

Theme 3: Greater Transparency & Accountability

CURRENT REQUIREMENTS	PROPOSED REFORMS	WALGA	COMMENTS
3.1 Recordings and Live-Streaming of All Council Meetings			
<ul style="list-style-type: none"> Currently, local governments are only required to make written minutes of meetings. While there is no legal requirement for livestreaming or video or audio recording of council meetings, many local governments now stream and record their meetings. Complaints relating to behaviours and decisions at meetings constitute a large proportion of complaints about local governments. Local governments are divided into bands with the largest falling in bands 1 and 2, and smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors¹ such as: <ul style="list-style-type: none"> Growth and development Strategic planning issues Demands and diversity of services provided to the community Total expenditure Population Staffing levels. 	<ul style="list-style-type: none"> It is proposed that all local governments will be required to record meetings. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment. Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives. Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings. Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used. Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings. All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving. 	<p><u>Current Local Government Position</u></p> <p>Item 3.1 expands upon Advocacy Position 2.6 – ‘<i>Promote a size and scale compliance regime</i>’ and Advocacy Position 2.6.31 - ‘Attendance at Council Meetings by Technology’</p> <p><i>A review of the ability of Elected Members to log into Council meetings should be undertaken.</i></p> <p>Comment</p> <p>Local Governments introducing electronic meeting procedures and the means for remote public attendance in response to the COVID-19 pandemic led to a swift uptake of streaming Council meetings. The proposed reform that Band 1 and 2 Local Governments will only be problematic where technical capability such as reliable bandwidth impact the district.</p> <p>Recommendation Supported</p>	<p><u>Comments and clarifications</u></p> <ul style="list-style-type: none"> What are records management requirements? Practicalities of recording given confidentiality and recording the process. Ensure that s9.57A of the Act extends to local governments who publish their livestreams that are hosted on other websites such as Youtube. If a matter is discussed behind closed doors these matters may include legal professional privilege, which limits how it is dealt with. Concerns about how security of confidential recordings will be maintained. <p><u>Recommendation</u></p> <p>Generally supported</p> <p>Not support recording and retention of confidential items</p>
3.2 Recording All Votes in Council Minutes			
<ul style="list-style-type: none"> A local government is only required to record which councillor voted for or against a motion in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting. The existing provision does not mandate transparency. 	<ul style="list-style-type: none"> To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber. Regulations would prescribe how votes are to be consistently minuted. 	<p><u>Current Local Government Position</u></p> <p>There is currently no advocacy position in relation to Item 3.2.</p> <p>Comment</p> <p>There is an evolving common practice that Council Minutes record the vote of each Council Member present at a meeting.</p> <p>Recommendation Supported</p>	<p><u>Comments and clarifications</u></p> <ul style="list-style-type: none"> The City already records those who are against a motion and for a motion when there is voting against a motion and believes this is sufficient to determine how each Council Member has voted.

¹ See page 3 of the [2018 Salaries and Allowance Tribunal Determination](#)

