

LIVERPOOL PLAINS SHIRE COUNCIL

POLICY REGISTER

Policy No. 1.62

POLICY TITLE: AUDIO RECORDING OF COUNCIL MEETINGS

File Reference No: 13.6.1
Date Adopted: New Policy
Minute No: 869
Last Updated: 23rd April 2014

History of Policy Review

Version	Adoption Date	Minute No	Details of Review
1	23 rd April 2014	869	New Policy

OBJECTIVES

In accordance with s.375 (1) of the Local Government Act and associated Regulations, Councils are required to keep accurate minutes of meetings.

The purpose of audio recording is to assist in the preparation of meeting minutes.

POLICY STATEMENT

This policy sets out procedures for audio recording of Council and Committee meetings with regard to appropriate creation, storage, usage, access, and disposal in accordance with legislative and policy requirements.

In accordance with s.375 (1) of the Local Government Act and associated Regulations, Councils are required to keep accurate minutes of meetings which record attendance, details of each motion and any amendments, names of movers and seconders of motion or amendment, whether motion is passed or not, and decisions (resolutions) of the meeting.

While not a requirement of the Local Government Act and Regulation, audio recording of Council and Committee meetings is a common practice in NSW Councils. The main purpose of audio recording is to assist in preparation of meeting minutes.

Audio tapes are not considered a 'minute of a council meeting' under the Government Information (Public Access) Regulation 2009 and therefore are not 'open access' information. Audio tapes are considered 'temporary' records of Council as their main purpose is to assist in preparation of minutes. Once the minutes are confirmed, the audio tapes are no longer needed.

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 Chairperson of the meeting.

1. Definitions

Committee Meeting - Committees of Council where all members are Councillors.

Audio Recording - Means any recording made by any electronic device capable of recording sound. This includes but is not limited to recordings made by video camera, cassette recorder, or DAT recorder, and stored on compact disc (CD), Digital Audio Tape (DAT), or in any other format (such as WAV, MP3, etc).

2. Process Details

2.1 In order to comply with the Surveillance Devices Act 2007 and the Privacy and Personal Information Protection Act 1998, advice will be provided to the members of the public attending meetings that an audio recording of the meeting will be made. The wording of the advice will be as follows:

"Members of the public are advised that meetings of Council are audio recorded to assist with ensuring an accurate record of the meeting is provided for the formal minutes of the meeting. In terms of the Privacy and Personal Information Protection Act 1998 this may involve the recording of personal information provided at the meeting. The provision of any information that is recorded is voluntary, however if any person does not wish to be recorded they should not address or request to address the meeting. By remaining in this meeting, you consent to the recording of the meeting. You are not permitted to record this meeting with any recording device, unless you have the express authorisation of Council."

The advice will be displayed in the following manner:

- On the notice of agenda for meetings of council and committees.
- On any electronic presentation within the Council Chambers or place where meetings are held.
- Verbally by the Chairperson before the commencement of the meeting

POLICY TITLE: AUDIO RECORDING OF COUNCIL MEETINGS Policy No. 1.62

2.2 Audio recordings will be made of open Council and Committees meetings excluding confidential matters as provided by Section 10A of the Local Government Act 1993 for the purpose of:

- assisting in the preparation of minutes
- ensuring decisions are accurately recorded
- verifying the accuracy of minutes prior to their confirmation

2.3 A Councillor or council officer wishing to listen to an audio recording must apply to the General Manager, or his delegate, and give details of the item concerned (if relevant) and the reason for the request for administrative and audit purposes.

2.4 Audio recordings of the standing committee meetings and ordinary meetings are available to councillors and approved members of staff until Council confirms the minutes of the meeting.

2.5 No transcripts will be made of the committee or ordinary council meetings.

2.6 The recording of council and committee meetings shall begin at the commencement of the chairperson's attendance at the meeting and conclude when the chairperson closes the meeting.

3. Record Keeping Requirements

3.1 Audio files are considered 'temporary' records of Council as their purpose is to assist in preparation of minutes. Once the minutes are confirmed, the audio files are no longer needed. 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 chairperson of the meeting.

3.2 Audio recordings will be stored securely by the Director Corporate Services so that only persons authorised to do so by the General Manager can access them.

3.3 Audio recordings will be stored until three months after the minutes from the meeting to which they relate are confirmed by Council (refer to State Records General Disposal Authority (GDA39) – Local Government Records), except where retention for a longer period is otherwise required or recommended under the State Records Act 1998.

3.4 Due to the nature of technical equipment, the Council does not guarantee that audio recordings will be continuous or fault-free.

4 Access to Recordings

4.1 Access by staff

Audio recordings will only be accessed by staff with the General Manager's approval for the purposes outlined in 3.1.

4.2 Access by Councillors

Access by Councillors will be provided by means of listening to audio recordings in the presence of a Council employee, approved by the General Manager, during business hours of the Council. Access can only be provided up until such time as the minutes of the meeting to which the audio recording relates are confirmed.

POLICY TITLE: AUDIO RECORDING OF COUNCIL MEETINGS Policy No. 1.62

If a Councillor requests a copy of a Council meeting audio to be supplied, the request must be placed in writing to the General Manager and give details of the item concerned and the reason for the request for administrative and audit purposes. The recording shall then be prepared and available for collection by the councillor within 48 hours.

Councillors will be requested to return the recording to the General Manager once Council confirms the minutes of the subject meeting.

4.3 Access by members of the public

Access by members of the public to recordings of Council and standing committee meetings will not be provided unless Council is compelled to do so by court order, warrant, subpoena, or by any other law.