



STRATEGIC POLICY
MOUNT ISA CITY COUNCIL
Recording of Council Meetings Policy

RESOLUTION NO. **OM07/06/20** VERSION **V1**

APPLIES TO STRATEGIC POLICIES ONLY

This an official copy of the **Recording of Council Meetings Policy**, made in accordance with the provisions of *Local Government Act 2009*, *Local Government Regulation 2012*, *Information Privacy Act 2009* and current Council Policies.

Strategic policies are adopted by Council due to its desire to influence the direction of an issue or assist in the delegated decision making of Council officers. Strategic policies should follow the jurisdiction provided to Council through its Corporate Plan; the Recording of Council Meetings Policy is approved by the Mount Isa City Council for the operations and procedures of Council.

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 Sharon Ibardolaza
Chief Executive Officer

DOCUMENT VERSION CONTROL			
Governance/Policies/Strategic Folder ID# 14992		POLICY TYPE	Strategic (Council)
VERSION	DATE	RESOLUTION NO.	DETAILS
V1	10.06.2020	OM08/06/20	Responsible Officer – Senior Executive Assistant
			REVIEW DUE 06.2021

DISTRIBUTION AND DISSEMINATION			
Internal email to all employees	X	Section meetings / Toolbox talks	
Internal email to all councillors	X	Included in employee inductions	
Employee noticeboards		Uploaded to Council website	X
Internal training to be provided	X	External training to be provided	
Registered in magiQ	X		



1. PURPOSE

This policy provides information and procedures in relation to the recording of Ordinary and Special Council Meetings from Mount Isa City Council Chambers (“Chambers”) and remotely from a Camooweal location. The policy reflects Mount Isa City Council’s (“Council”) commitment to transparent and accessible decision-making processes, via the recording and archiving of Ordinary and Special Meetings of Council whilst noting that Confidential Meetings that are closed to the public, in accordance with Section 275 of the *Local Government Regulation 2012* will not be recorded.

2. COMMENCEMENT

This policy will commence on and from 10 June 2020. It replaces all other policies or arrangements governing recording of Council meetings (whether written or not).

3. APPLICATION

This policy applies to all councillors, including the mayor, of Mount Isa City Council.

This policy applies to employees, agents and contractors (including temporary contractors) of Council, collectively referred to in the policy as “employees”.

4. PRODUCTION

4.1. Meetings to be Recorded

4.1.1 Ordinary and Special Council Meetings held in the Chambers or at a location in Camooweal will be recorded.

4.1.1.1 Stage 1 – Meetings recorded and edited with postproduction feedback from elected members and executive management team.

4.1.1.2 Stage 2 – Council will enter into Stage 2 once the majority of elected members have provided approval that they are satisfied that the postproduction editing of the recorded meetings is of a suitable audio and visual quality. This approval will be through a postproduction meeting approval form for at least 2 meetings. Once approval is received, all future meetings will be recorded, edited for postproduction and then made publicly available.

4.1.2 Closed meetings, in accordance with Section 275 of the *Local Government Regulation 2012* will not be recorded.

4.1.3 Other public meetings/forums held in the Chambers as authorised by the Chief Executive Officer, may also be recorded.

4.1.4 The Chair and/or Chief Executive Officer have the discretion and authority at any time to direct the termination or interruption of recording if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, where the content of debate is considered misleading defamatory or potentially inappropriate to be recorded and/or published.

4.1.5 Following any meeting, the Chief Executive Officer has discretion to direct the exclusion of all or part of any meeting recording which they deem to be inappropriate.

4.1.6 There may be situations where, due to technical difficulties a recording may not be available. Whilst every effort will be made to ensure the recording and website are up and running smoothly, Council takes no responsibility for and cannot be held liable for, the Council website being temporarily unavailable due to technical issues beyond its control.



- 4.1.7 Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

4.2 Recording Area and Persons to be recorded

- 4.2.1 The Chambers shall be configured to ensure that all councillors shall be continuously recorded during open session, whilst seated at the commencement of the meeting. The Chief Executive Officer and Council directors will be the only officers continuously recorded during a meeting. All other Council officers may not be visible. Officers will present to Council and respond to questions from an alternative position which facilitates only the audio (voice) recording of the officer and not a direct full-frontal image. *Note – during social distancing executive staff may be outside the recorded area.*

5 COMMUNITY PARTICIPATION

5.1 Public Gallery/Presentations/Deputations

- 5.1.1 It is not intended that visitors in the public gallery be visually recorded and the default position of cameras will ensure that only councillors and officers (as outlined above) would be immediately visible.
- 5.1.2 At the commencement of each meeting, the Chair shall read a statement notifying those present that the meeting will be recorded and that the recording may be made publicly available on Council's website. The statement will include advice to those present that as a visitor in the public gallery, the presence of individuals may be recorded and that by remaining in the public gallery it is assumed their consent is given if their image is inadvertently broadcast. Signage to this effect shall also be visibly displayed at the Meeting location, on Council's website and printed in the meeting agenda.
- 5.1.3 Council's current Standing Orders provides an opportunity at an Ordinary Meeting of Council for the public to participate.
- 5.1.4 By participating in a public Council meeting, those members of the public concerned agree to being recorded. The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not recorded. However, Council expressly provides no assurances to this effect and in the event an image of a member of the public is webcast, by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast the image.

6 DISTRIBUTION

6.1 Official Record of the meeting

- 6.1.1 The recording is not an official record of the meeting. Only the official minutes may be relied upon as an official record of the meeting.

6.2 Access to Archived Recordings

- 6.2.1 Ordinary and Special Council Meetings that are recorded may be archived on Council's website, with public access available free of charge.
- 6.2.2 Bookmarks advising of the agenda items considered during the meeting will be added to the archived version of the recorded meeting to provide ease of navigation for viewers.



- 6.2.3 Council officers will provide access to the archived bookmarked version within 72 hours from the conclusion of the meeting.
- 6.2.4 Confidential Meetings closed to the public are not recorded and will therefore not be accessible.
- 6.2.5 Archived recordings of meetings will remain on the website for a period of at least 12 months.

6.3 Reliance on the Audio and Visual Recordings of Council Meeting

- 6.3.1 The fundamental purpose of Council Meetings is to make decisions by way of formal resolutions of those councillors present. The implementation of those resolutions is the responsibility of the Chief Executive Officer and the official recording of those decisions is in the minutes of the meeting.
- 6.3.2 Council does not assume any responsibility for actions undertaken by parties in response to decisions made and communicated via the recording of a Council Meeting. Most Council decisions are made on matters that involve detailed reports and recommendations. The recording of Council meetings does not constitute a legal and formal processes of communication of a Council decision to a person directly affected by that decision.
- 6.3.3 Persons affected by Council decisions are strongly advised to inform themselves of the detail of any Council decision through the minutes of the meeting prior to acting in any way that may vest enforceable rights on themselves, Council or any other person.

7 CONDUCT

7.1 Privacy and Defamation

- 7.1.1 Opinions expressed and statements made during a public council meeting are those of the individuals making them, and not those of the Council. Unless set out in a resolution of the Council, the Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a public Council meeting.

It is expected that all participants abide by the Code of Conduct Policy.

- 7.1.2 Council does not accept any responsibility for any verbal comments made during public Council meetings which may be inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the meetings are complete, reliable, accurate or free from error.
- 7.1.3 Any Council meetings that are published on Council's YouTube channel will have the public comment functionality disabled.
- 7.1.4 Council does not accept any responsibility or liability for any loss, damage, cost, or expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a video recording of a council meeting.

7.2 Possible Mitigation Action

- 7.2.1 Local Government decision-making, unlike State and Federal Government, does not afford councillors the benefit of parliamentary privilege and hence, all associated laws apply. Councillors and employee's liability insurance will be maintained by Council to provide protection for councillors and officers against litigation arising from unintentional defamation, liable and slander.



- 7.2.2 It should be noted in the agenda and stated at the beginning of the meeting that no protection is afforded to the public for comments made during meetings which are subsequently challenged in a court of law and determined to be defamatory or slanderous.
- 7.2.3 Whilst Council may not be liable for any defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material; albeit inadvertently (refer to Section 4.1.4).

8. VARIATIONS

Council reserves the right to vary, replace or terminate this policy from time to time.

9. BREACH OF POLICY

- 9.1 Where Council reasonably believes an employee has breached this policy, the matter will be dealt with under the Performance and Misconduct Policy.
- 9.2 An allegation of a breach of this policy by a councillor should be made to the CEO who will refer the matter to the Office of the Independent Assessor.

10. COMMUNICATION AND DISTRIBUTION

- 10.1 Council will make available to the public, the Recording of Council Meetings Policy on our website at www.mountisa.qld.gov.au.
- 10.2 The responsible officer shall liaise with the Training and Development Officer to create and deliver internal appropriate and regular training to the following Council employees;
- a) Councillors;
 - b) Executive Management Team;
 - c) Minute Clerk;
 - d) Information and Communication Technologies Team; and
 - e) Promotion and Development Team.
- 10.3 Supervisors will ensure the policy is distributed as per the Distribution and Dissemination table on this policy.

9. DEFINITIONS

- a) **Ordinary Meeting**– An ordinary meeting of the Council
- b) **Special Meeting**- A special meeting of Council where only the business stated on the notice of the meeting can be conducted.

ASSOCIATED LEGISLATION AND POLICIES

- *Local Government Act 2009*
- *Local Government Regulation 2012*
- *Information Privacy Act 2009*
- Code of Conduct for Employees Policy
- Code of Conduct for Councillors Policy
- Standard Orders Policy
- Model Meeting Procedures
- Performance and Misconduct Policy