

## 1. Purpose and Intent

This Policy will improve accessibility and community participation in relation to decision making processes. It is envisaged that live streaming and the publishing of the video recorded meetings of Council will provide more flexible and convenient access to a wider audience, by allowing the public to watch meetings 'in real time' via the internet without the need to attend in person.

This gives the community greater access to Council decisions and debate and eliminates geographic and time barriers which may prevent the public from attending meetings in person.

## 2. Scope

This Policy applies to:

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

This policy does not apply to any parts of a Council meeting closed to the public in accordance with section 10A of the Local Government Act 1989 ('Act').

## 3. Definitions

**CEO** means Chief Executive Officer

**Chair** means the person presiding over the Ordinary or Special Meeting of Council, usually the Mayor

**Council** means Frankston City Council.

**Councillor** means a person who holds the office of a member of Council and includes the Mayor, unless otherwise stated

**Councillor Briefing** means an informal gathering of Councillors.

**Defamation** means words which convey a meaning (or 'imputation') about a person that lowers the person's reputation in the eyes of reasonable members of the community or causes the person to be ridiculed, avoided or despised by members of the general public.

**EMT** means the Executive Management Team at Frankston City Council comprising the CEO and Directors.

**Meetings** means Ordinary or Special Council Meeting and any other forum or meeting that is recorded and published by Council on its website or other social media sites.

**Ordinary Meeting** means an Ordinary Meeting of the Council, as defined in Section 83(a) of the *Local Government Act 1989*.

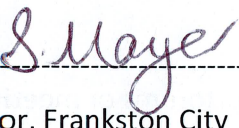
**Privacy Breach** means unauthorised access to, or collection, use or disclosure of personal information in accordance with the *Privacy and Data Protection Act 2014*.

**Public Meeting/Forum** means any other Public Meeting or Forum held in the Council Chamber as authorised by the CEO.

**Special Meeting** means a Special Meeting of Council, as defined in Section 83(b) of the *Local Government Act 1989*.

## 4. Authorisation

This Policy is managed by the Governance and Information Department, and is approved by Frankston City's Mayor and Council's Chief Executive Officer (CEO):

  
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Mayor, Frankston City

  
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CEO, Frankston City Council

in accordance with Frankston City Council resolution at its Ordinary Council meeting of 30 March 2020.

## 5. Revision date

This Policy will be reviewed and presented to Council within 12 months of a general election or earlier if deemed necessary by Council and will remain in force until it is revised or revoked by a resolution of Council.

## 6. Policy

### Meetings to be streamed live and recorded

- 6.1. Ordinary Meetings and Special Meetings of Council will be video recorded and streamed live on the Council's website. The recordings will be made publicly available within 12 hours of the Ordinary or Special Meeting.
- 6.2. Council can resolve to close part of the meeting to the public in accordance with section 89(2) of the Act. The live stream will cease for that part of the meeting and the recording will not be made available for viewing on Council's website or as a recording upon request.
- 6.3. Recordings of Ordinary Meetings and Special Meetings of Council will be accessible on Council's website for a period of one (1) year. Council will retain recordings of meetings for a total period of at least two (2) years.
- 6.4. Other public meetings and/or forums held in the Council Chambers, as authorised by the CEO, may be streamed live and Councillor Briefings may be video recorded only.

- 6.5. The Chair and or the CEO have the discretion and authority at any time 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 or debate is considered misleading, defamatory or potentially inappropriate to be published.
- 6.6. Person/s invited to speak at a Public Meeting or Forum, 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. In such circumstances, correspondence to person/s shall include notification that the meeting or forum will be streamed live on the internet and that the recording will be made publicly available on Council's website. By participating in a public meeting or forum, the person/s attending agree to them being audio recorded. If the person/s do not wish to be audio recorded, they are to notify the Chair at the commencement of their submission.

#### Positioning of cameras during the live streaming of a Council meeting

- 6.7. It is not intended that public speakers or members of the public in the gallery will be visible in the live stream or visual recording of a meeting. Cameras are 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, this Policy recognises that there might be incidental capture, for example in the background behind a Councillor.
- 6.8. It is intended that the standard camera positions will provide live and recorded vision of all Councillors who are present at an Ordinary Meeting or Special 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). Council officers who address Council may be seen and heard on the live audio stream.

#### Opinions or statements made by Councillors during a meeting

- 6.9. The opinions or statements made during an Ordinary Meeting or Special Meeting of Council are those of the individuals, and not necessarily the opinions or statements of Council. Council does not necessarily endorse or support the views, opinions, standards or information contained in the live streaming/recording of the Council meetings.
- 6.10. Council does not accept any responsibility or liability for any loss, damage, cost or expense you might incur as a result of the viewing, use or reliance of information or statements provided in the live streaming/recording of Council meetings. Endorsed Council minutes provide the definitive record of Council's resolutions.

#### Public Question Time

- 6.11. Council's Governance Local Law No 1 and the Public Submissions and Question Time Policy provides an opportunity for members of the public to submit up to three (3) questions on a prescribed form.
- 6.12. Only the submitter's full name on the prescribed form will be read out. If the submitter does not wish for their name to be read out, this must be clearly indicated on the prescribed form.

### Technical disclaimer

- 6.13. There may be situations where, due to technical difficulties, a live stream may not be available. Whilst every effort will be made to ensure the live streaming and website are running smoothly, Council takes no responsibility for and cannot be held liable for, the live streaming or Council website being temporarily unavailable due to technical issues beyond its control.
- 6.14. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability or social media platforms or power outages.

### Copyright Terms

- 6.15. Copyright in the recording of proceedings vests in Council, and permission must be sought to copy, communicate or transmit a recording of the proceedings, or a part of a recording of the proceedings.
- 6.16. The following conditions apply to the use of recordings of Council Meetings or any other forums and will be placed on Council's website:
- The user acknowledges that Council is the owner of the copyright in the recording of a Council Meeting or any other meeting, and that Council has reserved all of its legal rights;
  - Users must not make or copy single images from the recordings; and
  - Any other copying or use of recordings of councils meeting is expressly prohibited unless specifically authorised in writing by Council.

### Privacy and Website disclaimer

- 6.17. A privacy and website disclaimer has been prepared to ensure that members in the public gallery are aware of possible privacy concerns regarding the live streaming of meetings.

## 7. Roles and responsibilities

Councillors, officers at Council and members of the public, both as visitors in the public gallery and as contributors to any public meeting held in the Council Chamber, are responsible for ensuring that they are familiar with the requirements of this Policy and is accountable for managing their own compliance.

Clarification or advice about the interpretation of this Policy may be sought from the Manager Governance and Information.

## 8. Policy non-compliance

Failure to comply with this policy may constitute a breach of the Councillor Code of Conduct or the Staff Code of Conduct.

An allegation of a breach of this policy will be dealt with by the CEO.



## 9. Related documents

- Frankston City Council Councillor Code of Conduct
- Frankston City Council Staff Code of Conduct
- Governance Local Law No 1 (Meeting Procedure)
- Local Government Act 1989
- Privacy and Data Protection Act 2014
- Freedom of Information Act 1982

## 10. Implementation of the Policy

This Policy (in conjunction with other Related Documents) will be published on Council's website and intranet.

## 11. Document History

| Date Adopted  | Change Type | Version | Next Review Date  |
|---------------|-------------|---------|---|
| 30 March 2020 | New version | V1      | November 2021 or earlier as deemed necessary by Council |