



# Meeting Live Streaming Policy

Version no.2

Approval Date: 05/08/2024

Review Date: 04/08/2028

## Document Control

<b>Responsible GM</b>	Tim Ellis	
<b>Division</b>	Regional City Strategy & Transition	
<b>Last Updated (who and when)</b>	Peter Schulz, Coordinator Council Business	2024
Document History		
Authority	Date	Description of Change
Council	4 October 2021	New Policy
Council	5 August 2024	Adoption of Policy in new format and minor amendments.
<b>References</b>	Refer to section 8 and 9 of this policy	
<b>Next Review Date</b>	August 2028	
<b>Published on Website</b>	Yes	
<b>Document Reference No.</b>	2684677	

## 1. Background

This policy reflects Latrobe City Council's commitment to transparent and accessible decision making processes through the live streaming and recording of meetings.

## 2. Objectives

This policy outlines Latrobe City Council's (Council) provisions for live streaming and recording and publishing video and audio of its Council, Delegated Committee and other determined meetings that are open to the public.

## 3. Scope

This policy applies to:

- Council Meetings and Delegated Committee meetings when open to the public in accordance with section 66(1) of the *Local Government Act 2020*;
- Other public meetings as authorised by the Chief Executive Officer;
- Councillors and Council employees;
- Members of the public who access Council and Delegated Committee meetings and as contributors to other relevant public meetings; and
- Members of the public who access Council and Delegated Committee meetings via the Council YouTube channel or any other means provided and/or approved by Council.

## 4. Principles of Management

Council meetings that are open to the public are usually held on the first Monday of each month and, where practicable and possible, will be live streamed on the internet via Council's YouTube channel at the time of the meeting. If there is no public attendance, and the meeting is open, the meeting must be live streamed.

A recorded version of the Council or Delegated Committee meeting will be made available via Council's YouTube channel three business days after the meeting has occurred where possible.

Signage will be displayed in and near the meeting room immediately prior to and during Council meetings to alert people entering the gallery to the fact that the meeting is being video and audio streamed and recorded.

### 4.1 Meetings Closed to the Public

Section 66 of the *Local Government Act 2020* allows Council to resolve that a meeting be closed to the public under the following circumstances:

- Where the meeting is to consider confidential information.
- For security reasons.
- Where it is necessary to do so to enable the meeting to proceed in an orderly manner.

Where a resolution has been made to close a meeting to the public for confidential reasons, the live streaming of the meeting will cease.

Where the meeting has been closed in accordance with section 66 for security reasons or to enable the meeting to proceed in an orderly manner, livestreaming and recording will continue.

If the meeting is a Delegated Committee, it may proceed without live streaming provided a recording can still be made and published via the Council YouTube channel as soon as practicable after the meeting.

#### **4.2 Public Participation**

All efforts will be made by Council to avoid streaming or recording video and audio of the public gallery however, where a member of the public participates in a meeting in any form, those members of the public are, in doing so, agreeing to be recorded.

Persons invited to speak during a meeting will be advised prior to the meeting that their image and voice will be captured by the livestream and recorded, and prior consent will be obtained to this happening.

Where the live stream is conducted by virtual means, the speakers audio and video may be live streamed and recorded.

Public participation at Council and Delegated Committee meetings will be in accordance with the Council's Governance Rules in force at the time.

#### **4.3 Councillor Participation**

The camera positions must ensure that the Governance Rules with respect to Virtual and Hybrid meetings are able to be met, including that Councillors speaking can be seen and heard on the livestream.

#### **4.4 Officer Participation**

The Chief Executive Officer, General Managers and officers recording the minutes of the Council meeting may be seen in camera view through the live streaming and recording of the Council meeting.

The Chief Executive Officer and General Managers will be provided with microphones to capture and record audio where they may be required to respond to a question or communicate information to Council or the gallery during the course of the meeting.

#### **4.5 Access to Recordings**

Recordings of meetings will be accessible via Council's YouTube channel for at least one year. Council will retain recordings of meetings and access to view may be granted where a request has been made by a member of the public.

#### **4.6 Technical Disclaimer**

Where technical difficulties beyond Council's control prevent or interrupt the video and audio of a Council or Delegated Committee meeting, the live stream and/or the recording may not be available. Every reasonable effort will be made to make available via Council's YouTube channel the live streaming and recording of meetings.

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

## 4.7 Legal Disclaimers

### 4.7.1 Privacy

The camera equipment will be configured in a way which aims to avoid coverage of the public gallery area. Council will endeavour to ensure images in this area are not streamed and/or recorded, however, Council expressly provides no assurances to this effect and, in the event that a person's image is webcast by remaining in the public gallery area, it is assumed that consent has been given to Council to broadcast the individual's image.

A privacy notice will be displayed in the public gallery area to notify visitors of the live streaming and recording of Council meetings. The Chair will also be provided with a script to alert members of the gallery of the live streaming and recording at the commencement of the meeting. It will then be the individual's responsibility to determine if they have privacy concerns and to choose whether to stay or leave the meeting.

Members of the public who choose to participate in meetings conducted by virtual means, in doing so, are consenting to the broadcasting and recording of their image and/or voice.

### 4.7.2 Liability

Opinions, comments or statements made during Council or Delegated Committee meetings are those of the individual and not the opinions or statements of Council. Council does not, unless otherwise stated, endorse or support the views, opinions, or information captured and contained in the live streaming and recording of the meeting.

Council does not accept any responsibility for actions and comments made during Council and Delegated Committee meetings which are inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the live streamed meetings are complete, reliable, accurate or free from error.

Local Government does not afford Councillors with parliamentary privilege during the course of Council meetings, or any other Council related activity. Therefore, all associated laws apply to actions and words spoken during meeting proceedings.

No protection is afforded to Councillors, officers or the public for comments made during meetings which are subsequently challenged in a court of law and determined to be defamatory, inaccurate, slanderous or in contravention of any other current and enforceable law.

Council does not accept responsibility or liability for any loss, damage, cost or expense incurred by any individual or entity resulting from the viewing, use or reliance on information or statements provided in the live streaming and recording of Council meetings.

### 4.7.3 Exclusion of Inappropriate Material

Whilst Council is not liable for any inaccurate or defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material.

The Chief Executive Officer has discretion to direct the exclusion of all or part of any meeting recording which they deem to be inappropriate. Material considered inappropriate may include, but is not limited to:

- Inaccuracies
- Misinformation
- Defamation
- Infringement of Copyright
- Breach of Privacy / Disclosure of Personal Information
- Offensive behaviour including Discrimination
- Vilification or Inciting Hatred
- Confidential or Privileged Council Information

In the event a published recording is altered to exclude inappropriate material, the Chief Executive Officer will provide notice of the intention to do so in advance to Councillors. The notice will provide a timeframe reasonable for the circumstances of the matter to be determined at a scheduled or unscheduled Council meeting.

#### 4.7.4 Interruption or Termination of Live Streaming

The Chair and/or the Chief Executive Officer have the discretion and authority at any time during a meeting 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 where the content of debate is considered misleading, defamatory or potentially inappropriate to be broadcast and published. Furthermore, such direction will only be given by the Chief Executive Officer after an attempt to notify or advise the Chair to adjourn the meeting. If this is not achieved the Chief Executive Officer has the direction to interrupt the meeting and advise the live stream will be interrupted or terminated.

In taking action to terminate or interrupt the live stream the Chair and/or Chief Executive Officer will err on providing full transparency having regard to the risks to Council of the content in question.

#### 4.7.5 Licence and Use of Live Streams and Recordings

Latrobe City Council live streamed and recorded video, images and audio must not be altered, reproduced or republished with the permission of Council. Copyright of this material belongs to Council. For any commercial or media enquiries or use, contact Council.

## 5. Accountability and Responsibility

Accountability and responsibility for this policy is outlined below.

### 5.1 Council

- Responsibility to ensure this Policy is consistent with Latrobe City Council Strategic Direction and other Latrobe City Council Policy
- Responsibility for the decision to approve this Policy by Council Resolution

### 5.2 Chief Executive Officer

- Overall responsibility for compliance with this policy
- Overall responsibility for enforcing accountability

- Overall responsibility for providing resources
- Overall responsibility for performance monitoring

### 5.3 General Manager

- Responsibility for compliance with this policy
- Responsibility for enforcing accountability
- Responsibility for providing resources
- Responsibility for performance monitoring

### 5.4 Manager

- Develop frameworks and procedures in compliance with this policy
- Enforce responsibilities to achieve compliance with frameworks and procedures
- Provide appropriate resources for the execution of the frameworks and procedures

### 5.5 Employees, Contractors and Volunteers

- Participate where required in the development of frameworks and procedures in compliance with this policy.
- Comply with frameworks and procedures developed to achieve compliance with this policy.

## 6. Evaluation and Review

This policy will be reviewed on request of Council, in the event of significant change in the Executive team, significant changes to legislation applicable to the subject matter of the policy or, in any other case, during each Council term (generally four years).

## 7. Definitions

Council – The Latrobe City Council

Council Meeting – A meeting of the Council convened in accordance with section 61 of the *Local Government Act 2020*, whether held by face-to-face (in person) attendance at a set location, via electronic means (virtual) or in a 'hybrid' format that mixes in-person and electronic attendance.

Delegated Committee – A Delegated Committee established by Council under section 63 of the *Local Government Act 2020*.

Delegated Committee Meeting – A meeting of a Delegated Committee, whether held by face-to-face (in person) attendance at a set location, via electronic means (virtual) or in a 'hybrid' format that mixes in-person and electronic attendance.

## 8. Related Documents

Governance Rules

Privacy Policy

## 9. Reference Documents

*Local Government Act 2020*

*Privacy and Data Protection Act 2014*