

POLICY

Policy Name	Live Streaming and Recording of Council Meetings
Policy Category	Governance
Department / Officer	Governance / Chief Executive Officer
Date Adopted	28 October 2019
Date/s Reviewed	26 March 2024
Review Frequency	Every three (3) years
Strategic Plan Reference	Objective 6 – We are a well-governed and financially sustainable organisation

1. Purpose

This policy outlines guidelines for the live streaming and recording of City of Victor Harbor Special and Ordinary Council meetings, and the publishing of such recordings for public access following the meetings. It has been developed to provide guidance to City of Victor Harbor Council Members, staff and the community.

2. Scope

This policy applies to all Ordinary and Special meetings of Council where the public and media is not excluded under Section 90 of the *Local Government Act 1999*.

3. Policy Statement (Summary)

Live streaming and recording Council meetings will assist the City of Victor Harbor to foster community interest and engagement in its decision making. It will also help increase community awareness of Council business and build community confidence in the City of Victor Harbor's decision making processes through enhanced transparency and accountability.

Council meetings are open to the public, yet attendance is not always possible. Live streaming and recording provides an opportunity for the public to view Council meetings at their convenience.

4. Legislation and Compliance

The City of Victor Harbor's Code of Practice for Meeting Procedures allows for Council Meetings to be live streamed and recorded. It also allows recording from the public gallery.

This policy aims to set out guidelines to minimise the risks associated with the live streaming, recording and publishing of meetings online.

5. Definitions

Council – The City of Victor Harbor

Ordinary Meeting – An Ordinary meeting of Council, as defined under Section 81 of the Local Government Act 1999.

Special Council Meeting – A special meeting of Council, as defined under Section 82 of the Local Government Act 1999.

Confidential – An item on a meeting agenda or a meeting which has been closed to members of the public under Section 90 of the Local Government Act 1999.

Live streaming – broadcast of a Council meeting over the Internet.

Recording – a video recording of a Council meeting.

6. Policy Content

6.1 Live Streaming, Recording and Publishing

Ordinary and Special Meetings held in the City of Victor Harbor Council Chamber will be live streamed, recorded and published in accordance with this policy, and will be able to be accessed via Council's website (www.victor.sa.gov.au).

Any parts of these meetings that are closed to the media and members of the public under Section 90 of the Local Government Act 1999 are regarded as confidential and will not be live streamed.

6.2 Access to Recordings of Meetings

In most cases, once a Council meeting has concluded, the video recording will be available to watch online via YouTube (or other video platform) within three business days with links provided from the City of Victor Harbor website.

6.3 Public Notification of Live Streaming and Recording

The City of Victor Harbor will advise the public that the meeting is being live streamed and recorded in the following ways:

- On the Notice of meeting (agenda)
- On notices at the entry to the Council Chambers
- Verbally by the presiding member at each meeting.

It is not the intention of the live streaming or recording to capture those attending the meeting in the gallery. However, this may occur due to camera angles and seating

arrangements. Members of the public who address the Council (for example through questions from the gallery or a deputation) are consenting to their image, voice and comments being recorded.

6.4 Technical Disclaimer

There may be instances where due to technical difficulties beyond Council's control a live stream or recording may not be available. Every reasonable effort will be made to ensure the availability of live streaming and recordings of meetings via Council's website. However, Council takes no responsibility for and accepts no liability in the event that live streaming of a meeting, a recording of a meeting, or Council's website is unavailable.

Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction, unavailability of social media platforms or power outages.

6.5 Disclaimer

Opinions expressed and statements made during a Council meeting are those of the individuals making them, and not those of Council. Unless set out in a resolution of Council, the City of Victor Harbor does not endorse or support the views, opinions, standards or information that may be expressed by individuals at a Council meeting and which may be contained in a live stream or recording of a Council meeting.

6.6 License and Use of Live Streams and Recordings

Access to live streams and recordings of Council meetings is provided via Council's website (www.victor.sa.gov.au).

6.8 Third Party Recording

The City of Victor Harbor allows filming, photography and audio recording from the public gallery, provided it does not disturb the meeting, or prevent those taking part in the meeting from performing their functions. Requirements for this are outlined within the City of Victor Harbor Code of Practice for Meeting Procedures.

To protect the privacy of individuals attending meetings, the City of Victor Harbor requests that third parties not film, record or photograph the public gallery.

Third party recordings must not be edited in a way that could lead to the misinterpretation of the proceedings.

7. Risk Management

The City of Victor Harbor acknowledges that by live streaming and recording Council meetings the potential audience is significantly increased, which also increases potential risks.

Council does not accept liability for any inaccurate or defamatory statements or comments made by individuals at a meeting, and will take appropriate steps to ensure that it does not publish such material by live streaming or publishing recordings.

Accordingly, the Mayor and/or Chief Executive Officer have the discretion and authority to direct the termination or interruption of live streaming if they believe the content poses a legal risk to the Council. Such direction will only be given in exceptional circumstances, where statements are, or are likely to be, made that are considered inappropriate to be published (either via streaming or recording).

The same principle applies following a Council meeting. If the Mayor and/or Chief Executive Officer determines the content of the recording poses a legal risk to the Council, they may direct the exclusion of all or part of the meeting recording before it is published online. Council Members will be notified by email with an explanation of the reasons the action was taken prior to the meeting being published.

8. Implementation/Delegations

This policy applies to Council Members, staff, contractors, consultants and members of the public attending or viewing City of Victor Harbor Council meetings.

9. Related Documents

Local Government Act 1999
Code of Practice for Meeting Procedures
Code of Conduct for Council Members
Code of Conduct for Council Employees

10. Availability of Policy

This policy is available on Council's website at www.victor.sa.gov.au. It may also be inspected or purchased at the Principal Office of the Council at 1 Bay Road, Victor Harbor.