

# Meeting recording and distribution

## Department of Health Guideline

QH-GDL-484-2:2023 V1.1

### 1. Statement

The Department of Health has an obligation and commitment to ensuring staff are aware of and comply with legislation and best practice for the management of recorded meetings. Such recordings may include text, audio or video formats which are created, managed, shared, stored and/or disposed of using corporate collaboration systems such as Microsoft (MS) Teams, MS SharePoint or OneDrive.

### 2. Scope

This guideline applies to the:

- recording and sharing of meeting minutes/outcomes using text, audio or video file types
- storing and/or saving meeting minutes/outcomes using collaboration systems including, but not limited to, MS Teams, MS SharePoint or OneDrive.

Note: Staff should be aware that as mandated in the [Collaboration platforms standard](#), MS Teams should be the primary tool for all intra and inter departmental online collaboration.

Out of scope:

- meetings conducted by external parties
- clinical consultations
- storing other files on network drives or external platforms.

### 3. Legality of recordings

#### 3.1. *Invasion of Privacy Act 1971 (Qld)*

3.1.1. The Queensland [Invasion of Privacy Act 1971](#) generally allows for the recording of private conversations by a participant in that conversation but places strict limits on what use can be made of such recordings<sup>1</sup>. In Queensland, it is generally unlawful for:

- an individual to record a conversation without being a participant in the conversation

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<sup>1</sup> Invasion of Privacy Act 1971 (Qld)

- an individual to publish (i.e. disseminate) a recorded conversation without the consent of all involved parties unless a specific lawful exception applies.

### 3.2. *Information Privacy Act 2009 (Qld)*

3.2.1. Meeting recordings, whether in MS Teams or a similar collaborative platform, will collect ‘*personal information*’ and is therefore subject to the Privacy Principles set out in Queensland’s [Information Privacy Act 2009](#)<sup>2</sup> (IP Act) with regards to the handling of that recording. This includes, but not limited to, the obligation to provide all meeting participants with a privacy notice that informs of the following:

- the fact that the meeting is to be recorded
- for what purpose it is being recorded
- how that recording may be used and disclosed, and
- any consequences if a participant does not agree to the recording.

### 3.3. *Right to Information Act 2009 (Qld) and Chapter 3 of the Information Privacy Act (Qld)*

3.3.1. Recordings are subject to Right to Information and Information Access applications consistent with any other medium.

### 3.4. *Public Records Act 2002 (Qld)*

3.4.1. Where a meeting has actions or decisions made, either minutes or a summary/file note of the meeting or an audio or video recording is to be retained as the official record of the meeting. This record is to be captured into an approved recordkeeping system or an approved business system for the purpose of recordkeeping. (i.e it is not to remain saved within the MS Teams /SharePoint application).

3.4.2. Where a meeting is recorded and the recording is used to assist in the drafting of the minutes, or a summary/file note of the meeting, the recording is considered transitory under the Queensland State Archives (QSA) General Retention and Disposal Schedule (GRDS).

**Note:** Prolonged retention of recordings is not recommended as audio and video recordings consume a lot more data storage space than text-based records and are not searchable. It is recommended that minutes or a summary/file is created to document the decisions and actions of the meeting and these are retained in an approved business system for the purpose of recordkeeping (for example Content Manager).

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<sup>2</sup> Chapter 2 and Schedule 4 of the *Information Privacy Act 2009 (Qld)*

## 4. Collaboration tools and principles

### 4.1. MS Office 365 services

- 4.1.1. MS Office 365 services, like MS SharePoint, and MS Teams, are collaboration services available to Department of Health staff. MS collaboration services leverage identities provided through the Azure Active Directory (Azure AD) service.
- 4.1.2. These collaboration services enable staff to communicate freely in an enterprise-level secure environment.

### 4.2. Audio or video recordings

- 4.2.1. MS Teams provides the capability for video and audio conferencing. MS Teams conferencing allows meetings to be recorded and broadcasted.
- 4.2.2. MS Teams video or audio conference meetings which exceed two or more participants can be recorded and saved via OneDrive. All parties will be notified by MS Teams of the recording.
- 4.2.3. Devices, applications or software capable of audio or video recording such as cameras, dictaphones, mobile phones, tablets and/or workstation computers can be used to record video or audio transcripts of meetings and/or events.
- 4.2.4. All participants must be advised at commencement of the meeting that a recording is being made.
- 4.2.5. Meetings may be recorded by anyone attending the meeting.  
**Note** where recordings are made through MS Office 365 services, the recordings are stored in the person recording the meetings OneDrive and can only be shared with permission from that person. Authorisation to access the recording without permission, for example staff on leave, must be sought in line with the [Monitoring and Reporting Standard](#).
- 4.2.6. Audio or video recordings must not be explicitly shared with non-attendees without consent of all parties to the meeting.

### 4.3. Storage using collaboration platforms

- 4.3.1. Recordings are subject to discovery (e.g. under Information Privacy and Right to Information) and subsequently have a higher risk (e.g. defamation or privacy implications) than the minutes or a summary/file note of the meeting.
- 4.3.2. Collaboration services such as MS SharePoint, MS Teams or OneDrive are not suitable for the ongoing management and storage of records. The Collaboration services such as MS SharePoint, MS Teams or OneDrive can be used where the audio or visual recording is being retained in a

transitory/short term capacity (e.g. until minutes or a summary/file note created).

- 4.3.3. Under no circumstances are audio or video files (including audio or video files containing protected information) to be stored on personal external or cloud drives (such as USBs, Google Drive, DropBox etc).

#### 4.4. Minutes of meeting

- 4.4.1. Minutes of meeting contain the official written record of a list of attendees, statements, discussions, actions or outcomes which transpired at a meeting or an event.
- 4.4.2. Once the draft minutes of meetings is documented and approved by a quorum at the next scheduled meeting, any transitory/short term audio or video recordings used in the drafting of the minutes can be disposed.

#### 4.5. Distribution of recordings

- 4.5.1. Publication or distribution can be performed through either MS SharePoint, MS Teams, or by email. The meeting owner should be consulted to release recordings of meetings outside of the participants.
- 4.5.2. Distribution of recordings should be appropriate to the level of sensitivity of the information contained within.

#### 4.6. Recording of personal information in meetings

- 4.6.1. Participants should be informed before recording starts that the meeting will be recorded and informed of why it is being recorded and where it will be published or circulated and how long the recording will be kept.
- 4.6.2. Recordings in MS Teams will contain personal information as defined in the *Information Privacy Act 2009* by default.
- 4.6.3. Caution should be exercised for any recordings of meetings where discussion might include 'confidential or sensitive' information.
- 4.6.4. If participants have objections to the recording, they should exclude themselves from the meeting or participate via alternate means e.g. chat function or turning their camera off.
- 4.6.5. Participants should be mindful of other people in their physical vicinity and where appropriate blur or apply a background filter to their video to preserve privacy.
- 4.6.6. Where sensitive or confidential information is to be discussed participants should ensure their surroundings afford the necessary privacy.

## 4.7. Enforcement (as necessary)

- 4.7.1. All Department of Health employees are bound by the [Code of Conduct for the Queensland Public Service](#) concerning appropriate behaviour while conducting their allocated duties.
- 4.7.2. The IP Act recognises the importance of protecting the personal information of individuals. A failure to comply with one or more of the privacy principles set out in the IP Act may result in a privacy breach. For more information on managing privacy breaches please visit: [Privacy Breach Management \(health.qld.gov.au\)](#)
- 4.7.3. The *Hospital and Health Boards Act 2011* (Qld) contains strict obligations on Queensland Health not to disclose confidential information obtained from persons that either have used or are using a public health service.
- 4.7.4. Individuals who publish or otherwise disclose covertly recorded conversations without consent from parties involved will be subject to disciplinary action and/or potential legal action.

## 5. Human Rights

This guideline supports Human Rights Act- s25 Privacy and reputation. No limitations have been identified by the new guideline.

## 6. Legislation

- *Crime and Corruption Act 2001 (Qld)*
- *Criminal Code Act 1899 (Qld)*
- *Hospital and Health Boards Act 2011 (Qld)*
- *Human Rights Act 2019 (Qld)*
- *Information Privacy Act 2009 (Qld)*
- *Invasion of Privacy Act 1971 (Qld)*
- *Public Records Act 2002 (Qld)*
- *Public Sector Ethics Act 1994 (Qld)*
- *Public Service Act 2008 (Qld)*
- *Right to Information Act 2009 (Qld)*

## 7. Supporting documents

- Corporate Records Management Policy
- Corporate records roles and responsibilities standard
- Creation of corporate records standard

- Use of corporate records standard
- Disposal of corporate records standard
- Use of ICT services and devices standard
- Collaboration platform standard
- Information access, use and disclosure standard
- Information security policy
- [Is it personal information 2018](#)
- Identification of corporate records guideline
- Disposal of corporate records guideline
- [QHEPS page - Privacy Breach Management](#)
- [Guideline – Information Privacy: Complaints and Breaches](#)
- [Privacy Breach Management](#) Fact sheet
- [Best practice in preventing and responding to privacy breaches](#)
- [Privacy Breach Management form](#)
- [Queensland Health Privacy Policy](#)
- [Queensland Health privacy notice: Use of Microsoft Teams for meetings and recordings.](#)

## 8. Definitions

Term	Definition
Approved Business System	An approved business system (for the purpose of recordkeeping) is a system that has been assigned a Data Custodian and/or Application Custodian in accordance with the Data and Application Custodianship Policy. Custodians are responsible for understanding, managing and controlling risks associated with applications and the collections of data held within these applications. They are also responsible for ensuring that legal, regulatory, policy, standards and other business requirements of the application continue to be met.
Approved Record Keeping System	An approved recordkeeping system refers to the Department's electronic Document and Records Management System (eDRMS) or legacy Records Management System, RecFind.
Corporate Records	Records that provide evidence of administrative and non-clinical functions of the Department (e.g. executive correspondence, finance, human resource, legal, research, scientific, cancer screening etc.).
Confidential information	(a) information, acquired by a person in the person's capacity as a designated person, from which a person who is receiving or has received a public sector health service could be identified; or (b) information accessed by a prescribed health practitioner under section 161C (2) HHBA 2011.
Digital Record	Records created, communicated and/or maintained by means of electronic or computer technology, including both 'born digital records and records that have been digitised.
Disposal Authorisation 1272 (GRDS)	The retention period and trigger for records classed as transitory records under Disposal Authorisation 1272 is 'until business action completed'.
electronic Document and Records Management System (eDRMS)	An eDRMS is a system that combines electronic document management with records management functionality by enabling appropriate contextual information (metadata) to support the evidential value of the information. The recordkeeping metadata assists users to find, manage, control and understand the records over time.
GRDS General Retention & Disposal Schedule.	An authorisation under s.26 of the Public Records Act 2002 for the disposal of common and administrative public records created by all Queensland Government agencies.
Microsoft SharePoint	SharePoint is a web-based collaborative platform that integrates with Microsoft Office. SharePoint is primarily used as a secure place to store, organise, share, and access information from any device. SharePoint enables collaboration

Term	Definition
	through the sharing of document storage areas, document editing and integration of collaboration tools.
Microsoft Teams	Microsoft Teams is a unified communication and collaboration platform that combines persistent workplace chat, video meetings, file storage (including collaboration on files), and application integration. The service integrates with the company's Office 365 subscription office productivity suite and features extensions that can integrate with non-Microsoft products.
Microsoft Stream	Microsoft Stream is an Enterprise Video service where Queensland health employees may upload, view, and share videos securely. Microsoft Stream integrates with Office 365 apps like Teams, and SharePoint.
Personal information	Information or an opinion (including information or opinion forming part of a data-base), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained from that information or opinion.
Privacy breach	A privacy breach in Queensland Health occurs when there is a failure to comply with one or more of the privacy principles set out in the Information Privacy Act 2009 (Qld) (IP Act). A privacy breach can happen when personal information is accessed, used or disclosed without authorization or is lost, or otherwise dealt with in a way that would not comply with the IP Act.
Sensitive information	<p>Sensitive Information is information that requires additional handling or care due to its sensitivity or moderate business impact if compromised or lost.</p> <p>Examples of Sensitive information include:</p> <ul style="list-style-type: none"> <li>• All clinical information except information pursuant to the Child Protection Act 1999 (Qld) and Mental Health Act 2016 (Qld)</li> <li>• Financial and procurement information</li> <li>• General documents and records pursuant to Queensland Health's legal and regulatory obligations</li> <li>• Contractual documents and records containing commercially sensitive information</li> <li>• Information about physical or technical aspects of Queensland Health networks, servers or workstations.</li> </ul>
Transitory and Short-Term Records	Records created as part of routine transactional business practices and only required to be kept for a short period of time, often until business use ceases. In accordance with the



Term	Definition
	GRDS, these records do not require formal destruction documentation and, depending on business requirements, they also do not need to be formally captured into a recordkeeping system.

## 9. Approval and implementation

Policy Custodian	Policy Contact Details	Approval Date	Approver
Digital Governance and Policy, eHealth Queensland	<a href="mailto:Digital-policy@health.qld.gov.au">Digital-policy@health.qld.gov.au</a>	02/08/2023	Executive Director, Strategy, Architecture, and Information Services Branch

## Version Control

Version	Date	Comments
1.0	28/07/2021	New guideline. Approved Executive Director DSTB
1.1	02/08/2023	Approved Architecture and Standards Committee Executive Director approved to publish

Change Table			
Section	Change type	Change	Rationale
Whole document	Reference removed	MS Stream reference removed	MS Stream has moved to SharePoint.
Statement/Scope	New application referenced	OneDrive added	OneDrive commonly used in Queensland Health.
3. Heading	Heading changed	Principles replaced with <i>Legality of recordings</i>	Heading change to better reflect content in this section.
3.1 Sub heading	Subheading changed	'Legality of recordings' changed to <i>Invasion of Privacy Act 1971 (QLD)</i>	Document updated to capture overarching acts that apply to this guideline.
3.2 Sub heading	Subheading added	Information Privacy Act 2019 (QLD) section added.	Document updated to capture overarching acts that apply to this guideline.

3.3 Sub heading	Subheading added	Right to Information Act 2009 (QLD)/ Information Privacy Act 2019 (QLD) section added.	Document updated to capture overarching acts that apply to this guideline
3.4 Sub heading	Subheading added	Public Records Act 2002 (QLD) section added. Content relating to records management has been reworded and moved under new sub heading.	Document updated to capture overarching acts that apply to this guideline.
4. Heading	New Heading added	4. Collaboration tools and principles	New heading added to reflect content.
4.1 Sub heading	Subheading added	MS Office 365 service 3.1.1/3.1.2 moved under new sub heading and renumbered 4.1.1/4.1.2.	Updated to reflect numbering.
4.2 Sub heading	Sub heading renumbered	3.2 Audio or video recordings renumbered to 4.2.	Updated to reflect numbering.
4.2.3	Content changed	3.2.4 renumbered to 4.2.5 and last sentence moved to new dot point: 4.2.4. All participants must be advised at commencement of the meeting that a recording is being made.	Updated to reflect numbering.
4.2.5	New dot point.	New dot point added: 4.2.5. Meetings may be recorded by anyone attending the meeting. <b>Note</b> where recordings are made through MS Office 365 services, the recordings are stored in the person recording the meetings OneDrive and can only be shared with permission from that person. Authorisation to access the recording without permission, for example staff on leave, must be sought in line with the Monitoring and Reporting Standard.	Point added to provide guidance on the recording of meetings when using MS Office 365.
	New dot point.	4.2.6. Audio or video recordings must not be explicitly shared with non-attendees without consent of all parties to the meeting.	Point added to ensure consent is considered when sharing information.
4.6 Heading	New section added.	4.6. Recording of personal information in meetings.	Previous version did not adequately cover personal information.
4.7	New dot points added.	4.7.2. The IP Act recognises the importance of protecting the personal information of individuals. A failure to comply with one or more of the privacy principles set out in the IP Act may result in a privacy breach. For more information on managing privacy	Section updated to capture obligations under Privacy Act and Hospital & Health Boards Act.

		breaches please visit: Privacy Breach Management (health.qld.gov.au) 4.7.3. The Hospital and Health Boards Act contains obligations on Queensland Health not to disclose confidential information obtained from persons that either have used or are using a public health service.	
Definitions	Definition added: Privacy breach	A privacy breach in Queensland Health occurs when there is a failure to comply with one or more of the privacy principles set out in the Information Privacy Act 2009 (Qld) (IP Act). A privacy breach can happen when personal information is accessed, used or disclosed without authorization or is lost, or otherwise dealt with in a way that would not comply with the IP Act.	
Supporting documents	Documents added	Following documents added: <ul style="list-style-type: none"> <li>• <a href="#">Is it personal information 2018</a></li> <li>• <a href="#">Best practice in preventing and responding to privacy breaches</a></li> <li>• <a href="#">Privacy Breach Management</a></li> <li>• <a href="#">Queensland Health Privacy Policy</a></li> <li>• <a href="#">Queensland Health privacy notice: Use of Microsoft Teams for meetings and recordings</a></li> </ul>	