

POL 0044: Live Streaming and Recording of Meetings

Purpose

To provide guidance for employees, Councillors and the community with regard to the live streaming and/or recording of Meetings of Council at the Shire of Esperance.

To improve the accessibility and transparency of Council's decision making process.

Scope

This policy applies to -

1. Ordinary and Special Meetings of Council, plus any other public forums or meetings as authorised by the Chief Executive Officer;
2. Councillors and officers; and
3. Members of the public, both as visitors in the public gallery and as contributors to any Meeting of Council held in the Council Chamber.

This policy does not apply to any parts of a Meeting of Council closed to the public in accordance with section 5.23 of the *Local Government Act 1995*.

Definitions

CEO: means the Chief Executive Officer of the Shire of Esperance.

Live Stream: means transmitting live audio or video coverage of a Meeting over the internet.

Meeting: means Meetings of Council, plus any other public forums or meetings as authorised by the CEO.

Meetings of Council: means any Ordinary Council Meeting or Special Council Meeting.

Officers: means an employee of the Shire of Esperance.

Practice

Meetings to be streamed live and recorded

All Meetings of Council will be recorded and live streamed. The CEO may authorise the recording or streaming of other public meetings and/or forums held in Council Chambers at their discretion. Recordings will be made publicly available as soon as practical following the meeting.

Where a meeting or part of a meeting is closed to the public, these need to be recorded, however will not be live streamed or made available to the public. The recorded contents will need to be kept in a confidential folder in our records system.

A sign will be prominently displayed at the Council Chambers notifying attendees that the meeting will be live streamed and recorded.

The presiding member will make an announcement at the start of every meeting, drawing attention to the fact that the meeting will be live streamed and recorded on the Shire's website and that those in attendance should refrain from making comments that are deemed to be inappropriate under this Policy.

The presiding member of a meeting may at any time, direct the live streaming to be terminated if the content of discussion is determined to be inappropriate to be published.

Material that is inappropriate to be published may include, but is not limited to that which is -

1. An infringement of copyright;
2. A breach of privacy or discloses personal information;
3. Is defamatory, offensive, abusive or discriminatory in nature;
4. Misinformation;
5. Incites hatred or vilifies another person; or
6. Is confidential or privileged council information.

Positioning of cameras during the live streaming of a Council meeting

Cameras will be positioned so that members of the public are not visible, as far as practically possible. It is not intended that there be either live or visual recorded footage of the public, however, it is recognised that there may be incidental capture, for example in the background behind a Councillor.

It is intended that the camera positions will provide live and recorded vision of all Councillors who are present at a Meeting of Council. There will be live and recorded audio of Councillors when they speak for the duration of the meeting (other than for confidential items or meetings). Officers who address Council may be seen and heard on the live stream.

Opinions or statements made during a meeting

Unless set out in a resolution of Council, the Shire of Esperance does not support the opinions views, standards or statements made by individuals during a meeting, which may be contained in the live streaming/recording of the meeting.

The Shire does not accept any responsibility or liability for any loss, damage, cost or expense a person might incur as a result of the viewing, use, or reliance of information or statements provided in the live streaming/recording of meetings. Endorsed Council minutes provide the definitive record of Council's resolutions.

Public Participation at Meetings

The full content of the meeting will be recorded including questioners from the public gallery; a person's full name and where they are from may be read out and recorded.

Any person/s invited to speak at a meeting, will be invited to a designated location within the Council Chamber, from where they will be audio recorded but not seen on the live stream footage.

Members of the public wishing to speak at a meeting will be advised that the meeting will be live streamed and that the recording will be made publicly available on the Shire's website.

By participating in a meeting, the person/s attending consent to being audio recorded. If the person/s do not wish to be audio recorded, they are to notify the presiding member at the commencement of their submission.

Technical disclaimer

Whilst every effort will be made to ensure the live stream is running smoothly, the Shire takes no responsibility for and cannot be held liable for, the live stream being temporarily unavailable due to technical issues beyond its control.

Technical issues may include, but are not limited to -

1. the availability of the internet connection;
2. device failure or malfunction;
3. unavailability of social media platforms; or
4. power outages.

Copyright Terms

Copyright in the recording of proceedings vests in the Shire of Esperance, and permission must be sought to copy, communicate or transmit a recording of the proceedings, or a part of a recording of the proceedings.

The following conditions apply to the use of recordings of Meetings of Council or any other meetings or forums and will be placed on Shire's website -

1. Copying or use of recordings of meetings is expressly prohibited unless specifically authorised in writing by the CEO;
2. The user acknowledges that the Shire is the owner of the copyright in the recording of a meeting, and that the Shire has reserved all of its legal rights; and
3. Users must not make or copy single images from the recordings.

Disclaimer

A disclaimer has been prepared and will be published in the public gallery, meeting agenda, on the Shire's website and announced by the presiding member of the meeting to ensure that members in the public gallery are aware of the live streaming of the meeting.

Record Keeping

The official record of the meeting will be the written minutes kept in accordance with the *Local Government Act 1995* and any regulations.

Recordings of Meetings of Council will be accessible on the Shire's website for a period of at least one (1) year.

All recordings will be retained as part of the Shire's records in accordance with the *State Records Act 2000*.

Responsibilities

Councillors and staff are required to act in accordance with the *Local Government Act 1995* (and regulations), *Code of Conduct* and other relevant policies.

Members of the public are required to extend due courtesy and respect to the Council, staff and other members of the public in attendance.

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Document Information

Responsible Position	Executive Assistant
Risk Rating	Low

Referencing Documents

- *Local Government Act 1995*
- *State Records Act 2000*
- *Local Government (Administration) Regulations 1996*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Council Members, Committee Members and Candidates Code of Conduct*

Revision History

Date	Version	CM Reference	Reason for Change	Resolution #	Next Review
Sept 2020	1	D20/27916	New policy	O0920-324	Sept 2022
Jan 2022	2	D20/27916[v2]	Biennial review, no change.	O0122-012	Jan 2024
Jan 2024	3	D20/27916[v3]	Include officer's definition, remove ('Act') after first reference of LG Act, minor wording changes.	O0124-004	Jan 2026
Dec 2025	4	D20/27916[v4]	Update second paragraph of 'Meetings to be streamed live and recorded' section to clarify storage of closed meeting recordings	O1225-098	Dec 2027