



Live Streaming
of
Council Meetings
Policy



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Document Control

Policy	Live Streaming of Council Meetings Policy	Policy Number	TBA
Author/Reviewer	General Manager	Review Period and Date	Reviewed within 12 months of election/4 yearly - September

This policy shall be reviewed: -

- This policy shall be reviewed within 12 months of an election, and thereafter at four yearly intervals at least, to ensure it meets all statutory requirements and the needs of council. It may also be reviewed at other times as determined by council.
- Subject to the provisions of the Local Government Act and/or Regulation, this policy may be amended or cancelled by council at any time without prior notice or obligation to any person.

Document History

Date	Status	Version	Resolution	Description
26 July 2017	Draft	0.1		Presented to Hilltops Council for public exhibition 28 days
26 July 2017	Draft	0.2	17/182	Placed on public exhibition 28 days
24 August 2017	Draft	0.3		Submission received
20 September 2017	Draft	0.4		Presented to Council for adoption
20 September 2017	Final	1.0	17/17	Adopted for a 6 month trial
25 July 2018	Draft	1.1		Presented to Council for adoption after trial
25 July 2018	Final	2.0	18/192	Adopted 25 July 2018
24 October 2018	Draft	2.1		Presented to Hilltops Council for a one month public exhibition with amendment to the policy: editing of live streaming.
24 October 2018	Draft	2.2	18/235	Placed on public exhibition 28 days
21 November 2018	Final	3.0	18/235	Live Streaming of Council Meetings Policy adopted – no submissions received



1. 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, Staff 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 Extraordinary Meetings of Council. Any parts of Council's Meetings that are closed to members of the public under s.10(a) of the Act are regarded as confidential and will not be recorded.

3. SCOPE

This Policy applies to:

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

4. DEFINITIONS

Closed Section of a Council Meeting	A meeting of the council which has been closed to members of the public under section 10(a) of the Local Government Act 1993.
Chair	the person who chairs a meeting of the Council, predominantly, the Mayor.
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 Extraordinary Meetings held in a Hilltops Council Chamber will be streamed live, recorded and published in accordance with this Policy and will be able to be accessed from Council's website: www.hilltops.nsw.gov.au.

Any parts of Council's Meetings that are closed to members of the public under s.10(a) of the Act are regarded as confidential and will not be recorded.

The Chair and/or the General Manager 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.

5.2 Accessing Recordings

Ordinary and Extraordinary Meetings that are streamed live will be made available on Council's website within the earliest achievable timeframe following the relevant meeting. The recordings of Meetings will be available for the term of the Council.

Following any meeting, the Chair and the General manager have the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate to be published.

Material considered to be inappropriate may include, but is not limited to material that may:

- Be defamatory
- Infringe copyright
- Breach the privacy of an individual or unauthorised disclosure of the personal information of an individual
- Be offensive
- Constitute discrimination
- Constitute racial hatred or vilification, if based on the race, colour, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate
- Disclose confidential or privileged information

In the event of an edited copy being placed on the Council's website, Council will indicate that it is an edited recording. Council will also retain a copy of the unedited meeting webcast.

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 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 Hilltops Council Chambers. [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 Forum

Council's Code of Meeting Practice sets out the requirements for Public Forum guidelines with regards to a Council Meeting.

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

Should an attendee invited to speak not wish to be recorded, they are required to make this request known to Council staff prior to the meeting commencing.

This request can be made either by emailing mail@hilltops.nsw.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 Code of Meeting Practice 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. The potential additional risk is not considered greater than the benefit associated with increased visibility and transparency in Council decision making associated with live streaming.

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 Council Staff are guided by the Hilltops Council Code of Conduct and Code of Meeting Practice. Members of the Public are guided by the Hilltops Council Code of Meeting Practice.

As outlined previously, the Chair and/or the General Manager 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, device failure or malfunction, unavailability of social media platforms or power outages.

6.3 Legal exposure relating to breach of privacy and defamation

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

The Corporate & Community Directorate 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 term of Council.
- 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.
- Publishing Council Meeting live stream recording links, to Council's website.

8. LEGISLATIVE AND POLICY PROVISIONS

- Local Government Act 1993
- Privacy and Personal Information Protection Act 1998
- Hilltops Council Code of Conduct
- Hilltops Council Code of Meeting Practice



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 speak will be recorded and their voice, image and comments will form part of the live stream and recording.

The Chair and/or the General Manager 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 mail@hilltops.nsw.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 General Manager 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 Hilltops Council are streamed live, recorded and published in accordance with Council's Live Streaming in Council Meetings Policy, which is available on the Hilltops Council website: www.hilltops.nsw.gov.au

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 mail@hilltops.nsw.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 General Manager 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.