



Policy No. 2017- 50

Audio Recording of Council Meetings Policy

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PURPOSE

This policy provides a framework and direction as to the management of the audio recording of Council meetings. The purpose of audio recording is to assist in the preparation of Minutes, and to ensure that a true and accurate record of debate and discussion is available.

SCOPE

This policy applies to all ordinary and special Council meetings (as defined in the *Local Government (Meeting Procedures) Regulations 2015*). Those parts of meetings which are closed to the public will not be audio recorded by Council.

It does not apply to any other meetings of Council (e.g. Council Committees – Audit / Planning).

LEGISLATION

The particular legislation relevant to this policy is the *Local Government (Meeting Procedures) Regulations 2015*.

Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015* provides as follows:

33. Audio recording of meetings

- (1) A council may determine that an audio recording is to be made of any meeting or part of a meeting.*
- (2) If the council so determines, the audio recording of a meeting or part of a meeting that is not closed to the public is to be –*
 - (a) retained by the council for at least 6 months; and*
 - (b) made available free of charge for listening on written request by any person.*
- (3) If after the minutes of a meeting have been confirmed as a true record a discrepancy between the minutes and an audio recording of that meeting or part of that meeting is noticed, the council, at the next appropriate meeting, is to review the audio recording and either confirm that the minutes are a true record or amend the minutes to reflect the audio recording and then confirm the minutes as amended to be a true record.*
- (4) A council may determine any other procedures relating to the audio recording of meetings it considers appropriate.*

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.

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POLICY

All ordinary and special Council meetings (as defined in the *Local Government (Meeting Procedures) Regulations 2015*) shall be audio recorded as provided for by Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*, except for the proceedings of meetings or parts of meetings closed to the public in accordance with Regulation 15 (2).

The audio recording of a meeting does not replace the written Minutes and a transcript of the recording will not be prepared.

If in the situation of a technical difficulty an audio recording is not possible, then the Chairperson will advise those present of the circumstances. In the event that an audio recording file becomes corrupt for any reason and therefore unavailable, this information will be provided on the Central Highlands Council website.

At the commencement of those meetings being audio recorded, the Chairperson will announce to all present that an audio recording of the meeting will be made and that it will last the length of the 'open to the public' part of that meeting.

The Chairperson will also announce that members of the public are not permitted to make audio recordings of Council meetings.

The Mayor or Chairperson has the discretion and authority to direct the termination of the audio recording of the meeting. Such direction however, shall only be given in exceptional circumstances including (but not limited to) when:

- it is clearly evident that the discussion is (or potentially likely to be):
 - an infringement of copyright
 - a breach of privacy and/or unlawful disclosure of personal information
 - a release of privileged or confidential information of Council

If recorded, only the audio recording of proceedings made of meetings or parts of meetings open to the public will be made available to the public. The Council may, at its discretion, make any compressed audio recording (preserving adequate voice quality) to be accessible on the Central Highlands Council website. Such recordings will be considered by Council as a routine disclosure under the Right to Information Act 2009. Recordings will be made available on the Council website as soon as practicable (normally within ten (10) business days) from the date of the meeting.

Audio recordings of meetings will be removed from the Central Highlands Council website after a period of six (6) months from the date of the recorded meeting.

The original unmodified audio recording will be suitably stored in accordance with the Council's Information Management requirements. Under Regulation 33(2)(a), the General Manager will dispose of the audio recordings after six months from the date of recording. The General Manager is authorised, pursuant to section 64 of the Local Government Act 1993, to delegate these functions to a Council officer.

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