

Live Streaming and Recording of Council Meetings

Introduction

This policy ensures Council's commitment to engaging with its community by enhancing accessibility to Council's decision-making processes.

Objective

- To allow a broader audience to view proceedings of Council.
- To reduce geographic and time barriers which may prevent the public from attending meetings in person.
- To give viewers greater access to Council decision-making by offering them the option to watch and listen to a Council meeting in real time, or at a later time, which is more convenient.
- To encourage openness and transparency which may increase community awareness and promote confidence in the integrity and accountability of the decision-making process.

Scope

This policy outlines guidelines for the live audio and video streaming and recording of Agenda Briefings, Ordinary and Special Council Meetings on the Shire's website, through an appropriate social media platform.

The live streaming of meetings will commence at specified times and conclude when the Presiding Member closes or adjourns the meeting for any reason.

Instances of public participation in meetings may be included in the live stream or recordings.

Council Meetings shall be live streamed in accordance with this Policy unless a motion to the contrary is passed by simple majority at the beginning or at any other time during the meeting.

Definitions

Term	Definition
Act	<i>Local Government Act 1995.</i>
Council	The local government, responsible for making decisions in formal meetings held under the auspices of Part 5 of the <i>Local Government Act 1995</i> and under the <i>Shire's Standing Orders Local Law 2008.</i>
Executive Managers	Managers defined as Senior Workers that Council resolved (Res. No. OCM026/03/22) to designate in accordance with

Term	Definition
	section 5.37 of the <i>Local Government Act 1995</i> : <ul style="list-style-type: none"> • Manager Corporate and Community Services; • Manager Infrastructure and Assets; and • Manager Development and Regulation.
Member	In relation to a council or committee, a Council Member in the Act; Elected Member; or Councillor; or a member of the committee.
Presiding Member	The Shire President, Deputy Shire President, or Councillor elected to chair the meeting.
Regulations	Local Government (Administration) Regulations 1996.
Shire	The Shire of Toodyay.
Workers	Employees, contractors, and volunteers of the Shire as per the Work Health and Safety legislation (WHS) and regulations.

Policy Statement

Agenda Briefing Sessions, Ordinary and Special Council Meetings will be live streamed to give members of the public who are unable to attend in person the opportunity to watch and listen live on the Shire's website which links up to the Shire's social media platform.

1. Live Streaming and Recording

- (a) Signage will be prominently displayed inside the Council Chambers and at entrances to the Council Chambers, notifying attendees that the meeting will be live streamed and recorded.
- (b) The Presiding Member will make an announcement at the start of every meeting, in respect to whether permission will be given record proceedings in accordance with *Shire of Toodyay Standing Orders Local Law 2008* Clause 5.16(2).
- (c) Members of the public are required to extend due courtesy and respect to Members, Executive Managers, Workers and other members of the public who may be in attendance.
- (d) Where Council resolves to move behind closed doors at Council Meetings in accordance with Section 5.23 of the *Local Government Act 1995* to discuss items of business confidentially, that part of the meeting will not be streamed live and will not be recorded; thereby not enabling a recording of the session behind closed doors to be available to the public after the meeting as a recording.
- (e) Where the Presiding Member rules that the Agenda Briefing Session move behind closed doors to discuss items of business confidentially, that part of the meeting will not be streamed live and will not be recorded; thereby not enabling a

recording of the session behind closed doors to be available after the meeting as a recording.

- (f) Live stream recordings of a meeting will be publicly available as soon as practicable after the meeting on the Shire's website.
- (g) Copying or distribution of any part of the live stream or recording is not permitted, and the Shire reserves all rights in relation to its copyright.

2. Disclaimers

- (a) There may be technical difficulties beyond Council's control whereby 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.
- (b) Council takes no responsibility for or accepts any liability in the event that live streaming of a meeting, a recording of a meeting, or the Shire's website is unavailable.
- (c) Technical issues may include, but are not limited to, the availability of the internet, network or device failure or malfunction of social media platforms or power outages, for any reason.
- (d) Council does not accept any liability for any inaccurate or defamatory statements or comments made at a meeting. Accordingly, at any time during a meeting the Presiding Member has the discretion and authority to direct the termination or interruption of a live streaming if it is believed advisable to do so.
- (e) The Presiding Member has the discretion and authority to direct the exclusion of all or part of any meeting recording that may be considered inappropriate.
- (f) 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, Council 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 recording of a Council meeting.
- (g) Council does not accept any responsibility for any verbal comments made during a Council meeting which may be inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.
- (h) 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 stream, or recording of a Council meeting.
- (i) Confirmed Council Minutes provide the definitive record of Council's resolutions.

3. Live Streaming and Recording – Record Keeping

- (a) The official record of the meeting will be in the written minutes kept in accordance with the *Local Government Act 1995* and any relevant regulations.
- (b) All recordings will be retained as part of the Shire's records in accordance with the *State Records Act 2000*.

Reference Information

- WALGA Good Governance in practice [Electronic Council Meetings](#)
- Western Australia [Recording Laws](#)
- [Surveillance Devices Act 1998](#) (section 5)

Legislation

- *Local Government Act 1995*
- *State Records Act 2000*

Associated documents

Code of Conduct

Shire of Toodyay Standing Orders

Version control information

Version No.	Date Issued	Review position	Developed by	Approved by
V1	27/08/2019	Adopted	CEO	Council
V2	16/09/2022	Reviewed	Executive Services	Council

Document control information

Document Theme	Governance
Document Category	Governance
Document Title	Live Streaming and Recording of Council Meetings
Document ID	GOV19
Document Owner (position title)	Chief Executive Officer
Author (position title)	Chief Executive Officer
Date of approval	26 October 2022 (CRN: OCM229/10/22)
Approving authority	Council
Access restrictions	Nil
Date Published	28 October 2022
Date of last review	26 October 2022
Date of next review	22 October 2025
Archived antecedent documents and previous versions	2019 NPP18255 / RES NO 213/08/19