices in Attachments 1, 2 and 3, to be included in:
 - Public Notice in the Council Agenda
 - Public Notice Signage in the Meeting
 - Public Notice on Council's Website
- Including a copy of the recording in Council's Record Management System and undertaking relevant archiving and destruction procedures after the four year term of Council.

The **Information Technology Team** will be responsible for:

- Setting up, positioning and testing the video equipment for each Council Meeting.
- Provide ongoing support to ensure the live stream is operational for each Meeting.
- Servicing equipment.

The **Communication's Team** will be responsible for:

- Publishing Council Meeting live stream recording links, to Council's website.

8. LEGISLATIVE AND POLICY PROVISIONS

Council Policy

[Councillor Code of Conduct](#)

[Staff Code of Conduct](#)

[Public Participation in Meetings with Council Policy](#)

[Local Law No.3 – Processes of Municipal Government, Meeting Procedure and Common Seal](#)

Legislative Provisions

Local Government Act 1989

Privacy and Data Protection Act 2014

9. ATTACHMENTS

- Attachment 1: Public Notice to be included in the Council Agenda and to be read out by the Meeting Chair
- Attachment 2: Public Notice to be displayed as signage at the entrance of the Council Meeting
- Attachment 3: Public Notice in be included on Council's website



Attachment 1 - Public Notice to be included in the Council Agenda and to be read out by the Meeting Chair

Live Streaming, Recording and Publishing of Council Meetings

This Council Meeting is being streamed live, recorded and published in accordance with Council's *Live Streaming in Council Meetings Policy*.

To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded and published.

Anyone who is invited to read out a question or a presentation will be recorded and their voice, image and comments will form part of the live stream and recording.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Today's Meeting is being streamed live as well as recorded and published on Council's website.

Thank you.



Attachment 2 – Public Notice to be displayed as signage at the entrance of the Council Meeting

This Council Meeting is being streamed live, recorded and published in accordance with Council's *Live Streaming in Council Meetings Policy*. A copy of the Policy can be viewed on Council's website.

By attending a public meeting of the Council you are consenting to your image, voice and comments being recorded. Should you wish to attend and/or speak without being recorded you must make this request to Council staff prior to the meeting commencing. This request can be made either by emailing council@southgippsland.vic.gov.au two hours prior to the meeting or in person no later than 15 minutes prior to the meeting.

The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for 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.

It should be noted that no protection is afforded to Councillors, Council employees or the public for comments made during Meetings which are subsequently challenged in a court of law and/or determined to be defamatory.



Attachment 3 – Public Notice to be included on Council’s website

All public meetings of the South Gippsland Shire Council are streamed live, recorded and published in accordance with Council’s *Live Streaming in Council Meetings Policy*, which is available at: www.southgippsland.vic.gov.au/livestreaming

While meetings are open to the public, Council recognises that not everyone can attend in person. Live streaming gives all community members the opportunity to watch and listen to meetings, either in real time or at their convenience, giving greater access to Council decision making and debate.

By attending a public meeting of the Council attendees are consenting to their image, voice and comments being recorded. Should attendees wish to attend and/or speak without being recorded they must make this request to Council staff prior to the meeting commencing. This request can be made either by emailing council@southgippsland.vic.gov.au two hours prior to the meeting or in person no later than 15 minutes prior to the meeting.

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