



Shire of West Arthur Council Policy – Audio Recording of Council Meetings

Policy Number	G1.13 Governance
Policy Title	Audio Recording of Council Meetings
Related Legislation	Local Government Act 1995 (WA) Local Government (Functions and General) Regulations 1996 State Records Act
Strategic Outcome Supported	Shire of West Arthur Strategic Community Plan – Strategic Direction – Government and organisation – strong local leadership and responsible ethical management and efficient service delivery. Outcome 5.2 that meetings and forums will be open to the public and that Council will provide leadership to the community
Adopted by Council	27 July 2021
Review	CEO Annually

1. Objective

To define the purpose for which audio recordings of Council meeting are made and provide direction as to the creation, usage, access and disposal of the recordings.

2. Scope

This policy applies to all Ordinary Council meetings.

3. Definitions

<u>Absolute Privilege:</u>	An absolute defense to an otherwise defamatory statement because of the venue or context in which the statement was made.
<u>Act:</u>	Local Government Act 1995
<u>Audio Recording:</u>	Any recording made by an electronic device capable of recording sound.
<u>Council Meeting:</u>	Any meeting that is convened as per Section 5.3, Local Government Act 1995.
<u>CEO:</u>	Chief Executive Officer of Shire of West Arthur
<u>Shire:</u>	The Shire of West Arthur Administration
<u>Council:</u>	The Council of local government.

4. Policy Statement

In accordance with Sections 5.3 (1); 5.22 (1); 5.23 (1) of the Local Government Act, Councils are required to hold ordinary meetings and special meetings that are open to the public and minutes of the proceedings are to be kept.

This policy will detail the appropriate arrangement for audio recording meetings to allow Council to meet its legislative requirement with respect to preparing accurate minutes of Council meetings that are open to the public.

1. Creation of Audio Recordings

All Ordinary and Special Council meetings that are open to the public shall be audio recorded to assist in the preparation of the minutes of the meeting.

All Audio recording will cease when Council resolves to close a meeting to the public as per Section 5.23 (2) of the Local Government Act.

Meetings of committees and meetings not open to the public will **not** be audio recorded.

No person present at the meeting is use any electronic, visual or audio recording device or instrument to record proceedings of a meeting without written permission of the Presiding member pursuant to the Shire Standing Orders Local Law 2002.

2. Usage and Access of Audio Recordings

- a) Audio recordings are for minute taking purposes only.
- b) An Elected Member or Officer requesting access to the recordings must apply to the CEO and provide details of the item concerned and a reason for the request.
- c) Members of the public requiring access to the recordings must apply to the CEO and provide details of the item concerned and a reason for the request.
- d) The Chief Executive Officer has the responsibility to determine to access to all or part of the audio recordings of any Council meeting, including deputations, if they contain inappropriate or inaccurate comments.
- e) Persons approved to listen to any recordings will do so within the Shire chambers as per permission of the Chief Executive Officer. Recordings will be listened to only, no copies to be made.
- f) Opinions expressed or statements made by persons during the course of the Council meeting and contained within the audio recording are the opinions or statements of those individual persons and are not opinions or statements of the Shire.
- g) The official record of the meeting is not the audio recording but the meeting minutes which require confirmation by Council resolution and must be signed by the person presiding at the meeting.

h) Attendance at Council meetings does not provide any Elected Member, staff or member of the public with Absolute Privilege. It does not protect individuals from defamation in relation to behaviour or statements made.

i) Audio recordings will not be published.

3. Disposal of Audio Recordings

The General Disposal Authority for Local Government GDA 2015-001 25.1.2 requires audio/visual recordings of meetings and verbatim transcripts (if produced) to be retained for 1 year after the minutes are confirmed and then be destroyed.

4. Notification of Audio Recording

- a) The Council agenda will clearly state the intention to audio record the meeting.
- b) A notice will be placed on the chamber door advising the public of audio recording the meeting.
- c) The Question and Statement forms will clearly advise the audio recording of Public Access and Question Time.

5. Associated Documents

- Local Government Act 1995 s 5.3(1) Council Meetings, s5.23 Meetings generally open to the public
- Shire of West Arthur Standing Orders Local Law 2002
- Local Government (Administration) Regulations r.29 Information to be available for public inspection.
- State Records Act 2000