



## STAFF REPORT

SUBMITTED BY: Chris Frotten

DATE: November 5, 2023

SUBJECT: Livestreaming Meetings

STRATEGIC OBJECTIVE: 4.4.1

## ORIGIN

One of our strategic objectives is to consider livestreaming Committee of the Whole and Council meetings. The purpose of this report is to provide an overview of the factors associated with this technology-driven approach to enhancing transparency, public engagement, and accessibility of our municipal proceedings.

## BACKGROUND

Livestreaming meetings refers to the real-time broadcasting of municipal proceedings, such as council meetings, committee meetings, or town hall gatherings, over the internet. It allows individuals to observe and participate remotely by accessing the live video feed through various online platforms or websites. Livestreaming enables residents, stakeholders, and the wider public to stay informed about municipal decisions, discussions, and debates, promoting transparency, accountability, and public engagement in the democratic process.

The concept of livestreaming municipal meetings began to gain traction in the early 2000s with the advancement of internet technology and streaming capabilities. However, adoption was relatively limited during this period due to technical challenges and the novelty of the idea.

In the mid-2000s, some municipalities and local government organizations started experimenting with livestreaming their meetings. They recognized the potential of this technology to enhance transparency, public engagement, and accessibility to government proceedings.

As internet infrastructure improved and streaming platforms became more user-friendly, the popularity of livestreaming municipal meetings grew steadily. More municipalities began to embrace the practice, driven by the desire to create an open and participatory governance environment.

During the 2010s, the adoption of livestreaming became more widespread across the globe. The rise of social media and video-sharing platforms also contributed to the dissemination of livestreamed meetings

to a broader audience. The practice gained support from citizens, advocacy groups, and media outlets seeking greater transparency in local government operations.

The COVID-19 pandemic accelerated the adoption of virtual meeting formats. Municipal councils worldwide had to adapt to restrictions on physical gatherings, leading to a significant increase in livestreaming and other remote communication technologies.

Over time, livestreaming technology has continued to evolve, becoming more reliable and accessible. This includes the development of dedicated streaming platforms, better video quality, and improved integration with other online communication tools.

As citizens become more digitally connected and accustomed to accessing information online, the demand for livestreamed municipal meetings is growing. Many people now expect their local governments to provide easy access to public proceedings through digital channels.

Livestreaming municipal meetings has become increasingly common, with many municipalities regularly offering livestreamed sessions or providing recorded videos of meetings for public access. In the Tri-Counties, 9 of 11 units record all or some of their meetings. Of those, 4 livestream their meetings. In addition, both the Nova Scotia Legislature and House of Commons livestream their proceedings, including most of their committee meetings.

## DISCUSSION

The extent of adoption and popularity of livestreaming municipal meetings varies significantly from one region to another, depending on factors such as the size of the municipality, available resources, technological infrastructure, and the local government's commitment to transparency and public engagement. Here are some factors to consider in deciding whether to move forward with livestreaming meetings.

### Potential Benefits

- 1. Increased Transparency:** Livestreaming meetings ensures transparency by providing citizens with direct access to observe the decision-making process. This fosters trust, enhances accountability, and allows residents to stay informed about municipal affairs without physical presence. By making meetings easily accessible, it promotes an open and inclusive democratic environment.
- 2. Enhanced Public Engagement:** Livestreaming offers citizens the opportunity to actively engage with local government by watching meetings in real-time. Remote viewers can follow discussions, presentations, and debates, enabling them to form opinions and contribute to the decision-making process. Additionally, livestreaming allows residents who may face physical or scheduling constraints to participate more effectively.
- 3. Wider Audience Reach:** By leveraging the internet, livestreaming expands the audience reach beyond those who can attend meetings in person. It enables citizens who are unable to travel to the council chambers to stay informed and engage with municipal affairs. This inclusivity

encourages broader civic participation and empowers residents from diverse backgrounds to voice their opinions.

- 4. Archiving and Accessible Records:** Livestreaming can often provide the option to record and archive meetings. Archived recordings can be made available on the council's website or other digital platforms, allowing citizens to access past meetings at their convenience. This feature enables residents to review discussions, decisions, and presentations even after the meeting has concluded.
- 5. Cost-Effective Communication:** Livestreaming eliminates the need for attendees to travel to meeting venues, thus reducing associated costs and the barrier this may cause.

### Potential Drawbacks

- 1. Technical Challenges:** Implementing livestreaming may require initial investments in hardware, software, and personnel training. Technical glitches, such as internet connectivity issues, can also disrupt the quality of the livestream and affect the user experience.
- 2. Privacy Concerns:** Livestreaming council meetings may raise privacy concerns, particularly for residents who speak during public sessions. Appropriate measures should be taken to obtain consent or explicitly inform individuals before broadcasting their remarks and redact any sensitive information.
- 3. Potential Misuse:** Livestreamed meetings can be misused by individuals with malicious intent to selectively edit or manipulate content, leading to misinformation or misunderstandings among the public. Implementing stringent content monitoring and fact-checking mechanisms is essential.
- 4. Distraction and Disruptions:** The presence of cameras during council meetings might cause distractions for both council members and attendees, potentially affecting the quality of discussions and decision-making.
- 5. Limited Offline Engagement:** Although livestreaming allows remote participation, it cannot fully replace the value of face-to-face interactions.

Another concern raised about livestreaming meetings is the potential for lazy engagement among citizens. Lazy engagement refers to a passive approach where individuals simply watch the livestream without actively participating or getting involved in civic affairs beyond the virtual platform. While this concern is valid, it is essential to acknowledge that lazy engagement is not an inherent problem caused by livestreaming itself but rather a challenge that can be mitigated through proactive measures. There are a number of strategies that can address this concern, such as actively promoting the livestreaming, offering hybrid engagement options, creating interesting content, collaborating with community groups, and engaging with local media.

By implementing these strategies, the concern of lazy engagement in livestreamed council meetings can be effectively addressed. It is essential to recognize that while livestreaming can enable passive viewing,

it also provides an opportunity to create a more informed, engaged, and active citizenry when coupled with the right measures and initiatives.

## BUDGET IMPLICATIONS

Implementing livestreaming involves several potential budget implications. In our specific case, the budget implications of implementing livestreaming are expected to be minimal. This is primarily due to the fact that we already have the majority, if not all, of the necessary equipment and have existing measures in place to address many of the critical factors associated with livestreaming. Here are some of the key implications to consider:

### **Equipment and Technology Costs**

This includes the purchase of cameras, microphones, tripods, and other audio-visual equipment necessary for capturing and streaming municipal meetings. Additionally, it may involve investing in video switchers, encoders, and streaming software to facilitate the broadcasting process. Fortunately, we have a well-equipped audio-visual setup, which includes cameras, microphones, and other necessary equipment. These resources can be repurposed for the livestreaming initiative, minimizing additional costs.

### **Internet Bandwidth and Connectivity**

Ensuring a reliable and high-speed internet connection is crucial for livestreaming. Our current internet infrastructure is robust and capable of supporting livestreaming activities. Therefore, no significant investment is foreseen in this regard.

### **Personnel and Training**

In some cases, staff must be hired or trained to setup, operate, and maintain the livestreaming equipment. Technical support personnel may also be necessary to troubleshoot any issues that arise during the livestreamed meetings. That said, our staff are already adept at handling audio-visual equipment. With minimal training, they can efficiently manage the livestreaming process without the need for additional personnel.

### **Streaming Platform and Software**

Depending on the chosen approach, there may be costs associated with using a third-party streaming platform or purchasing specialized software for capturing and broadcasting the meetings. We have access to suitable software and platforms for livestreaming, eliminating the need for new subscriptions or licenses.

### **Privacy and Security Measures**

Implementing privacy safeguards to protect the rights and interests of individuals participating in the meetings. This may include obtaining consent for recording, redacting sensitive information, and securing livestreaming platforms to prevent unauthorized access. Our existing privacy protocols and security

measures can be extended to cover the livestreaming process, ensuring the protection of participants' rights.

### **Accessibility Considerations:**

Ensuring that the livestreamed meetings are accessible to all residents, including those with hearing impairments. This may involve providing closed captioning or sign language interpretation services. We can leverage our existing accessibility measures to ensure that livestreamed meetings are inclusive and accommodating for all residents. For example, closed captioning can be added to our livestreams and recordings.

### **Publicity and Outreach**

Promoting the availability of livestreamed meetings to the public through various communication channels. This could include marketing efforts, informational materials, and outreach initiatives to raise awareness about the new livestreaming service. Our established communication channels can be utilized to publicize the availability of livestreamed meetings, minimizing additional promotional expenses.

### **Legal and Compliance Considerations**

Establishing storage solutions for recording and archiving livestreamed meetings. This ensures that the content is available for future reference and can be accessed by individuals who were unable to view the livestream in real-time. We are already well-versed in the legal aspects of public meetings and content broadcasting, mitigating any additional compliance costs.

### **Scalability and Future Expansion**

With our current resources and infrastructure, we have the capacity to scale up livestreaming efforts if the need arises in the future.

Given our advantageous position in terms of equipment and existing measures, the financial outlay for implementing livestreaming is expected to be minimal, making this initiative a highly feasible and cost-effective endeavor.

## **LEGAL IMPLICATIONS**

There is no legal requirement to record meetings or to post the recordings. The official record of a Council meeting is the minutes, not the video recordings. Once a video recording exists, it becomes a "record" subject to our general record management practices and the Freedom of Information and Protection of Privacy Act (FOIPOP).

Even if the video is posted online, because it is a record, anyone can make an FOIPOP request. The benefit of having a person request the recording through FOIPOP is that it provides the municipality with awareness of who is requesting what, which could serve as advance notice of a potential issue. However, given that the recording is a public record, section 253 (1) of the Act allows for any person to inspect the minutes and records of council.

It is important to note that minutes are not a verbatim transcript, but rather a summary of decisions, and there is an opportunity to revise the minutes when they are approved. On the other hand, a recording provides a verbatim transcript of the proceeding, whereas the Minutes, as a summary, do not attribute statements or positions to specific Councillors.

With the posting of a video online, the video becomes accessible to anyone anywhere over the internet and it may be downloaded and manipulated. Although a municipality owns the copyright in the video, the person manipulating the video may argue they are not violating the municipality's copyright because of "fair use" since they are not doing so for profit. Fair use means someone can reuse copyright protected material under certain circumstances without getting permission from the copyright owner. This includes for research, private study, criticism, review, news reporting, education, satire or parody provided that what the person does with it is "fair". Whether or not it is "fair" is based on consideration all of the circumstances.

Once downloaded or requested through FOIPOP, the municipality loses control of the recording, which poses a risk that a person's words and images being captured in perpetuity. However, it should be noted that this loss of control and the potential for manipulation may also happen if the video is requested as a public record or through FOIPOP. All this said, there are protections that can put in place to mitigate these potential risks or at least significantly reduce the risk of them happening.

A review of other municipalities show that many do not have policies related to the recording or posting of videos of Council meetings, some only live-stream the meetings and do not post videos, some post the videos indefinitely, while others remove the videos after 30 days, and some have policies declaring the videos are transitory records only. In almost every case, the minutes of the meeting are the official record and if a substantive correction were to be needed, the minutes can be revised and sent back to Council for approval.

In summary, when a municipality posts a recording of a Council meeting on the internet, they lose control of the recording which comes with some risks. The posting of the videos is a balancing act between accountability, accessibility, and transparency, and the potential risk that the recording could be used for an improper purpose, manipulated, or potentially used against a Councillor or the municipality. Even if Council choses not to post the recording, this risk still exists when a meeting is recorded - the videos can still be accessed as public records or through an FOIPOP request.

## PUBLIC CONSULTATION/COMMUNICATIONS

N/A

## RECOMMENDATION

In conclusion, livestreaming meetings can be a valuable tool for enhancing public engagement, transparency, and accountability. The benefits of reaching a wider audience and creating a more informed citizenry outweigh the challenges associated with technical setup and potential misuse. By addressing

privacy concerns and ensuring reliable technology, we can successfully leverage livestreaming to bolster our democratic processes and community involvement.

As this report shows, the decision to implement livestreaming should be weighed carefully, taking into account the unique needs and preferences of our municipality. After considering each of the factors and the fact that it is one of our strategic objectives, **I recommend developing a policy on livestreaming Council and Committee of the Whole meetings and implement the livestreaming of these meetings for a 6-month pilot project, beginning April 1, 2024.**

A 6-month pilot project will offer a structured and controlled environment to test the waters, gather data, and make an informed decision about the long-term implementation of this technology. It is a strategic approach that balances the benefits of livestreaming with the need for careful planning and evaluation.

During this time, we could also engage with experienced vendors or consult with municipalities that have successfully implemented livestreaming to gain valuable insights into budgeting and resource allocation for this initiative.

#### SUGGESTED MOTION

Move to recommend to Council to develop a draft policy on livestreaming of Council and Committee of the Whole meetings and initiate a 6-month pilot project to livestream all regular municipal council meetings and committee of the whole meetings, starting from April 1, 2024.

#### ALTERNATIVES

- Continue with the status quo of only recording Council meetings.
- Continue with video recording Council meetings and begin video recording Committee of the Whole meetings.
- Continue with video recording Council meeting and begin audio recording Committee of the Whole meetings.
- Begin livestreaming Council meetings only.
- Begin livestreaming Council meetings and video recording Committee of the Whole meetings.

#### ATTACHMENTS

- Examples of Livestreaming Policies

# POLICY Video Recording and Live Streaming of Legislated Meetings



## Policy C8002-1

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<b>Adopted by Council:</b>	2021-10-04	<b>Administrative Responsibility:</b>	Corporate Services
<b>Council Resolution #:</b>	COU21-385	<b>Last Review Date:</b>	2021.10
<b>Modified by Resolution #:</b>		<b>Next Review Date:</b>	2025.10
<b>Replaces:</b>	C8002		

### 1.0 POLICY

Open Meetings held in Council Chambers or conducted by electronic means may be live streamed, video recorded, and published to the Town's Website in an effort to promote transparency, public participation and access to municipal decision making. Any meetings or portions of meetings closed to the public in accordance with section 197 of the *Municipal Government Act* will not be live streamed or recorded.

### 2.0 PURPOSE

This policy will provide guidelines for the live streaming and management of video recordings of Open Meetings.

### 3.0 DEFINITIONS

In this Policy:

- 3.1 "Act" means the *Municipal Government Act*, Alberta, R.S.A 2000, cM-26 and amendments thereto.
- 3.2 "Chair" means the Mayor or chair of the meeting and may include the Vice-Chair.
- 3.3 "Council" means the Council of the Town of Banff and in this policy includes the Governance and Finance Committee as established by Council.
- 3.4 "Council Chambers" means the Banff Town Hall council chamber.
- 3.5 "Council Committee" means a committee, board or other body established by Council under section 145 of the Act but does not include an Assessment Review Board established under section 454 of the Act, a Development Appeal Board, a Municipal Planning Commission, or a regional services commission under Part 15.1 of the Act.
- 3.6 "Development Appeal Board" means a development appeal board established by Council under section 627 of the Act.
- 3.7 "Live Stream" means a live, publicly streamed broadcast.

- 3.8 “Municipal Planning Commission” means a municipal planning commission established by Council under section 627 of the Act.
- 3.9 “Open Meeting” means any meeting open to the public in accordance with section 197 of the Act.
- 3.10 “Town Manager” means a person appointed as Chief Administrative Officer by Council or the person designated by the Town Manager to carry out a particular duty; and
- 3.11 “Town’s Website” means the websites administered and controlled by the Town of Banff, which may include, but is not limited to [www.banff.ca](http://www.banff.ca); web-based video management applications, and social media.

#### **4.0 RESPONSIBILITIES**

- 4.1 Council is responsible to approve this policy and any amendment thereto.
- 4.2 The Town Manger is responsible to implement, monitor and evaluate this policy.

#### **5.0 STANDARDS**

- 5.1 Open Meetings to be Live Streamed, recorded and made available to the pubic via the Town’s Website:
- a) Open Meetings of Council held by electronic means or in the Council Chamber;
  - b) Open Meetings of the Municipal Planning Commission held by electronic means or in the Council Chamber; and
  - c) Open Meetings of the Development Appeal Board held by electronic means or in the Council Chamber.
- 5.2 Open Meetings of Council Committees held by electronic means shall be live streamed.
- 5.3 Open Meetings of Council Committees held in the Council Chamber may be live streamed, recorded and made available to the public via the Town’s Website at the discretion of the Council Committee.
- 5.4 The official record of Open Meetings shall be the written minutes. The keeping of a video recording of an Open Meeting shall in no way detract or undermine the position of approved minutes as the official record of decisions.
- 5.5 The Town of Banff will make every reasonable effort to ensure that live streaming and video recordings are available to the public. However, there may be situations where due to technical difficulties the live streaming and video recordings may be unavailable or delayed. Meetings will not be cancelled, postponed or delayed due to technical issues with live streaming or recording of meetings.
- 5.6 Appropriate signage shall be posted at the entrance of the Council Chamber to ensure that presenters and members of the public are aware that Open Meetings are being live streamed, recorded and made available over the internet.

- 5.7 At the beginning of a meeting the Chair shall notify those present that the meeting will live streamed, recorded and will be published on the Town's Website. Notice that the meeting will be live streamed and recorded will also be published on the meeting agenda.
- 5.8 It is intended that the standard camera position will only provide vision of the members of Council who are present at the meeting and those members of administration and the public who are addressing Council at the meeting.
- 5.9 Recordings will be accessible to the public on the Town's website for a period of four (4) years from the date of the meeting.
- 5.10 Original unmodified recordings will be classified, stored and retained in accordance with the Town's Record Retention Bylaw.

## **6.0 RISK MITIGATION**

- 6.1 Open Meetings are a public forum of statements, questions and answers.

Opinions expressed and statements made during an Open Meeting are those of the individual making them, and not those of the legislative body. Unless set out in a resolution, the legislative body does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at an Open Meeting and which may be contained in a recording.

It is possible that statements could be made which may be regarded as offensive, defamatory, incorrect or contrary to law and may be the subject of potential liability. As the broadcasting and publishing of recordings of meetings increases the potential audience, potential risks may also increase.

Accordingly, the legislative body, by way of majority vote, the Chair, or the Town Manager have the discretion and authority at any time to direct the termination or interruption of the live streaming and recording of the meeting if they consider it prudent or advisable to do so. Such direction will only be given in exceptional circumstances.

- 6.2 Following the meeting, the legislative body, by way of majority vote, the Chair, or the Town Manager have the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate to be published. Such direction will only be given in exceptional circumstances.

Material considered to be inappropriate may include, but is not limited to, material that may:

- be false or misleading communication which damages the reputation of another individual or organization;
- infringe copyright;
- breach the privacy of an individual or unauthorised disclosure of the personal information of an individual;

- be offensive;
- constitute discrimination;
- constitute hatred of a person or group of people and is likely to offend, insult, humiliate or intimidate; and/or
- disclose confidential or privileged information.

## 7.0 LICENCE AND USE

7.1 Unless otherwise indicated, copyright to the recordings of meetings made available on the Town's Website is owned by the Town of Banff. Permission is granted to produce or reproduce the recordings posted on the website, or any substantial part of such recordings, for personal, non-commercial, educational and news reporting purposes only, provided that the copied material is not modified or altered, and ownership of the material is attributed to the Town. For certainty, no person may use the recordings for commercial activity, political party advertising, election campaigns, or any other politically partisan activity. Unless expressly authorized herein, no part of the recorded materials posted on the Town's Website may be reproduced except in accordance with the provisions of the *Copyright Act*, as such Act may amended or replaced from time to time, or with the express written permission of the Town.

## 8.0 RELATED DOCUMENTS

8.1 Town of Banff Records Retention Schedule

8.2 Council Procedures Bylaw

## 9.0 RELEVANT LEGISLATION

9.1 *Municipal Government Act*

9.2 *Freedom of Information and Protection of Privacy Act*

9.3 *Copyright Act*

This policy shall be in effect on the date it is approved by resolution of Council.

On Original

Corrie DiManno

Mayor

On Original

Kelly Gibson

Town Manager

<b>Section:</b>	<b>Policy Number:</b>
<b>Sub-section:</b>	<b>Effective Date:</b>
<b>Subject:</b>	<b>Revision Date:</b>

## MUNICIPALITY OF NORTH PERTH

### LIVE STREAMING OF COUNCIL MEETINGS POLICY

#### 1.0 PURPOSE:

This Policy aims to improve accessibility and community participation in relation to decision making processes. It is predicted that live streaming Council Meetings on Council's website will provide more flexible and convenient access of Council debate and decisions to a wider audience.

Live streaming Council Meetings also eliminates geographic and time barriers which may prevent the public from attending meetings in person; thereby resulting in greater community confidence in the integrity and accountability of the decision-making process. The Live Streaming of Council Meetings Policy provides the policy direction and guidelines for Councillors, Staff and the community.

This Council Policy reflects Council's commitment to transparent and accessible decision-making processes, with the introduction of live streaming of Regular and Special Meetings of Council. Any parts of Council's Meetings that are closed to members of the public under Section 239 of the Municipal Act are regarded as confidential and will not be recorded.

#### 2.0 SCOPE:

This Policy applies to:

- Regular and Special Meetings of Council;
- Councillors and Officers of North Perth Council; and
- Members of the public, both as visitors in the gallery and when invited to speak in the Meeting.

#### 3.0 DEFINITIONS:

**Closed Section of a Council Meeting** - A meeting of the council which has been closed to members of the public under Section 239 of the Municipal Act

**Chair** - the person who chairs a meeting of the Council, predominantly, the Mayor.

**Defamation** - Intentional false communication which damages the reputation of another individual.

**Streaming (Webcasting)** The process of delivering multimedia content via the internet, in audio and/or video format from a single content source to multiple listeners/viewers.



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**Controls** Any process, policy, device, practice or other action which impacts on the consequence or likelihood of a particular risk occurring, that is currently in place.

#### 4.0 POLICY CONTENT:

Regular and Special Meetings held in the North Perth Council Chamber will be streamed live, on the Municipality of North Perth YouTube channel in accordance with this Policy and will be able to be accessed from Council’s website: [www.northperth.ca](http://www.northperth.ca).

Any parts of Council’s Meetings that are closed to members of the public under Section 239 of the Municipal Act are regarded as confidential and will not be recorded.

The Chair and/or the Clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published.

Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

The official record of all Council Meetings shall be the written minutes in accordance with the Municipal Act Section 239(1). The live stream file will be archived to the Municipality’s YouTube channel. Files will be hosted on the Municipality’s YouTube Channel during the current year and for one year thereafter.

Video files from live streaming on the internet are part of the public realm and as such, are subject to alteration by a member of the public with no municipal control over such alterations. The Municipality assumes no liability associated with any alterations that may be made by a member of the public on the internet.

#### **Publication of Notices – Informing Attendees**

It is not the intention of live streaming to capture those attending the Meeting in the gallery, however this may occur due to camera angles and seating arrangements. By attending the public meeting, attendees are consenting to their image, voice or comments being recorded.

There will be a number of notices informing attendees that live streaming will be taking place. At the commencement of each Meeting, the Chair will read a statement included in the Council Agenda notifying those present that the Meeting will be live streamed on the internet and that a link to the YouTube Channel can be found on the Council’s website. [Attachment 1]

Signage communicating a similar message will be visibly displayed in the foyer of the Municipal Council Chambers. [Attachment 2]

Notice will also be published on Council’s website. [Attachment 3]

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## Public Interaction in Council Meetings

### 5.4.1 Public Forum

Council's Code of Meeting Practice sets out the requirements for Public Forum guidelines with regards to a Council Meeting.

Any attendee who is invited to speak will be recorded and their voice and image will form part of the live stream.

Should an attendee invited to speak not wish to be recorded, they are required to make this request known to Council staff prior to the meeting commencing.

This request can be made either by emailing the Clerk a minimum of two hours prior to the Meeting or in person no later than 30 minutes prior to the meeting.

### 2 Presentation of Awards / Public Acknowledgements

Council's Code of Meeting Practice sets out the expected behaviours for participation in Council Meetings. Any attendee who is invited to make or receive a presentation or acknowledgement from Council will be recorded and their voice and image will form part of the live stream.

In circumstances where time permits, correspondence to the attendee shall be made to include the public notice information that Council undertakes live streaming of its Council Meetings.

(Attachment 2]

## 5.0 POLICY COMMUNICATION:

The Clerk will be responsible for:

- Communicating the relevant public notices in Attachments 1, 2 and 3, to be included in:
  - Public Notice in the Council Agenda
  - Public Notice Signage at the Meeting
  - Public Notice on Council's Website
- Publishing Council Meeting live stream recording links, to Council's website.
- Including a copy of the recording in Council's Record Management System and undertaking relevant archiving and destruction procedures.

The IT Department will be responsible for:

- Setting up, positioning and testing the video equipment for each Council Meeting.
- Provide ongoing support to ensure the live stream is operational for each Meeting.
- Servicing equipment.

## 6.0 LINKAGES:

## 7.0 POLICY REVIEW:

This policy will be reviewed once per Council Term or more often as needed.

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## 8.0 COMPLIANCE:

In cases of policy violation, the Municipality may investigate and determine appropriate corrective action.

## 9.0 REVISION HISTORY

Revision	Date	Comments
1		Issue Date



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**Attachment 1 – Public Notice to be included in the Council Agenda and to be read out by the meeting Chair  
Live Streaming of Council Meetings**

Today’s Meeting is being streamed live on the Municipality of North Perth YouTube Channel. To those present in the gallery today, by attending a public meeting of the Council you are consenting to your image, voice and comments being recorded. Anyone who is invited to speak will be recorded and their voice, image and comments will form part of the live stream.

The Chair and/or the Clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published. Attendees are advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

Thank you



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## **Attachment 2 – Public Notice to be displayed as signage at the entrance of the Council Meeting**

Today's Meeting is being streamed live on the Municipality of North Perth YouTube channel.

This Council Meeting is being streamed live in accordance with Council's Live Streaming in Council Meetings Policy. A copy of the Policy can be viewed on the Municipal website.

By attending a public meeting of the Council, you are consenting to your image, voice and comments being recorded. Should you wish to attend and/or speak without being recorded you must make this request to Council staff prior to the meeting commencing. This request can be made either by emailing the Clerk a minimum of two hours prior to the meeting or in person no later than 30 minutes prior to the meeting.

The Chair and/or the Clerk have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published. Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include but are not limited to the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

It should be noted that no protection is afforded to Councillors, Council employees or the public for comments made during Meetings which are subsequently challenged in a court of law and/or determined to be defamatory.

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### **Attachment 3 - Public Notice to be included on Council's website**

All public meetings of North Perth Council are being streamed live on the Municipality of North Perth YouTube Channel in accordance with Council's Live Streaming in Council Meetings Policy, which is available on the Municipality of North Perth website:

While meetings are open to the public, Council recognises that not everyone can attend in person. Livestreaming gives all community members the opportunity to watch and listen to meetings, either in real time or at their convenience, giving greater access to Council decision making and debate. By attending a public meeting of the Council attendees are consenting to their image, voice and comments being recorded. Should attendees wish to attend and/or speak without being recorded they must make this request to Council staff prior to the meeting commencing. This request can be made either by emailing the Clerk two hours prior to the meeting or in person no later than 30 minutes prior to the meeting.

The Chair and/or the General Manager have the discretion and authority at any time to direct the termination or interruption of live streaming. Such direction will only be given in exceptional circumstances where deemed relevant. Circumstances may include instances where the content of debate is considered misleading, defamatory or potentially inappropriate to be published. Whilst Council will make every effort to ensure that live streaming is available, it takes no responsibility for, and cannot be held liable for technical issues beyond its control. Technical issues may include but are not limited to the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.



## 1.0 LIVE STREAMING AND RECORDING OF PUBLIC COUNCIL MEETINGS POLICY

<b>Original Prepared By:</b>	<b>Approved: October 9, 2019</b> <b>Motion #: RES-263-2019</b>
<b>Date:</b>	<b>Date:</b>
<b>Revision Prepared By:</b>	<b>Approved:</b> <b>Motion #:</b>
<b>Date:</b>	<b>Date:</b>

The Town of Torbay is committed to the Community's interest and engagement, being open, transparent, and accountable for meetings and decisions of Council to residents and the public by providing access to Public Council Meetings. All residents and the general public are invited and entitled to attend Public Meetings of Council. Live streaming provides access to Public Council Meetings for residents who are unable to attend and/or the timing or location of a Public Meeting may be problematic.

The Town of Torbay understands and recognizes the changing and challenging needs of our community and will facilitate access to Public Council Meetings for all residents. Council will continue to provide information on Public Council Meetings through notices, agenda, minutes and reports through the Town's Civic Web Portal. Live streaming makes use of technology to provide residents and the public with access to view Public Council Meetings at locations other than the Council Chamber.

Residents are welcome to attend the Town of Torbay Public Council Meetings, taking place in the Council Chamber, Torbay Town Hall. If Residents are unable to join us in person, the Town is now live streaming.

Public Council Meeting dates and information can be viewed by visiting the Town's Civic Web Portal at [torbay.civicweb.net](http://torbay.civicweb.net).

### LEGISLATION

Council is guided by the Newfoundland and Labrador Municipalities Act, 1999, and the Access to Information and Protection of Privacy (ATIPPA) Act, 2015.

### POLICY STATEMENT

Public Meetings of Council are live streamed on the Town of Torbay's Civic Web Portal.

## **PURPOSE**

This policy will provide guidelines for the live streaming and transparent management of recordings of Public Council Meetings and Public Meetings held in the Council Chamber, Town Hall, 1288 Torbay Road.

## **DEFINITIONS**

**Council:** The Town of Torbay consists of seven (7) elected officials, including the Mayor, Deputy Mayor, and five Councillors.

**Public Meetings:** Includes Regular Public Council Meetings, Special Public Council Meetings, and other Public Meetings conducted in accordance with Council's adopted rules of procedure held in the Council Chamber, Torbay Town Hall. Does not include meetings that are closed to the public.

**Private/Privileged Meeting:** A meeting of Council from which the public and media have been excluded to discuss issues that are of a sensitive, confidential, legal, human resources and financial matter. Any decisions, motions and resolutions at a privileged meeting must be ratified at a public meeting.

**Defamatory Statement or Inappropriate Comment:** One which tends to injure another's reputation. A comment that is not appropriate or suitable for some purpose or situation. A statement/comment that could induce people to shun or avoid a person for any reason. A statement can be made by spoken words, signs or gestures, writing or images in person or by broadcast.

**Minutes:** Minutes of a Meeting are required to be taken and recorded by the Deputy Clerk or designate, to be accurate, and to be signed by both the Mayor and CAO/Town Clerk of the Town of Torbay. The adopted minutes are the Town of Torbay's official records.

## **SCOPE**

1. This policy applies to the live streaming, recording, storage and distribution of recorded Public Meetings held in the Council Chamber, Torbay Town Hall.
2. This policy covers all elected Members of Council, all personnel employed by the Town of Torbay, any person or organization acting on behalf of Council and the Town of Torbay, any person making presentation at a Public Meeting, and any person presenting under Question and Answer Sessions at a Public Council Meeting.
3. This policy applies to all persons attending Public Meetings including Councillors, staff, invited speakers, observers, presenters and members of the public, both as visitors in the public gallery and as contributors to the Public Meeting.
4. All persons attending Public Meetings are required to act in a professional and ethical manner, and in accordance with the Town's Respectful Workplace Policy and other relevant policies of the Town of Torbay.
5. This policy applies until such time as is concluded by way of resolution of Council.

## **PROCEDURES**

1. Public Council Meetings are held in the Council Chamber, Torbay Town Hall. Public Council Meetings, will be live streamed/recorded and can be viewed on the Town's Civic Web Portal. Any meetings or portions of meetings that are closed to the public shall not be broadcast or recorded.
2. It is the intent that the camera position will only provide vision of the Mayor, Deputy Mayor, Councillors, designated staff and presenters/speakers who are present at the Public Meeting. It is not intended that there be either live or recorded footage of the gallery or public, however, there may be incidental capture.
3. Presenters and Members of the Public who address Council shall be live streamed and recorded.
4. To ensure those present at Public Council Meetings are aware that Public Council Meetings will be live streamed and recorded, at the commencement of each meeting the Mayor or Chairperson/Presiding Officer shall notify those present, including members of the public, that the meeting is being live streamed and recorded in accordance with this policy. Signage is to be posted and clearly displayed to ensure presenters and members of the public are aware that Public Council Meetings will be live streamed, recorded and made available over the Town's Civic Web Portal.
5. The announcement and signage will remind people of the recording and the expectation that they shall refrain from making potentially defamatory statements or inappropriate comments.
6. A designated staff member, being the Deputy Clerk or designate, shall be responsible for the operation of the live streaming and recording equipment.
7. The CAO/Town Clerk, or in the absence of the CAO/Town Clerk the Mayor or Chairperson/Presiding Officer, has the discretion and authority at any time to direct the termination or interruption of the live streaming and recording of the meeting if he or she considers it prudent or advisable to do so.
8. To resume live streaming, direction shall be provided by the CAO/Town Clerk, or in the absence of the CAO/Town Clerk the Mayor or Chairperson/Presiding Officer, to the designated staff member.
9. Following any Public Meeting, the CAO/Town Clerk, or in the absence of the CAO/Town Clerk the Mayor or Chairperson/Presiding Officer may, from time to time, direct staff in writing to remove recordings or portion of recordings from the Town's Civic Web Portal where it considers it prudent or advisable to do so.
10. Opinions and statements expressed and made during a Public Meeting are those of the individuals making them.
11. Council does not accept any responsibility for any verbal statements made by the public during Public Meetings which may be inaccurate, incorrect, or defamatory.
12. No protection will be afforded to Council officials or the public by the Torbay Town Council or the Town of Torbay for comments and statements made during the live

streaming of Council Meetings which may be or are subsequently challenged in a Court of Law and determined to be potentially defamatory or inappropriate.

13. This policy does not extend to confidential meetings, including Private/Privileged Meetings of Council closed to the public. Privileged or Private Meetings shall not be live streamed or recorded. Should a Public Meeting be adjourned for a Privileged Meeting, a motion of Council is required and this Privileged Meeting shall not be live streamed or recorded. The CAO/Town Clerk, or in the absence of the CAO/Town Clerk the Mayor or Chairperson/Presiding Officer, shall provide direction to the designated staff member to resume live streaming.
14. The Town of Torbay will make every reasonable effort to ensure that a live stream and recording is available. There may be situations where due to technical difficulties the live streaming and recording will not be available. If such circumstances occur, the Mayor or Chairperson/Presiding Officer shall advise those present that live streaming and recording is not available. In the event the technical difficulties are not identified during the meeting, this information will be displayed on the Town of Torbay's website and/or the Town's social media venues for notification.
15. Viewing live streaming or recordings of Public Council Meetings over the internet consumes data. The user is responsible for any charges that a service provider may impose for data usage, particularly over a mobile internet connection. Council does not accept any responsibility or liability for any loss, damage, cost or expense that may be incurred as a result of viewing live streaming or recording of Council's Public Meetings.
16. Live streams and recordings of Public Council Meetings are the property of the Town of Torbay and cannot be reused or reproduced without the approval from the Torbay Town Council or the Town of Torbay. If requested, permission may be granted to produce or reproduce the recordings posted on the Town's Civic Web Portal, provided that the copied material is not modified or altered and ownership of the material is attributed to the Town of Torbay. No person may use the recordings for political party advertising, election campaigns, or any other politically partisan activity. Unless expressly authorized herein, no part of the recorded materials posted on the Town of Torbay's Civic Web Portal may be reproduced without the written permission of the Town of Torbay. Copyright remains with Council.
17. Video/recordings will be available to the public over the Town's Civic Web Portal for a period of seven (7) Years from the date of the meeting. Once the seven (7) year period has elapsed the recording shall be removed from the Town's Civic Web Portal.
18. Public Meeting recordings published to the Town's Civic Web Portal are for information purposes only. The adopted Minutes of the Public Council Meetings remain the official records. The live streaming and recordings are to promote broader access to meetings only and for information purposes only.