

# POLICY Video Recording and Live Streaming of Council Meetings



## Policy C8002

<b>Adopted by Council:</b>	2019.05.13	<b>Administrative Responsibility:</b>	Corporate Services
<b>Council Resolution #:</b>	COU19-153	<b>Last Review Date:</b>	2019.05
<b>Modified by Resolution #:</b>		<b>Next Review Date:</b>	2020.06
<b>Replaces:</b>			

### 1.0 POLICY

Open Meetings of Council held in Council Chambers may be broadcast and video recorded in an effort to promote transparency, public participation and access to municipal decision making. Any Council meetings or portions of Council meetings closed to the public in accordance with section 197 of the *Municipal Government Act* will not be broadcast or recorded.

### 2.0 PURPOSE

This policy will provide guidelines for the live streaming and management of video recordings of Council meetings.

### 3.0 DEFINITIONS

- 3.1 **“Chair”** means the Mayor or chair of the meeting.
- 3.2 **“Council”** means the Council of the Town of Banff and in this policy includes the Governance and Finance Committee as established by Council.
- 3.3 **“Council Chambers”** means the Banff Town Hall council chamber.
- 3.4 **“Open Meeting”** means any meeting of Council open to the public in accordance with section 197 of the *Municipal Government Act*.
- 3.5 **“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:
  - a) approve this policy and any amendment thereto.
- 4.2 The Town Manger is responsible to:
  - a) implement, monitor and evaluate this policy.

## 5.0 STANDARDS

- 5.1 The official record of Council meetings shall be the written minutes. The keeping of a video recording of a Council meeting shall in no way detract or undermine the position of approved minutes as the official record of Council decisions.
- 5.2 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.
- 5.3 Signage shall be posted to ensure that presenters and members of the public are aware that all Open Meetings of Council are being broadcast, recorded and made available over the internet.
- 5.4 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.
- 5.5 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.
- 5.6 Original unmodified recordings will be classified, stored and retained in accordance with the Town's Record Retention Bylaw.

## 6.0 RISK MITIGATION

- 6.1 Council meetings are a public forum of statements, questions and answers.

Opinions expressed and statements made during a Council meeting are those of the individual making them, and not those of Council. Unless set out in a resolution of Council, Council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a Council 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 Chair, has 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 Council may by majority vote:
  - a) direct the Town Manager to direct staff to terminate or interrupt the recording of a Council Meeting if they consider it advisable to do so due to content that is deemed inappropriate ; or

- b) direct the Town Manger to direct staff to remove recordings or portions of recordings from the Town's Website where they consider it advisable to do so due to content they deem inappropriate to be published.

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
- 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

Karen Sorensen  
Mayor

On original

Robert Earl  
Town Manager