



Council Meetings & Councillor Workshops Audio Recording Guidelines Policy

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Responsible Officer:	Director Governance, Recreation & Property Services
Strategic Plan Reference:	1.1 A Council that engages with and enables its community

1. POLICY STATEMENTS

- 1.1 This policy provides the Council adopted guidelines for the transparent management of the audio recording of Council meetings and Councillor workshops.

2. DEFINITIONS

- 2.1 **“Audio Recording”** for the purposes of these guidelines refers to a digital audio file.
- 2.2 **“Author”** the creator of a report to Council who is currently employed by Council.
- 2.3 **“Council”** means Kingborough Council.
- 2.4 **“Endorser”** means the approver of a report to Council who is currently employed by Council

3. OBJECTIVE

- 3.1 The objective of this policy is to enable greater transparency, accountability and efficiency in relation to Council meetings and Councillor workshops.
- 3.2 Audio recording of meetings is another tool which can facilitate community access to, and involvement in, Council meetings and enable greater public awareness of the decision making processes.
- 3.3 Audio recording of Council meetings can be used to assist in the preparation of complete and accurate minutes.

4. SCOPE

- 4.1 This policy applies to all formal Council meetings (including special meetings) and Councillor workshops held in the Council Chambers at 15 Channel Highway, Kingston and/or on-line.
- 4.2 For the purposes of this policy, Councillor workshop audio recording procedures shall be treated in the same manner as the audio recordings of the closed session of Council meetings.
- 4.3 This policy does not apply to any other meetings at Council.

5. PROCEDURE (POLICY DETAIL)

- 5.1 In accordance with Regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*, audio recordings will be made of all Council meeting proceedings.
- 5.2 To facilitate effective security and management of the audio recordings, the open and closed sessions of Council meetings will be separately recorded.
- 5.3 At the commencement of each open meeting of Council, the Chairperson shall notify those present, including members of the public, that an audio recording of the open session of the meeting will be made. It must be announced that the audio recording will last the length of the open meeting unless terminated in accordance with this policy.
- 5.4 At the commencement of each closed meeting of Council, the 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.
- 5.5 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 Chairperson.

- 5.6 The Chairperson has the discretion and authority at any time to direct the termination of the audio recording of the meeting. Such a direction however, shall only be given in exceptional circumstances (eg if a person's safety may be placed at risk by the continuation of the audio recording).
- 5.7 The audio file of the open session meeting of Council will be made available on Council's website within two business days following the meeting.
- 5.8 The audio file of the closed session meeting of Council will remain confidential and be kept in a secure location at the Civic Centre where access is strictly limited to authorised person/s on a case by case basis. (refer Guidelines in this policy)
- 5.9 The original recording of an open meeting of Council is to remain unmodified and stored for a period of not less than 6 months from the date of recording. A compressed version of the original audio recording of the open session of the meeting shall be created (preserving adequate voice quality) and made accessible from Council's web site and also archived in Council's record keeping system as the authoritative published version.
- 5.10 The audio recording of a closed session Council meeting is to be kept unmodified for a period of 12 months from the date of the recording for the purposes of preparation and confirmation of minutes, and restricted access in accordance with this policy after which the recording and any copies will be permanently destroyed.
- 5.11 There may be situations where, due to technical difficulties, audio recordings will not be available. If such circumstances occur the Chairperson will advise those present that audio recording is not available. In the event that an audio recording of an open meeting of Council becomes corrupt for any reason and is therefore not available in Council's archives, this information will be displayed on the website

6. GUIDELINES

- 6.1 The audio recording of a meeting (refer 4.1) may be used by staff in the preparation of minutes or by Council (at the discretion of the Chairperson) during the 'Confirmation of Minutes' section of a subsequent meeting to clarify a matter relating to the minutes being confirmed.
- 6.2 In relation to item 6.1, the audio recording of the previous meeting should be accessible at the meeting where the minutes will be confirmed.
- 6.3 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.
- 6.4 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 Chief Executive Officer detailing the basis for the request.
- 6.5 Access to recordings of closed session meetings of Council requested under s6.4 may be granted by the Chief Executive Officer for the following reasons:
 - 6.5.1 Where a Councillor wishes to review a recording of a closed meeting of Council for which they were absent.
 - i. Access to a recording under Section 6.5 (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.

- 6.5.2 Where a Councillor wishes to review a recording of a closed meeting of Council for which they were present.
- 6.5.3 Where a report author or endorser wishes to review the debate leading to a decision/s made about that report.
- 6.5.4 Where the Chief Executive Officer is required to undertake the initial assessment of a Code of Conduct complaint under *s.28Y* of the *Local Government Act 1993*.
- 6.5.5 In response to a formal request from an appropriate authority (ie Ombudsman, Tasmania Police, Integrity Commission, Code of Conduct Panel) providing such requests are permissible under the laws of the State of Tasmania
- 6.6 The Chief Executive Officer may access the recordings of closed session Council meetings for any other purpose deemed necessary in the performance of their duties.
 - 6.6.1 Access to a recording under s6.6 by the Chief Executive Officer is not permitted where a recording is about a matter where the Chief Executive Officer 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.
- 6.7 The Chief Executive Officer must ensure that any access undertaken under s6.5 and s6.6 is recorded in the register of requests (s6.8 and 6.9 refers).
- 6.8 The Chief Executive Officer must maintain a register of requests for access (whether granted or not) to recordings of closed session meetings of Council.
- 6.9 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.
- 6.10 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.
- 6.11 Access to recordings of closed session meetings of Council by authorised persons will be by appointment at the Civic Centre.

7. COMMUNICATION

- 7.1 The availability of audio recordings of open session Council meetings will be prominently displayed on the home page of Council's website.

8. LEGISLATION

- 8.1 *Local Government Act 1993*
- 8.2 *Local Government (Meeting Procedures) Regulations 2015 s15 and 33.*

9. RELATED DOCUMENTS

- 9.1 Nil.

10. AUDIENCE

- 10.1 This Policy is intended for Council Employees and Councillors.
- 10.2 The policy is publicly accessible via Council's website.