



AUDIO RECORDINGS AND MINUTES POLICY

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Amendment/Administrative History

Date	Details	Comment	Authorised by
23.04.2024	Inclusion of Closed Council Meetings	-	Council

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1. OBJECTIVE

The objective of this policy is to provide greater transparency, accountability, and efficiency in relation to meetings of Council.

2. TYPE OF POLICY

As per Section 8 of Policy GTC-12, this policy is categorised as an Operational Policy.

This categorisation is consistent with the definitions as stated in Policy GTC-12 which are as follows:

Council - Policies pertaining to the Governance of the Council and the activities of its elected members, including the establishment of Committees, and the government of the municipality including resident and ratepayer compliance policies and by-laws.

Operational - Policies pertaining to the operational, administrative, and internal matters of the Council, including internal governance, internal committees, and operational matters of service delivery.

3. SCOPE

This Policy applies to George Town Council workers and the public.

4. DEFINITIONS

Audio recording or recording means digital audio file.

Council means the elected body of the George Town Council.

Workers means Council employees, elected members, contractors, and volunteers.

5. LINK TO STRATEGIC PLAN

George Town Council Strategic Plan 2020 - 2030

Future Direction 4

Leadership and Accountable Governance

6. RELATED LEGISLATION

Local Government Act 1993 (section 64)

Local Government (Meeting Procedures) Regulations 2015 (sections 32 and 33)

Right to Information Act 2009

7. RISK CONSIDERATIONS

This policy aligns with the objectives of GTC-15 Risk Management Framework, namely the objective of promoting compliance with relevant obligations.

8. POLICY

8.1 Introduction

Section 33 of the *Local Government (Meeting Procedures) Regulations 2015*, allows Councils to determine audio recordings being made of any meeting, or part of a meeting. This policy sets out the procedures for audio recording of Council meetings regarding the creation, storage, use, access, and disposal of audio recordings, in accordance with the relevant legislative and policy requirements.

Information collected at a Council meeting is mainly used to ensure the accuracy of minutes. Keeping accurate minutes is a requirement under the *Local Government (Meeting Procedures) Regulations 2015*, so no question can be raised as to the lawfulness of this purpose.

Audio recordings will be made of all Council meetings (open and closed sessions) and may be used by staff to assist with the preparation of the minutes, or by Council to clarify a dispute or query relating to the minutes, that is raised during a subsequent meeting under the section 'Confirmation of Minutes'. The recording does not replace the written minutes and a transcript of the recording will not be prepared.

All meetings of the Council shall be digitally recorded.

8.2 Procedure

Advice is to be printed within the agenda of all Council meetings, to inform the public that proceedings are recorded, in accordance with the requirements of this policy. A notice to inform the public that meeting proceedings are recorded is also to be displayed at the entrance to a room in which a meeting, the proceedings of which are to be recorded, is to be held.

At the commencement of each meeting the Chairperson shall also notify those present, including members of the public, that an audio recording of the meeting will be made. It must be announced that the audio recording will last the length of the meeting, unless terminated in accordance with this policy.

A Council officer (under delegation of the General Manager), or an appointed contractor at the direction of a Council officer, will be responsible for the operation of the audio recording equipment, including the commencement and termination of the recording, in accordance with meeting procedures or as directed by the Chairperson. To facilitate effective security and management of the audio recordings, the open and closed sessions of Council meetings will be separately recorded.

The Chairperson has the discretion and authority at any time, to direct the termination of the audio recording of the meeting. Such a direction, however, shall only be given in exceptional circumstances e.g. if a person's safety may be placed at risk by the continuation of the audio recording.

Should the situation arise, where an audio recording will not be available due to technical difficulties, the Chairperson will advise those present that an audio recording is not available.

Members of the public are not permitted to make audio recordings of Council meetings.

8.3 Storage of audio recordings

The General Manager is to retain the audio recording of Council meetings for not less than 6 months, in accordance with section 33 of the *Local Government (Meeting Procedures) Regulations 2015*. A compressed version of the original audio recording of the open session of the meeting shall be created (preserving adequate voice quality) and archived in Council's record keeping system as the authoritative published version.

The audio recording of a closed session Council meeting is to be kept unmodified for a period of 12 months from the date of the recording for the purposes of preparation and confirmation of minutes, and restricted access in accordance with this policy after which the recording and any copies will be permanently destroyed.

The General Manager is authorised to delegate these functions to a Council officer.

8.4 Access and copies of audio recordings

A copy of the audio recording of the last Council meeting will be made available on the Council website www.georgetown.tas.gov.au prior to the distribution of the agenda for the next ordinary Council meeting, and as soon as practicable, normally within five (5) business days.

The recording of the last two Council meetings will be made available on Council's website, for listening to by any person, for the period they are retained by Council. Council makes this information available as a routine disclosure under the *Right to Information Act 2009*.

Any request for a copy of an available Council meeting(s) audio recording by a member of the public, is to be made in writing using the application form “**Request for Audio Recording**” and accompanied by the payment of the prescribed fee, in accordance with Council's Fees and Charges. Requests for multiple Council meeting date audio recordings are to be made individually using the application form and each separate form, is to be accompanied by the prescribed fee. All requests are to be forwarded to the General Manager. A copy of the application form is at Appendix 1 of this policy.

Council staff will advise the applicant at the time of receipt of the application and the prescribed fee, as to the process and availability of the recording for collection.

To minimise risk to Council equipment, a copy of an available Council meeting(s) audio recording will be produced using a Council provided audio CD in MP3 format. Council holds no responsibility in relation to compatibility with other devices.

At the discretion of the General Manager, an audio recording of a Council meeting may not be made available for purchase by the public, if any part is deemed to be incomplete or inaudible. Members of the public will be encouraged to refer to the written minutes of that Council meeting, which will be available via the Council's website. The incomplete audio recording of the meeting may also be made available on Council's website.

Should a member of the public still require purchasing an incomplete or inaudible copy of an audio recording, and at the discretion of the General Manager, the prescribed fee may be waived in accordance with council's current delegations and legislative requirements.

Other than for the purpose of preparing minutes or confirmation of minutes, any request to access the recording of a closed session meeting of Council must be provided in writing to the General Manager detailing the basis for the request.

Access to recordings of closed session meetings of Council requested may be granted by the General Manager for the following reasons:

- (i) Where a Councillor wishes to review a recording of closed meeting of Council for which they were absent.
 - a. Access to a recording is not permitted where the absence from the meeting was due to a declaration of interest at that meeting or where absence due to a declaration of interest would have occurred at that meeting if the Councillor was not absent for other reasons.
- (ii) Where a Councillor wishes to review a recording of a closed meeting of Council for they were present.
- (iii) Where a report author or endorser wishes to review the debate leading to a decision/s made about that report.
- (iv) Where the General Manager is required to undertake the initial assessment of a Code of Conduct complaint under s.28Y of the Local Government Act 1993.
- (v) In response to a formal request from an appropriate authority (ie Ombudsman, Tasmania Police, Integrity Commission, Code of Conduct Panel) providing such requests are permissible under the laws of the State of Tasmania.

The General Manager may access the recordings of closed session Council meetings for any other purpose deemed necessary in the performance of their duties.

- (i) Access to a recording by the General Manager is not permitted where a recording is about a matter where the General Manager was excluded from a closed session meeting under s15, 6 (b) of the Local Government (Meeting Procedures) Regulations 2015, or was absent due to a declared interest.

The General Manager must ensure that any access is recorded in the register of requests.

The General Manager must maintain a register of requests for access (whether granted or not) to recordings of closed session meetings of Council. The register must contain the following details: Name and signature of the person requesting access, position, reason for access, access approved (yes/no), reason if no access provided; date/time of access; the recording/meeting or item accessed; name and signature of authorising officer.

Access to recordings of a closed session meetings of Council by authorised persons will be by appointment at the George Town Council Offices (16-18 Anne Street, George Town).

- (i) No copies of the closed session meetings of Council will be made unless in response to a formal request from an appropriate authority (ie Ombudsman, Tasmania Police, Integrity Commission, Code of Conduct Panel) providing such requests are permissible under the laws of the State of Tasmania.

9. IMPLEMENTATION & REVIEW OF POLICY

Implementation of this Policy rests with the General Manager. This Policy is due to be reviewed every three years, or in accordance with legislative requirements.



.....
Shane Power
GENERAL MANAGER



.....
DATE



**REQUEST & PERMISSION TO COPY AUDIO
RECORDINGS**

APPENDIX ONE

Date of Application

Date of Council Meeting

APPLICANT DETAILS

Requested by
(Name - please print)

Address

Telephone no.

OFFICE USE ONLY

Receiving officer
(Name - please print)

Amount received **\$**.....

Receipt no.

APPROVED BY

General Manager

Signature

Date

ACTIONED BY

Actioning Officer
(Name - please print)

Applicant notified Yes / No

Date collected

Registered in ECM
(File Ref 14.12) Yes / No