



Creation, Access and Retention of Audio/Audio-Visual Recordings of Public Meetings of the Council

Policy Type: Council Policy Policy Owner: Chief Executive Officer	Policy No.: CP- 088 Last Review Date: XX Month 2022
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Policy Objectives

To set out how and when audio/audio-visual recordings of meetings of the Council are created, stored, used, accessed and disposed of in accordance with legislative and policy requirements.

Policy Scope

This Policy provides guidance for the use of audio/audio-visual recording of public meetings of the Council to:

- assist with preparation of the Minutes of meetings, in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*
- ensuring a true and accurate account of the debate and discussions associated with the Council's decision making process at meetings are publically available
- Elected Members access to closed meeting recordings

This policy applies to the recording of the following meetings (hereinafter referred to as 'Meetings'):

- Agenda Briefing Forums
- Ordinary and Special Meetings of Council,
- General and Special Meetings of Electors
- **Committees with delegated authority under s5.16 of the Local Government Act 1995**

This policy does not apply to any security surveillance recordings by Closed Circuit Television (CCTV) made at any City of Melville premises. Operational Policy OP-011 is applicable for the City's management policy for CCTV.

Policy Statement

The City is committed to engaging with its community and recognises that providing an opportunity for the community to hear the Council's discussion and debate associated with its decision making process contributes to this objective. Audio records shall be made of all Meetings, wherever practicable. Meetings of Committees that are not open to the public will not be audio recorded.

Any audio recordings of held by the City of Melville is relevant to an Elected Member of the City of Melville.

Recording of Proceedings

Proceedings of the Meetings, shall be, **at a minimum, audio** recorded by the City unless the Council resolves otherwise.

The Council may, on a case by case basis, resolve to cease recording, by resolution, when a meeting is closed to the public as per Section 5.23(2) of the *Local Government Act 1995*. A resolution will be required to recommence recording when the meeting is reopened to the public.

All meetings that are open to the public, as outlined in this policy, shall be audio recorded in their entirety consistent with the objectives of the Act in section 1.3(2)(c) which promotes greater accountability of local government to their communities.

At the commencement of each Meeting that is to be recorded, the Presiding Member shall advise:

- that the public Meeting is being recorded **for minute taking purposes;**
- ~~no person present at the meeting is to use any electronic, visual or audio recording device or instrument to record the proceedings of a Meeting without the written permission of the Presiding Member. (The City of Melville Meeting Procedures Local Law 2017, clause 7.16) and that~~
- that the recording of the meeting may be published on the City of Melville website or otherwise made accessible to third parties.

The recording is not, and shall not be taken to be a confirmed record of Council, or any meeting or discussions to which it relates or may appear to relate. The official record of the meeting is not the audio/**audio-visual** recording, but the meeting minutes, which require confirmation by Council resolution, and must be signed by the person presiding at the meeting.

Prior to publishing any audio or audio-visual recording made of a Council or committee meeting, the CEO may cause the recording to be edited to remove material that may be offensive or defamatory, irrelevant to the matters under consideration, or the publication of which is likely to breach any written law. (City of Melville Local Government (Meeting Procedures) Local Law 2022)

Access to Recordings

Copies of the audio recordings of Ordinary and Special Council meetings – excluding those parts of the meeting that were closed to the public by resolution of the Council - will be available to the public on the City's website, together with the minutes of that meeting, free of charge. This will be within 10 working days of the relevant Council meeting, or such earlier time as directed by the Presiding Member.

Where a customer request is made to be provided with a copy of the recording by administrative staff, reasonable cost recovery will occur. The costs associated with providing physical copies of any recordings of meetings of the Council to the public will be advertised in the City's fees and charges schedule each year.

The proceedings of a Meeting that is closed to the public may be recorded but the recording will not be made publically available, while the information or report remains confidential as per the *Local Government Act 1995* Section 5.23 (2).



Retention of Recordings

Recordings pertaining to the proceedings of meetings of Council shall be retained in accordance with the requirements of the *State Records Act 2000* and the associated General Disposal Authority for Local Government Records as published by the State Records Office of Western Australia.

DEFINITIONS

Audio Recording means any recording made by an electronic device capable of recording sound.

Audio-visual Recording means any recording made by an electronic device capable of recording sound and video information.

References that may be applicable to this Policy

Legislative Requirements:

Local Government Act 1995
 Local Government (Administration) Regulations 1996
 City of Melville Local Government (Meeting Procedures) 2022
 General Disposal Authority for Local Government
 State Records Act 2000
 Freedom of Information Act 1992

Procedure, Process Maps, Work Instructions:

Other Plans, Frameworks, Documents Applicable to Policy:

Delegated Authority No:

ORIGIN/AUTHORITY

Ordinary Meeting of the Council

15/04/2014

Item No.

M14/5360

Reviews

Ordinary Meeting of Council

8/12/2015

M15/5458

Ordinary Meeting of Council

19/03/2019

M19/5670

Ordinary Meeting of Council

20 & 21/10/2020

17.2

Ordinary Meeting of the Council

XX/XX/2022

M22/XXXX