

Nipissing First Nation Chief and Council Meeting Live Stream Policy

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PURPOSE

This policy outlines guidelines for the live audio and visual streaming of Chief and Council Meetings.

This policy is intended to provide information and guidance for employees, elected officials (Chief and Council) and the debendaagziwaad of the community.

GUIDING PRINCIPLES

Increased community awareness of the decisions of Chief and Council can help to promote confidence in the integrity and accountability of the decision-making processes used by Chief and Council of the Nipissing First Nation. Live streaming will help to improve access to Chief and Council Meetings and other announcements intended for a broader audience.

Live streaming allows debendaagziwaad the choice to watch a meeting as it is occurring, and provides greater access to Council decision making and debate, which promotes and encourages more openness and transparency. The content of live streamed Nipissing First Nation Chief and Council Meetings is intended for the debendaagziwaad only.

Nipissing First Nation Chief and Councillors and employees are expected to maintain the high standards of conduct and behaviour that reflect the positions they hold in the NFN governance system.

From time to time, there may be circumstances where Chief and Council may have to go “in-camera” for all or part of a meeting in accordance with section 5.7 below. In this case, all live audio and visual streaming of the Chief and Council Meeting will cease for the duration of the in-camera session.

DEFINITIONS

Chair - Chair of the Ordinary or Special Council Meeting, usually the Chief.

Chief and Council - Nipissing First Nation Chief and Councillors.

Debendaagziwaad (Debendaagizid) – refers to the people of the Nipissing First Nation. Those people who are recognized as “those who belong” to the Nipissing First Nation.

Closed Session - An item on a meeting agenda or a meeting which is closed to debendaagziwaad and to the general public.

Defamation - refers to harming another person's reputation by making a false written or oral statement about that person to a third party.

In Camera / Closed Session – is a meeting or part of a meeting that is not open to the public, to discuss matters that are private or confidential.”

Privacy Breach - Unauthorized access to, or collection, use or disclosure of personal information.

POLICY

5.1 Meeting Stream Availability and Access

All Regular Council Meetings may be streamed live and available through the Nipissing First Nation Member Portal.

Chief and Council will make every reasonable effort to ensure that a live stream is available. However, technical difficulties may arise in relation to live streaming which could prevent or interfere with the efforts to live stream the meetings.

Live streaming will begin at the meeting time identified on the Meeting Agenda and cease when the meeting ends. During any parts of a meeting that adjourn to an in-camera/closed session, the live stream experience for viewers will be blank on-screen until the meeting opens to a regular session once again.

Confidential Chief and Council Meetings and closed sessions of business in a duly convened meeting will not be streamed live and will not be recorded or made available later as a recording.

Viewing live 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, and Chief and Council assumes no liability for any of these charges.

As far as practically possible, it is not intended that there be live footage of debendaagziwaad in attendance, except if they address Chief and Council. However, this policy recognizes that there might be incidental capture, for example in the background behind a Councillor. Debendaagziwaad and the public in attendance consent that their image may be inadvertently broadcast.

If the Chief and Council meeting is live streamed from a central location or an NFN-owned facility, appropriate signage will be placed at the entrance to inform attendees about the live streaming. By attending the meeting, all participants consent to being videotaped and broadcast. Notifications will also be provided on the NFN website, in the Chief and Council Meeting Agenda, and on the Chief and Council Meeting – Issue Request Form. At the commencement of each meeting, the Chair will state that the meeting will be live streamed.

When communicating with the community, Zoom meetings, Microsoft Teams, Facebook Live and other social media live platforms may also be available for live streaming.

The live comment feature will be disabled during the live stream, to the extent the platform allows. Further, all guest microphones will be muted for the duration of the meeting until they are designated to present or address Chief and Council regarding a particular agenda item.

Following Council meetings, the recorded live stream will be archived and accessible for 30 days on the Nipissing First Nation's Band Member portal from the date of the meeting, after which it will be removed.

5.2 Registration and Live Stream Link Distribution

Live streaming of Council Meetings is a service provided with the intention of enhancing access to decision-making in their community and enhancing accountability to the debendaagziwaad. The content of these meetings is the business of Nipissing First Nation debendaagziwaad, and due to the sensitive nature of some of the business of the Chief and Council, it is desirable to allow access to Nipissing First Nation debendaagziwaad only.

Access to Council Meetings will be provided through the Nipissing First Nation Member Portal. NFN Administration will ensure that only debendaagziwaad and approved public guests will be permitted to enter the live-streamed council meetings.

Debendaagziwaad and public guests are prohibited from distributing the access link. Should the access link be distributed contrary to this policy, the following action will be taken:

- Occurrence 1: Written Warning outlining the offence under this policy and the progressive action steps for future occurrences.
- Occurrence 2: Ban from future Chief and Council meetings for a period of 3 months from the date of second occurrence.
- Occurrence 3: Ban from future Chief and Council meetings for a period of 1 year from the date of third occurrence. A written request to rejoin future Chief and Council meetings will be required. Written requests can be submitted to the NFN Executive Assistant or Director of Administration.

It is the responsibility of all debendaagziwaad of Nipissing First Nation who want to have access to the Chief and Council meeting live stream to register themselves in the Nipissing First Nation Portal. Guest speakers of Council Meetings joining online will be given private Zoom or Teams links so they can address Council.

Privacy settings will be adjusted to limit access to debendaagziwaad of Nipissing First Nation to the extent the platform allows.

5.3 Publishing Live Stream Recordings

While entire Chief and Council Meetings may be shared or archived, segments of Council Meetings may be redacted at the direction of the Council or the Chief Executive Officer (CEO).

No person shall record a meeting remotely or share any unauthorized recordings of the meeting. Persons who record or share meeting video without authorization may be prohibited from attending future meetings.

5.4 Chief and Council Camera Feed

It is intended that the standard camera positions will provide live vision of the Chief and all Councillors who are present at a Council meeting, and live audio when they speak, for the duration of the meeting (other than for closed meeting items or meetings). Audio and video footage of NFN administration staff and the public who address Council may be captured as well.

5.5 Public Participation

Debendaagziwaad of the community or public who address Council will be heard on the live audio stream and may be visible.

It is not intended that debendaagziwaad or members of the public in the gallery will be visible in a live stream of a meeting. Persons attending the meeting will be required to keep their cameras and microphones off unless they are making a delegation to the Council.

5.6 Closed Session Items

From time to time Chief and Council may need to discuss sensitive or confidential matters that require the meeting to move into a closed session.

During this part of the meeting, a motion will be made to go into a closed session and the broadcast of the live stream will cease. NFN administration staff members whose presence is not required for this part of the discussion will be asked to leave the meeting as well any debendaagziwaad who are physically attending the meeting, along with any members of the general public.

Examples of information which may not be discussed publicly during Council meetings, generally includes among other matters:

- (a) personnel and/or employment matters;
- (b) all Child Welfare matters and arrangements;
- (c) any personal issues brought to Council by any debendaagzid who wish to have their matter heard in-camera
- (d) any legal matters;
- (e) any confidential business opportunities; (the nature of the proposed business opportunity may be shared, however, financial modelling, potential sales projections, risk allocation, may not be shared);
- (f) any sensitive financial information; (e.g. auditors may present confidential drafts of the audited financial statements prior to finalizing and these statements should not be shared)

- (g) any business or government agreements that are sensitive in nature; (rolling drafts of proponent agreements should not be shared publicly, including the financial chapter of the draft agreement and drafts of the proponent agreement that is ready for sharing should only be shared with the debendaagziwaad once the proponent has agreed to share); and
- (h) any other matters which can result in sensitive information being disclosed during the course of the Chief and Council meeting or any other matter that Council feels should be discussed in a closed session.

Technical Disclaimer

There may be situations where, due to technical difficulties beyond Chief and Council's control, a live stream may not be available. Every reasonable effort will be made to ensure the availability of live streams for Nipissing First Nation debendaagziwaad. Notice will be posted through NFN social media should technical difficulties prevent live streaming of a meeting. Where possible, a recording of the proceedings will be made available following the meeting.

However, Council takes no responsibility for and accepts no liability in the event that live streaming of a meeting is not possible, or that a recording of a meeting on the NFN website is unavailable.

Technical issues may include, but are not limited to, internet connectivity, network or device failure or malfunction, unavailability of meeting platforms or power outages.

Chief and Council and the administration will make every reasonable effort to protect the privacy of Nipissing First Nation, including Chief, Council, NFN employees, and debendaagziwaad of the community.

Chief and Council and the administration takes no responsibility for and accepts no liability in the event that live streaming and/or recordings are improperly accessed, distributed, used, altered or otherwise handled by an individual.

5.7 Risk

Chief and Council Meetings act as a forum to govern Nipissing First Nation and involve deliberations, questions and debate. It is possible at meetings of Chief and Council that statements could be made which may be regarded by some as offensive, defamatory, or contrary to law. Statements such as these made in a meeting of Chief and Council are not privileged (unless made clear at the time that they are) and may be the subject of legal proceedings and potential liability.

Council does not accept liability for any inaccurate or defamatory statements or comments made at a meeting and will take appropriate steps to ensure that it does not publish that material by live streaming.

Accordingly, at any time during a meeting, the Chair shall have the discretion and authority to direct the termination or interruption of live streaming if they believe it is in the interests of Nipissing First Nation to do so. Following the meeting, the Chair and/or CEO may also direct the exclusion of all or any part of the meeting from the recording. Such directions will only be given in exceptional circumstances, where statements are considered inappropriate. Content or material considered inappropriate to be broadcast live or published afterwards may include, but not limited to any information which may:

- be defamatory or offensive;
- infringe copyright or intellectual and proprietary rights;
- breach the privacy of an individual or unauthorized disclosure of the personal information of an individual;
- constitute discrimination;
- constitute racial hatred or vilification, if based on the race, colour, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate;
- disclose confidential or privileged information;
- disclose sensitive Nipissing First Nation business development information;
- personnel matters; and,
- any other information that Chief and Council, in their discretion, determines should not be live streamed.

If the live streaming is distributed or shared outside of the scope of this Policy, Chief and Council can make the decision to cease live streaming of meetings.

5.8 Disclaimer

Opinions expressed and statements made during a Council meeting are those of the individuals making them, and not those of Chief and Council or the administration. Unless set out in a resolution, Chief and 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 live stream or recording of a Council meeting.

Council does not accept any responsibility for any verbal comments made during Council meetings which may be inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

Council does not accept any responsibility or liability for any loss, damage, cost, or expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live stream of a Council Meeting or a released segment of a Council Meeting.

Endorsed Council minutes provide the definitive record of Council's resolutions.

5.9 Website

A Privacy Collection Statement will be included on the Nipissing First Nation website and accessible where live streams and recorded segments of a Council Meeting are made available.

Privacy Collection statement - Live Stream and Recording of Council Meetings can be found in Appendix Two.

5.10 License and Use of Live Streams and Recordings

Video, images and audios contained in a live stream or recording must not be altered, reproduced or republished without the permission of Chief and Council. Copyright remains with Nipissing First Nation represented by their government.

Approved this 4th day of May, 2021

Amended and approved this 18th day of October, 2022.

Amended and approved this 2 day of May, 2023.

APPENDIX ONE: Chief and Council Meeting – Issue Request Form

- These meetings provide an opportunity for debendaagziwaad to appear before Chief and Council to address a specific subject matter.
- Chief and Council meetings will be live streamed per the Nipissing First Nation Chief and Council Meeting Live Stream Policy.

REQUIREMENTS CHECKLIST:

- ☐ **Are you submitting this form 7 days prior to the scheduled Community Member's Meeting?**
Otherwise, you may be deferred to the following meeting.
- ☐ **If your topic is a complaint about a service or program or lack thereof, have you demonstrated that you have attempted to resolve the matter through the respective department or senior management?** Otherwise, you will be deferred back to the respective department with additional support from the administration.
- ☐ **Have you completed the mandatory sections below?** The mandatory sections must be completed to be considered for inclusion on a Chief and Council meeting agenda.
- ☐ **Do you acknowledge that you will be limited to 15 minutes to present your topic, if you are included on the agenda?**

SECTION A (mandatory)

Date:		Email:
Name:		Band Number (if applicable):
Address:		
Phone:	Cell:	Alternate:

SECTION B

Does your topic involve: *(please check off as many that apply)*

- ☐ **Nipissing First Nation Program or Service / Policy** *(refer to list BELOW for guidance)*
- ☐ **Federal, Provincial or other agency business**

☐ **time sensitive issue. Please explain:** _____ **A**

- ☐ **Other**

If your topic is regarding a Nipissing First Nation department or policy, indicate which department(s) below – please choose only one option below that best applies to your topic:

SECTION C (mandatory)**What is the proposed agenda topic?****SECTION D (mandatory)****What outcome are you seeking from a meeting with Chief and Council?****Please explain your topic in as much detail as possible (Use a separate page if necessary):**

Have you attempted to resolve the issue with the Department or individual? Please demonstrate you have made sincere attempts to obtain a resolution to the issue with the respective department. Please provide a summary below and attach the administration form, letters, e-mails, or other documents to support your matter. (If you need more space, please use a separate page and attach it to your submitted form.)

PLEASE HAND DELIVER, MAIL, OR EMAIL THIS COMPLETED FORM TO:

Nipissing First Nation

36 Semo Rd. Garden Village, ON P2B 3K2

fredam@nfn.ca

APPENDIX TWO: Privacy Collection Statement

Privacy Collection Statement Live Streaming and Recording of Council Meetings

All Nipissing First Nation Chief and Council meetings are recorded and streamed on the internet via a private link for Nipissing First Nation debendaagziwaad only.

Every effort shall be taken to maintain privacy and the cameras filming and recording the meeting shall be focused on the Chief and Councillors. Debendaagziwaad of the community who address Council may be recorded. Any person who walks behind or in front of a Chief or Councillor's seat may be filmed in the footage. Comments made by debendaagziwaad or general public from the gallery may also be live streamed.

It is possible that statements could be made which may be regarded as offensive, defamatory, or contrary to law. Nipissing First Nation Chief and Council does not accept liability for any inaccurate or defamatory statements or comments made at a meeting and will take appropriate steps to ensure that it does not publish that material.

Every reasonable effort will be made to ensure the availability of live streams to Nipissing First Nation debendaagziwaad. Council accepts no liability in the event that live streams are unavailable.

RELEVANT POLICIES AND LEGISLATION

Personal Information Protection and Electronic Documents Act (PIPEDA)