



The Corporation of Town of New Tecumseth

Audio/Video Recording Policy

Policy Type: Corporate

Policy No.: AC-POL-004-2019

Name of Dept: Clerks/Administration Dept

Resolution No.: 2019-321

1. **Policy Statement**

The Town of New Tecumseth is committed to operating in an open and transparent environment, making as much information available to the public as possible. This Policy addresses audio and/or video recordings of Regular and Special Council and Committee of the Whole Meetings (including Committee of the Whole Working Sessions).

The Town may make or provide for recordings of Regular and Special Council and Committee of the Whole Meetings (including Committee of the Whole Working Sessions) except those meetings or parts of meetings identified as a Closed Meeting pursuant to the Municipal Act, 2001, whether such sessions are in Council Chambers or another location as authorized, at whatever level and type of recording is available and as Council determines to be appropriate.

2. **Purpose**

This Policy reflects the Town of New Tecumseth's ongoing effort to ensure the ease-of-access and transparency of the legislative process.

These recordings promote broader access however, the approved minutes remain the official record of the Town of New Tecumseth meetings. In accordance with the Municipal Act, 2001, minutes of meetings are to be recorded without note or comment by the Clerk or designate. A live record of legislative meetings in no way detracts or undermines the position of approved minutes as the official record of decision.

3. **Scope**

This Policy will apply to the recording of open session Regular and Special Council and Committee of the Whole Meetings (including Committee of the Whole Working Sessions) by the Town.

This Policy will not apply to a corporation, association or organization or entity which has entered into a written agreement with the Town to record open session Regular and Special Council and Committee of the Whole Meetings (including Committee of the Whole Working Sessions).

The use of electronic devices and/or the taping, televising, recording and photographing of Meetings of Council by members of the public are outside the scope of this Policy and are referenced within the Town Procedure By-law.

4. **Definitions**

For the purposes of this Policy:

4.1 Council/Committee of the Whole Meetings – means a Regular or Special Meeting of Council or Regular or Special Committee of the Whole or Regular or Special Committee of the Whole Public, Committee of the Whole Working Session or Council Committee as provided for in the Procedure By-law.

4.2 Audio/Video Recording – means any recording made by any electronic device capable of recording sound and/or video. This includes, but is not limited to, recordings made by video camera, cassette recorder, phone or digital audio device and stored on/or in any format and/or any platform/server.

4.3 Official Record of a Meeting – means the written minutes of the proceedings of the meeting as prepared by the Municipal Clerk or designate.

4.4 Transitory Record – for the purpose of this Policy, means a record that has only a temporary value and is not required to meet statutory obligations, set policy, establish guidelines or procedures, certify a transaction, become a receipt or provide evidence of legal, financial, operational or other official decisions.

5. **Policy**

5.1 Municipal Clerk and/or Designate

Will be responsible for:

- Audio and/or video recordings of all open sessions of Council/Committee of the Whole Meetings and will turn off recording equipment for all Closed Sessions.
- Placing the audio and/or video recordings on the website without alterations to the original recording.

5.2 Chair

- Shall clearly announce all business before Council

- Maintain order as outlined within the Procedure By-law and acknowledge each member by name prior to them speaking.

5.3 Process

a.Audio and/or video recordings will only apply to open sessions of Council/Committee of the Whole Meetings for the primary purpose of making the recordings available to the public on the Town's website and/or other public media streaming services.

Audio and/or video recording will be turned off for all Closed Session Meetings of Council and Committee of the Whole.

b.The inability to record any meeting due to technical difficulties will not prohibit the meeting from commencing or continuing.

5.4 Notice

a.Notice shall be provided to presenters and members of the public to ensure they are aware that the meeting proceedings are being audio and/or video recorded and made available through the Town's website and/or other public media streaming services.

b.The Notice shall be displayed/expressed in the following manner:

- Posted at the entry doors to the meeting room
- On the Town's website

5.5 The recording of Council/Committee of the Whole Meetings shall begin at the commencement of the meeting and conclude at the adjournment of the meeting. The Chair has the authority to request termination or postponement of the recording of a meeting if continuing the recording would prejudice the proceedings of the meeting.

This would include:

- Public disturbance or other suspension of the meeting
- Exclusion of the public and media
- Any other reason as agreed to by Council.

5.6 Access to Recordings

a.Access to audio and/or video recordings of Council/Committee of the Whole Meetings may be available through public media streaming services via the Town's website or via the public media streaming services.

b.Unless otherwise indicated, copyright to the records of Council/Committee of the Whole Meetings made available on the Town website is owned by the Town. Permission is granted to produce or reproduce the recordings posted on the Town's

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 political party advertising, election campaigns, or any other politically partisan activity. 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 be amended or replaced from time to time, or with the express written permission from the Town.

c. Due to the nature of technical equipment, it is not guaranteed that audio and/or video recordings will be continuous or fault-free.

6. Implementation

This policy will come into effect upon the approval of Council