

## Council Policy 2.2

### Audio Recording of Council Meetings

#### Strategic Plan Objective

To report against the revised 10 Year Strategic Plan 2017-2027 and the Sustainability Strategy 2022/2023 – 2026/2027 objectives.

#### Purpose

To ensure open, transparent and accountable decision making and access to Council meetings.

To emphasise that the reason for the recording of Council Meetings is to ensure the accuracy of Council meeting minutes and that any reproduction of these minutes is for the sole purpose of Council business.

To ensure that there is a process in place to outline the access to recorded Council meetings.

#### Legislation

*Local Government Act 1995*

*Local Government (Administration) Regulations 1996*

*State Records Act 2000*

*Standing Orders Local Law 2013*

#### Policy Statement

##### Recording of Proceedings

1. All Ordinary and Special meetings of Council will, wherever technically possible, be audio recorded by the EMRC in their entirety, excluding where Council has resolved to close the meeting to members of the public in accordance with section 5.23 of the *Local Government Act 1995* and the EMRC's *Standing Orders Local Law 2013*.
2. Clear signage will be placed in the Council Chamber advising members of the public that the meeting will be audio recorded.
3. At the commencement of each Council meeting the Chairman will publicly announce that the meeting will be audio recorded.
4. Other than in accordance with this Policy, a person must not use any electronic, visual or audio recording device or instrument to record the proceedings of Council without the written permission of the Chairman or Chief Executive Officer.
5. Opinions expressed or statements made by persons during the course of a Council meeting, and contained within the audio recording, are the opinions or statements of those individual persons and do not represent opinions or statements of the EMRC. The recording is not, and shall not be taken to be, a confirmed official record of Council, or of any meeting or discussion to which it relates or may appear to relate.
6. The recording of Council meetings shall assist in the preparation of the minutes of Council consistent with the objectives of section 1.3(2)(c) of the *Local Government Act 1995*.
7. The official record of the meeting will be the written minutes prepared in accordance with the requirements of the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*, which require confirmation by Council resolution and must be signed by the person presiding at the meeting.

### **Access to and Permitted Use of Recordings**

8. The audio recording excluding those parts of the meeting that were closed to the public by resolution of Council shall be made available on the EMRC's website following the Council meeting.
9. For the avoidance of doubt any confidential items that have been closed to the public will not be recorded.
10. The Chief Executive Officer is to determine whether to release or withhold all or part of the audio recordings of any Council meeting, including deputations, if the recording contains inappropriate, offensive or inaccurate comments.
11. The EMRC prohibits any reproduction, distribution, republication and/or retransmission of Council meeting audio recordings without the prior written consent of the EMRC.

### **Retention and Disposal of Audio Recordings**

12. Audio recordings will be retained in accordance with the *State Records Act 2000*.
13. Disposal will be in accordance with the General Disposal Authority for Local Government Records which allow for the destruction of the audio recordings of Council meetings one (1) year after confirmation of the minutes of meeting.

### **Dispute Resolution**

14. All disputes in regard to this Policy will be referred to the Chief Financial Officer in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the Chief Executive Officer for determination.

### **Financial Considerations**

The costs of implementing the audio recording and making it publicly accessible will be budgeted for.

### **Adopted/Reviewed**

19 March 2020

22 June 2023

### **Next Review**

June 2027

### **Responsible Unit**

Business Support Team