

# Recording of Council Meetings Policy



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<b>APPROVAL</b>	Council
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<b>RESPONSIBLE EXECUTIVE</b>	General Manager Customer and Corporate Support
<b>POLICY TYPE</b>	Council
<b>POLICY OWNER</b>	Manager Governance, Risk and Integrity

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28 November 2022	V5	Reviewed and approved.
14 December 2020	V4	Reviewed and approved.
24 November 2018	V3	Reviewed and approved.
28 November 2016	V2	Reviewed and approved.
April 2014	V1	Reviewed and approved.

## 1. Purpose

The *Recording of Council Meetings Policy* (the Policy) provides information and procedures in relation to:

- the recording and live streaming of public meetings of Kingston City Council; and
- the recording of the public gallery via Closed Circuit Television (CCTV) cameras.

## 2. Scope

The Policy applies to all *meetings* of Kingston City Council as defined within this Policy.

## 3. Governance Principles and Council Plan alignment

### 3.1 Governance Principles

Principle (a) - Council actions are to be made and actions taken in accordance with the relevant law

Principle (i) - the transparency of Council decisions, actions and information is to be ensured.

### 3.2 Council Plan Alignment

*Strategic Direction: Well-governed - Council will be collaborative, accountable, transparent, responsive, well-informed, and efficient.*

*Strategy: Hold ourselves to the highest standard of governance and integrity.*

## 4. Policy Details

Council has resolved to record, live stream and archive *meetings* on the internet that are open to the public, noting that *meetings* that are closed to the public in accordance with section 66(1) of the Act for circumstances specified in section 66(2)(a) will be recorded and kept confidential. Part 1 of this Policy reflects Council's commitment to transparent and accessible decision-making processes.

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Council is also committed to the safety of members of the public in attendance at meetings and for this reason, CCTV systems will also be in operation to record the public gallery for the purpose of public safety. Part 2 of this Policy governs the use of CCTV systems at meetings.

## **Part 1 - Recording and Live Streaming of Meetings**

### **4.1 Scope**

The recording and live streaming of meetings reinforces Council's commitment to transparency and accessibility in Council's decision-making processes. This section outlines who will be recorded, when meetings will and will not be recorded and how recordings can be accessed.

### **4.2 Councillors and Council Officers**

All Councillors and Officers will be recorded when in attendance at public *meetings* of Council.

The default camera position(s) will ensure that all Councillors present are in view throughout the *meeting*.

### **4.3 Meetings Open to the Public**

All public *meetings* of Kingston City Council will be recorded and live streamed on the internet unless Council resolves otherwise.

### **4.4 Meetings closed to the public**

- Where Council resolves to close the *meeting* to the public in accordance with section 66(1) of the Act for the purposes of considering confidential information under section 66(2)(a), recording will continue but the *meeting* will cease to be live streamed on the internet.
- Officers will ensure that the appropriate recording devices are utilised when the *meeting* is closed to the public to ensure that the recording is not streamed on the internet.
- All *meetings* closed to the public will be recorded unless Council resolves otherwise.
- Items that are confidential under section (3)(1)(f) of the Act that is personal information, being information which if released would result in the unreasonable disclosure of information or their personal affairs, will not be recorded if that information relates to personnel matters (except for matters relating to the CEO), or the personal hardship of any resident or ratepayer to respect the personal privacy of residents and ratepayers.

### **4.5 Public Gallery**

- It is not intended that visitors in the public gallery be recorded and signage to this effect is to be visibly displayed in the foyer of the Council Chamber, which reads:

*For the purposes of transparency, this public meeting is being recorded and streamed live on the internet. The recording will be archived and available on Councils website [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au). However, for the purpose of public safety, this public meeting is also being recorded via CCTV. All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded.*

- The Chairperson will read out the statement contained in clause 44.1.5(a) at the commencement of each meeting.

#### 4.6 Question Time

- It is practice for visitors at a Council Meeting to have the opportunity to submit a question during Question Time.

Questioners will not be recorded in the public gallery subject to Part 2 of this Policy however their full name will be read out and recorded during Question Time.

- If a visitor who asks a question does not wish for their full name to be read out this must be indicated in the appropriate section of the Question Form and only the visitors first name will be read out.

The visitors name will continue to be recorded in the public minutes of the meeting.

##### 4.6.1 Members of the public addressing Council

- 4.6.1.1 Members of the public may address the Council or the Planning Committee either in support or objection of a Planning Application, or under special circumstances granted by the Chair. In both instances members of the public will be recorded. The following wording will appear in correspondence inviting applicants and objectors to address Council:

*This public meeting is being recorded and streamed live on the internet. The recording will be archived and available on Council's website [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au). All care is taken to maintain your privacy; however as a visitor in the public gallery, your presence may be recorded.*

- 4.6.1.2 By participating in a public Council meeting, members of the public agree to being recorded. In the event of exceptional circumstances rendering an individual unable to be recorded, it is at the Chairperson's absolute discretion to call for a motion to cease recording in accordance with clause 4.3 of this Policy.

##### 4.6.2 Archived Recordings

- 4.6.2.1 All public meetings that are streamed live on the internet will later be archived on Council's website [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au). Due to the instantaneous nature of live streaming, there will be no editing of the contents of the recorded public meeting.

Bookmarks advising of the agenda items considered during the meeting will be added to the archived version of the recorded meeting to provide ease of navigation for viewers. Members of the public can access all recorded public meetings free of charge on Council's website [www.kingston.vic.gov.au](http://www.kingston.vic.gov.au).

- 4.6.2.2 Meetings closed to the public that have been recorded will be archived securely by the Governance Department to maintain the confidentiality of the information and will not be accessible to the public.

- 4.6.2.3 Councillors wishing to access an archived recording of a meeting closed to the public can do so via the Governance Department.

### **Part 2 - CCTV Recording of Meetings**

#### **4.7 Scope**

Visitors in the public gallery *at meetings* will be subject to CCTV recording for the purpose of public safety. This practice is separate and distinct from the recording and live streaming of meetings. CCTV recording and any data obtained will be handled in accordance with the Information Privacy Principles contained in Schedule 1 of the Privacy and Data Protection Act

2014. At all times, Council will endeavor to balance the need for public safety with an individual's right to privacy in line with Council's CCTV policies and procedures.

#### **4.8 Notification and Signage**

In accordance with Information Privacy Principle 1 (IPP), visitors in the public gallery will be made aware of CCTV recording via signage visibly displayed in the Council Chamber.

Signage will include the following information:

- That CCTV surveillance is underway for the purpose of public safety;
- Identify Council as the owner of the CCTV system; and Reference to Council's website for further information.

The Chairperson will also read the Statement contained in Clause 4.1.5(a) at the commencement of each meeting.

#### **4.9 Use and Disclosure**

In accordance with IPP 2, Council will only disclose CCTV records/footage to a third party in accordance with the primary purpose of collection and will only disclose footage for a secondary purpose where an exemption listed in IPP 2 applies, such as where required by legislation or by a law enforcement agency.

#### **4.10 Data Quality**

In accordance with IPP 3, Council will take reasonable steps to ensure that the CCTV recording that it collects, uses or discloses is accurate, complete and up to date.

#### **4.11 Data Security**

- a. In accordance with IPP 4, Council will take reasonable steps to protect information gathered through the CCTV recording of visitors at meetings from misuse and inappropriate disclosure.
- b. CCTV footage will be retained for 30 days after each meeting. Where footage has been provided to a third party (e.g. Victoria Police) it will be the third party's responsibility to retain the records/footage in accordance with the disposal authority that covers their agency's functional responsibilities.
- c. Council will ensure its record keeping practices comply with the Public Records Office Standards for the management of public records, Public Records Office Specifications and the Public Records Act 1973 (Vic). In general, surveillance camera footage is temporary and only retained for 30 days after the meeting (or unless required to be retained under the legislation)

#### **4.12 Access and Correction**

- a. In accordance with IPP 6, Council will provide access to the recording to individuals whose personal information is collected via CCTV recording upon request and within the 30-day retention period.
- b. Individuals seeking access to CCTV footage they appear in must make such applications in writing addressed to the Manager Governance, Risk and Integrity. The application should include the following information:
  - The meeting the footage is requested for;
  - The applicants contact details; and
  - A copy of photographic identification (for the purposes of identifying the applicant and to ensure the privacy of other attendees is protected)

- c. Footage will be provided to individuals provided it is within the 30-day retention period as per clause 4.2.5(b).
- d. To protect the privacy of other individuals captured in the recording, Council will de-identify images and sounds attributable to individuals other than the applicant. This will not occur where footage is requested from law enforcement agencies.

Individuals can request CCTV footage through contacting Council. The request will be considered and assessed by the Governance, Risk and Integrity Team to determine the release of the CCTV footage. Council may consider to not release CCTV footage in some circumstance that contradict;

- The Act or Governance Rules
- Privacy principles
- Council policies and procedures
- The application for CCTV footage was not in good faith

**5. Risk Assessment**

The risks that would be considered within this Policy have been communicated to the relevant department to ensure effective monitoring of controls. The risks that may be considered within this Policy include privacy implications and compliance with relevant legislation.

**6. Delegation and Authorisation (Compliance Framework)**

There are no delegated positions with responsibilities for this Policy.

**7. Gender Impact Assessment**

A Gender Impact Assessment is not required for this Policy.

**8. Privacy Impact Assessment**

A Privacy Impact Assessment has been completed for this policy to ensure compliance with the Information Privacy Principles.

**9. Human Rights Charter**

This policy has been reviewed against and complies with the Charter of Human Rights and Responsibilities Act 2006.

**10. Roles and Responsibilities**

<b>Role</b>	<b>Responsibility</b>
<i>General Manager Customer and Corporate Support</i>	Responsible for the implementation and compliance with this Policy.
<i>City Works department</i>	Responsible for ensuring the CCTV footage complies with relevant IPPs and is appropriately destroyed after the outlined 30 days within this Policy and alignment with the CCTV Policy.
	Responsible for providing CCTV footage to Victoria Police upon request.

*Governance Risk and Integrity* Responsible for the receipt and assessment of CCTV footage requests and on its relevance to be released to community members in accordance with privacy regulations or other privacy agencies.

## 11. Related documents

### Legislation

- *The Local Government Act 2020*
- *The Privacy and Data Protection Act 2014*
- *Governance Rules*

### Related Documents

- CCTV Policy

## 12. Definitions

<b>Term</b>	<b>Definition</b>
<i>the Act</i>	means the Local Government Act 2020
<i>CCTV</i>	means Closed Circuit Television
<i>Council</i>	means the City of Kingston Council
<i>Meetings</i>	means Council Meetings and Planning Committee Meetings
<i>Meetings closed to the public</i>	means meetings closed to the public on specified circumstances by Council in accordance with section 66(2) of the Act
<i>Public meetings</i>	means Council Meetings and Planning Committee Meetings which have not been closed to the public in accordance with section 66(1) of the Act