

Audio Recording of Meetings

Policy

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PURPOSE

The purpose of this Policy is to provide guidelines to the Council for the transparent management of the audio recording of Council and Council Committee meetings.

SCOPE

This Policy applies to:

- . All formal Council Meetings (including Special and Annual General) meetings; and
- . All formal meetings of the Development Support Special Committee (DSSC).

STANDARDS (INCLUDING RELEVANT LEGISLATION)

This Policy was developed in accordance with:

RELEVANT LEGISLATION

- . *Local Government (Meeting Procedures) Regulations 2015.*

POLICY STATEMENT

In accordance with Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*, all meetings of the Council and DSSC shall be recorded.

At the commencement of each meeting, the Mayor or Chairperson shall notify those present, including members of the public, that an audio recording will last the length of the open meeting unless terminated in accordance with this policy.

At the commencement of each closed session at a meeting of Council, the Mayor or Chairperson shall notify those present that an audio recording of the closed meeting will be made. It must be announced that the audio recording will last the length of the closed meeting unless terminated in accordance with this Policy.

A Council Officer will be responsible for the operation of the audio recording equipment including the commencement and termination of the recording in accordance with meeting procedures or as directed by the Mayor or Chairperson.

The Mayor or Chairperson has the discretion and authority at any time to direct the termination of the audio recording of the meeting. Such direction however shall only be given in exceptional circumstances (e.g. if a person's safety may be placed at risk by the continuation of the audio recording).

The audio file of the open session meeting of the Council or DSSC meeting will be made available on Council's website within two business days following the meeting.

The audio file of the closed session meeting of the Council will remain confidential and be kept in a secure location at the Council's Administration Centre where access is strictly limited to authorised person/s on a case by case basis. (refer Guidelines in this policy).

The original recordings of meetings are to remain unmodified and stored for a period of not less than 6 months from the date of the recording. A compressed version of the original audio recording shall be created (preserving adequate voice quality) and made available for download from the Council's website and also archived in Council's Records Management system as the authoritative published version.

There may be situations where due to technical difficulties, audio recording will not be available. If such circumstances occur, the Mayor or Chairperson will advise those present that audio recording is not available. In the event that an audio recording file becomes corrupt for any reason and is therefore not available in Council's archives, this information will be displayed on the website.

GUIDELINES

- 1 The audio recording of a meeting may be used by staff in the preparation of minutes or by Council (at the discretion of the Mayor/Chairperson) during the 'Confirmation of Minutes' section of a subsequent meeting to clarify a matter relating to the minutes being confirmed.
- 2 The audio recording of the previous meeting should be accessible at the meeting where the minutes will be confirmed.
- 3 The audio recording of a meeting does not supersede the written minutes therefore a direct transcript (text version) of the recording will not be prepared.
- 4 Other than for the purpose of preparing minutes or confirmation of minutes, any request to access the recording of a closed session meeting of Council must be provided in writing to the General Manager detailing the basis for the request.
- 5 Access to recordings of closed session meetings of Council requested under Section 4 may be granted by the General Manager for the following reasons:
 - (i) Where a Councillor wishes to review a recording of a closed meeting of Council for which they were absent.
 - a. Access to a recording under Section 5(i) is not permitted where the absence from the meeting was due to a declaration of interest at that meeting or where absence due to a declaration of interest would have occurred at that meeting if the Councillor was not absent for other reasons.
 - (ii) Where a Councillor wishes to review a recording of a closed meeting of Council for which they were present.

- (iii) Where a report author or endorser wishes to review the debate leading to a decision/s made about that report.
 - (iv) Where the General Manager is required to undertake the initial assessment of a Code of Conduct complaint under s.28Y of the *Local Government Act 1993*.
 - (v) In response to a formal request from an appropriate authority (i.e. Ombudsman, Tasmania Police, Integrity Commission, Code of Conduct Panel) providing such requests are permissible under the laws of the State of Tasmania.
- 6 The General Manager may access the recordings of closed session Council meetings for any other purpose deemed necessary in the performance of their duties.
- (i) Access to a recording under Section 6 by the General Manager is not permitted where a recording is about a matter where the General Manager was excluded from a closed session meeting under s15 6(b) of the *Local Government (Meeting Procedures) Regulations 2015*, or was absent due to a declared interest.
- 7 The General Manager must ensure that any access undertaken under Section 5 and 6 is recorded in the register of requests (outlined in Sections 8 and 9).
- 8 The General Manager must maintain a register of requests for access (whether granted or not) to recordings of closed session meetings of Council.
- 9 The register must contain the following details: Name and signature of the person requesting access, Position, Reason for access, Access approved (yes/no), Reason if no access provided, Date/time of access, the recording/meeting or item ID accessed, Name and signature of authorising officer.
- 10 In accordance with the *Local Government (Meeting Procedures) Regulations 2015*, s15 (9), the recordings of closed session Council meetings are to remain confidential and not be released to the public unless Council resolves to do so.
- 11 In response to a formal request from an appropriate authority (i.e. Ombudsman, Tasmania Police, Integrity Commission), archived audio recordings are to be made available, providing such requests are permissible under the laws of the State of Tasmania.
- 12 Unlike Parliament, Council meetings are not subject to parliamentary privilege and both Council and the individual may be liable for comments that may be regarded as offensive, derogatory and/or defamatory.
- 13 Access to recordings of a closed session meetings of Council by authorised persons will be by appointment at the Council's Administration Centre, Ulverstone.