

1.22 Recording of Council Meetings

1. POLICY PURPOSE

To ensure open and transparent government, improve engagement with the community and accessibility to Council decision making, and detailing the approach to recording of in-person Council Meetings.

2. POLICY SCOPE

This Policy applies to:

1. All Elected Members.
2. Ordinary Council Meetings, and Special Council Meetings conducted in Council Chambers.

3. LEGISLATIVE REQUIREMENTS

Local Government Act 1995.

Local Government (Administration) Regulations 1996.

4. POLICY STATEMENT

4.1 Recording

- Recordings will be made via audio from the Council Chamber microphone using Zoom or Microsoft Teams.
- The recording will be conducted by Shire Officers.
- Members of the public will be advised that an audio recording of the meeting will be made via the notice paper for the meeting and a sign will be prominently displayed in Council Chambers.
- The Presiding Member will make an announcement at the start of every meeting drawing attention to the fact that the meeting will be audio recorded.
- In accordance with the requirements for a Class 3 local government, the recording of the meetings will be made available on the Shire's website at the time the unconfirmed minutes are published, excluding those matters considered Behind Closed Doors.
- The Shire will make every reasonable effort to ensure the recording is available. However, should any technical difficulties arise, the recording may not be available. Notification of such will be provided in accordance with the Regulations.
- The Presiding Member may decide to cease recording at any time during the meeting.
- Copying or distribution of any part of the recording is not permitted. The Shire reserves all rights in relation to its copyright. Audio contained in a recording must not be altered, reproduced or republished without the written permission of the Shire.
- In accordance with Section 8.5 of the Shire of Merredin Standing Orders Local Law 2017, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council without the written permission of the Council.

4.2 Meeting or Items of Business Behind Closed Doors

- Recordings of meetings closed for consideration of matters under Section 5.23 of the *Local Government Act 1995* is permitted for minute taking purposes but will not be released to the public or made available on the Shire's website.
- Confidential recordings may be released, if requested, to the Local Government Standards Panel, the Department of Local Government, Sport & Cultural Industries, the Police or the Court.

4.3 Record Keeping

- The official record of the meeting will be the written minutes kept in accordance with the Local Government Act 1995 and any relevant Regulations.
- All recordings will be retained as part of the Shire's records for at least seven (7) years, or in accordance with the State Records Act 2000 (whichever is the longer period of time).

4.4 Conduct and Responsibilities

- Elected Members are required to act in accordance with the *Local Government Act 1995* (and Regulations), Shire of Merredin Standing Orders Local Law 2017, Policy 1.1 – Code of Conduct for Council Members, Committee Members and Candidates and other relevant policies.
- Staff are required to act in accordance with the *Local Government Act 1995* (and Regulations), Shire of Merredin Standing Orders Local Law 2017, Employee Code of Conduct 2024, and relevant policies.
- Members of the public are required to extend due courtesy and respect to the Council, Presiding Member, staff and other members of the public in attendance.

4.5 Liability and Defamation

- Under Section 9.57A of the *Local Government Act 1995*, the Shire is not liable for an action of defamation in relation to a matter published on its official website as part of a recording of Council proceedings.
- Under Section 9.56 of the *Local Government Act 1995* Elected Members and employees are not liable to defamation for any statements made in good faith.
- Further defences under the *Defamation Act 2005* may also be applicable.
- As a general principle, the Shire will not edit recordings of meetings. This is to ensure open and transparent government. The onus is on those in attendance at the meeting to ensure that their conduct, content and language are appropriate for the audience. The Presiding Member is responsible for maintaining the orderly proceedings of the meeting.
- Following any meeting, the Chief Executive Officer in concurrence with the Presiding Member, may mute/exclude all or part of any meeting recording considered inappropriate to be published. The muting/excluding of any part of the meeting recording must be reported and confirmed to the Council at the next available Ordinary Council Meeting, whereby Council may revoke or change the decision.

5. KEY POLICY DEFINITIONS

Act means the *Local Government Act 1995*.

Regulations means the *Local Government (Administration) Regulations 1996*.

Member means an Elected Member.

Meeting means an Ordinary Meeting of Council, or a Special Meeting of Council.

Behind Closed Doors means where a meeting is closed to members of the public in accordance with Section 5.23(2) of the Act.

Inappropriate includes any comments considered to be liable, slanderous, defamatory, or not in keeping with accepted community standards.

6. ROLES AND RESPONSIBILITIES

The CEO is responsible for implementing this Policy. Elected Members, and Staff are required to adhere to all aspects of this Policy.

7. MONITOR AND REVIEW

This Policy will be reviewed every two years.

Document Control Box			
Document Responsibilities:			
Owner:	CEO	Decision Maker:	Council
Reviewer:	Chief Executive Officer		
Compliance Requirements			
Legislation	Local Government Act 1995 Local Government (Administration) Regulations 1996		
Document Management			
Risk Rating	Medium	Review Frequency	Biennial
			Next Due
Version #	Action	Date	Records Reference
1.	Adopted		CMRef XXXXX