

1. PURPOSE

This policy provides a framework and direction as to the management of the audio recording of specific meetings of Council. 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.

2. SCOPE

This policy applies to all formal Council meetings (including Special meetings).

These meetings are generally held in the Council Chambers at either Oatlands or Kempton, and in various community halls throughout the municipality.

It does not apply to any other meetings of Council (e.g. Council Committees), including the Audit Panel Committee.

Provisions

Under Regulations 33(1) and (4) (Audio recording of Meetings) of the *Local Government (Meeting Procedures) Regulations 2015* (Regulations), Council “may determine that an audio recording is to be made of any meeting or part of a meeting” and “may determine any other procedures relating to audio recording of meetings it considers appropriate”, respectively.

Under Regulation 33(2)(a) and (b), having made that determination that an audio recording is to be made of any meeting or part of a meeting, that audio recording of the meeting that is not closed to the public must:

- be retained by the Council for at least six months, and
- made available free of charge for listening on written request by any person

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: Regulation 33 (3).

Those parts of meetings which are closed to the public will not be audio recorded by Council.

3. POLICY

All formal meetings of the Council (including Special Meetings) 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 recording does not replace the written minutes and a transcript of the recording will not be prepared.

If in the situation of a technical difficulty that 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 Southern Midlands Council website (or equivalent).

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, unless otherwise terminated by the Chairperson.

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

The Chairperson has the authority at any time of the proceedings to direct the termination of the audio recording of a meeting. However, the Chairperson should only terminate the audio recording in exceptional circumstances including (but not limited to):

- 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 Southern Midlands 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.

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.



4. LEGISLATION

- *Local Government Act 1993*
- *Right to Information Act 2009*
- *Local Government (Meeting Procedures) Regulations 2015*

5. DOCUMENT ADMINISTRATION

This Instruction is a managed document and is to be reviewed every four years or as directed by the General Manager.

This document is Draft Version 1.0 effective 22nd November 2017. The document is maintained by the General Manager's Unit for the Southern Midlands Council.