

Bass Coast Shire Council Meeting Livestreaming Policy 2020

Preamble

By observing Council's decision-making process, members of the public can be better informed on Council position and activities and can apply a level of scrutiny to Council's functions.

With just over half Bass Coast ratepayers living outside the Shire, distance to travel to a Council Meeting is still a significant barrier. Livestreaming represents the opportunity to overcome this barrier, enabling non-resident ratepayers to watch a Council Meeting from their computer, tablet or smartphone.

This Policy also recognises the digital inequity across Bass Coast. Livestreaming will complement but not replace the ability for the public to physically attend Council Meetings, and/or view the agenda and minutes at Customer Services centres located across the Shire.

For the purpose of this Policy, Livestreaming is the process of making a live video feed available online and subsequently publishing this video to be available 'on demand' at a later date.

Scope

This Policy applies to all Ordinary and Special Council Meetings that are open to the public.

This Policy applies to all Bass Coast Shire Councillors and Council employees and the public attending Council meetings.

This Policy does not apply to any parts of a Council Meeting closed to the public in accordance with *Section 89(2) of the Local Government Act 1989*.

Policy objectives

An informed, empowered and connected community that is involved in the decisions that affect quality of life in the region will make Bass Coast a better place to live and work.

This Policy is intended to provide information and guidance for employees, Councillors and the community.

Livestreaming provides the community greater access to viewing council debate and decisions, eliminates geographic and time barriers which may prevent the public from attending meetings in person; thereby resulting in greater community awareness and confidence in the integrity and accountability of decision making processes.

Benefits may include:

- improved accessibility of Council Meetings
- providing a complement to formal minutes
- improved communication to residents of Councils' forthcoming plans and projects
- maintaining a more detailed historical record of meetings than formal minutes alone will offer
- increased promotion and understanding of the business of Council and role of Local Government

Policy statement

Meetings to be recorded and livestreamed via Council website

All public Ordinary and Special Council Meetings will be streamed live and publicly available via Council's website.

Confidential Council Meetings and confidential items of business in a Council Meeting will not be streamed live and will not be recorded or made available later as a recording.

Recordings of a Meeting will be available for viewing on Council's website to coincide with the publishing of the Meeting minutes.

Council will make every reasonable effort to ensure that a livestream and recording is available. However technical difficulties may arise in relation to livestreaming or access to Council's website, and the availability of recordings may be delayed.

Viewing live or recorded audio and video over the internet consumes data – the viewer is responsible for any charges that a service provider may impose for data usage, particularly over a mobile internet connection.

Appropriate signage will be placed at the entrance to the Meeting location notifying all attendees that the meeting will be streamed live and recorded. Notice will also be given on Council's website and printed in the Council Meeting Agenda and on Public Question Time forms.

At the commencement of each Meeting, the Chair (usually the Mayor) will state that the Meeting will be livestreamed and that a video and audio recording of the Meeting will be made publicly available for viewing on Council's webpage.

The Meeting Chair and/or CEO have the ability at any time to cease live streaming and recording, at their discretion.

Councillors

It is intended that the standard camera positions will provide live and recorded vision of all Councillors who are present at a Council Meeting, and live and recorded audio when they speak, for the duration of the meeting (other than for confidential items or meetings).

Officers

Council officers who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

As far as practically possible, it is not intended that there be either live or recorded video footage of Council officers unless the officer chooses to do so, however this Policy recognises that there might be incidental capture, for example in the background behind a Councillor.

Public

Members of the public who address Council will be heard on the live audio stream, and audio of them speaking will be recorded.

It is intended that the standard camera positions will only provide vision of the Councillors and CEO who are present at the Meeting, however as Meeting venues may vary in shape, this may not always be possible.

As far as practically possible, it is not intended that there be either live or recorded footage of the public, however this Policy recognises that there might be incidental capture.

Access to Recordings of Meetings

Council Meetings that are streamed live on the internet will be made available for viewing on Council's website, to coincide with the publication of the Meeting minutes.

Recordings of Meetings will be accessible on Council's website for a period of four years to cover the period of the current Council term. Council will retain recordings of Meetings for a total period of at least seven years.

Technical Disclaimer

There may be situations where, due to technical difficulties beyond Council's control, a livestream or recording may not be available. Every reasonable effort will be made to ensure the availability of livestreaming and recordings of Meetings, and of Council's website.

However, Council takes no responsibility for and accepts no liability in the event that livestreaming 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.

Risk

Council Meetings are a public forum of statements, questions and answers.

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to law. Statements such as these made in a Council Meeting by Councillors, Council officers or members of the public are not protected and may be the subject of legal proceedings and potential liability.

Attracting a wider audience may also elicit an increased volume of public commentary. Comments to Council's social media platforms will be moderated according to Council's Social Media Policy.

Additional procedures

Under the Meeting Procedure Local Law 2018, the Meeting Chair must give consent for a recording to be made at a Council Meeting. Accordingly, the following statement is to be read out by the Meeting Chair at the start of a meeting:

“As the Meeting Chair, I give my consent for this Open Council Meeting to be streamed live, recorded and published online, in accordance with Council's Livestreaming Policy and Meeting Procedure Local Law 2018. To members of the public joining us in the gallery today, by attending this 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 livestream and recording. The Chair and/or the CEO have the discretion and authority at any time to direct the termination or interruption of livestreaming. 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. Thank you.”

The following sign is to be posted at the venue entrance of each Council Meeting:

This public Meeting is being livestreamed to the internet and will be made available on Council's website after the Meeting. All care is taken to maintain your privacy, however as a visitor in the gallery, your presence may be recorded. Your presence in the public gallery is taken as consent that your image may be broadcast.

Reference to other documents

- Meeting Procedure Local Law 2018
- Councillor Code of Conduct

- Employee Code of Conduct
- Social Media Policy
- Victorian Ombudsman - Investigation into the transparency of local government decision-making – December 2016
- *Local Government Act 1989*
- United Nations Universal Declaration of Human Rights

Review process

This Policy is to be reviewed by Council every three years of it coming into operation or within six months of changes to the *Local Government Act 1989* or the Local Law Meeting Procedure Local Law 2018.

Council may amend this Policy at any time.

Accountability process

The Communications and Engagement Team will be responsible for:

- Transporting, setting up, positioning and testing the audio and video equipment and internet connection for each Council Meeting at each venue
- Provide ongoing support to ensure the livestream is operational for each Meeting
- Be present to cease livestreaming if directed to do so by the Chair or CEO
- Publishing Council Meeting livestream recording links, to Council's website
- Including a copy of the recording in Council's Record Management System and undertaking relevant archiving and destruction procedures
- Servicing equipment

Approval

The Policy document must be signed by the Mayor (Council policy)

Version number 2.0

Approved/adopted by Council

Date 15 April 2020

Adopted by Council at its meeting held on

Date 15 April 2020

Signed by the Mayor Brett Tessari

A handwritten signature in black ink, appearing to read 'Brett Tessari', is written over a light blue rectangular background. The signature is stylized and includes a horizontal line extending to the right.