

Photography and Videography Policy

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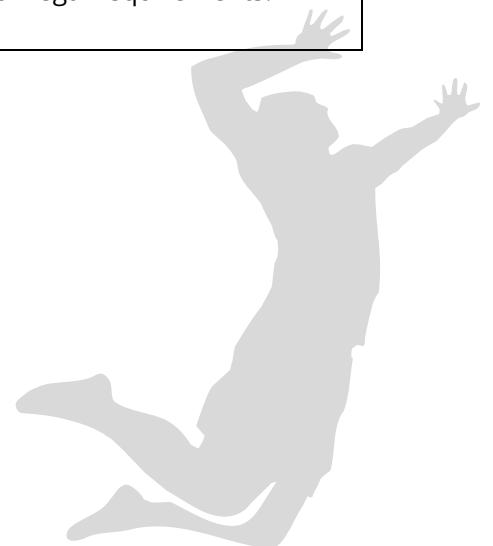
Last Reviewed:

Next Review: November 2024

Applicable Legislation:

- Privacy Act 1988 (*Cth*).
- Working with Children (Criminal Record Checking) Act 2004.
- Working with Children (Criminal Record Checking) Regulations 2005.

This policy will be reviewed every three years or earlier if required by the organisation. The review will ensure it reflects both the community expectations and all legal requirements.



Purpose Statement

The purpose of the Photography and Videography Policy is to inform Volleyball WA's (VWA) approach and commitment to safeguarding the privacy of individuals when photographic images and video are obtained, used and published by VWA employees, contractors, volunteers, and members for VWA business, activities, competitions and events.

Policy Application

This policy applies to all VWA employees, contractors, volunteers, and members and all other people or organisations which by agreement, or otherwise, are bound to comply with this policy.

This policy applies to conduct and behaviour when obtaining a photograph(s) and/or video recording for the purpose of VWA business, activities, competitions, and events. It is applicable to any device that can capture a photographic image and/or video recording including, but not limited to:

- Mobile phones
- Laptops
- Tablets
- Camera equipment
- Film/video equipment
- Drones

Definitions

The following definitions are listed to provide clarity for this policy.

- **Child/children** means a person who is under the age of 18 years.
- **Photograph(s)** is a term used interchangeably with photos and filming.
- **Member** means an individual, club, affiliated club, or association who is a member of VWA.
- **Video** is a term used interchangeably with video recording and live streaming.

Background

VWA recognise it is common practice for people to take a photograph(s) or a video(s) of people participating in sport and that typically people are doing so for acceptable reasons and are using appropriate methods.

In Australia, there are no laws specifically prohibiting photographing and filming people (including children) in public places. It is a legitimate pursuit to film and take photos at sporting events.

The laws governing the taking of photograph(s) and filming exist to safeguard the privacy and safety of people (including children) from exploitation and inappropriate use of their image without placing undue restrictions on legitimate activities.

It is unlawful for photograph(s) and video to be taken that is:

- indecent
- defamatory
- used to cyber bully

- used for commercial purposes without the consent of the subject
- being used for voyeurism
- protected by a court order
- used in a provocative or sexual manner.

The rules around photographing and video recording of people on private property differ to those on public property.

- Having free access to a place does not mean it is a public place. It is not automatically permissible to take photographs/film in places such as schools, childcare services, hospitals, nursing homes, shopping malls, sports arenas, and music venues. These places are private property even if they are owned by government.
- In circumstances that a sports organisation has been given control over a public place (such as a beach or park) with the agreement of the local government, the sports organisation will be able to control access by photographers to the area. However, photography may still be possible from publicly accessible places that overlook the controlled area.

It is courteous for sport and recreation organisations to seek permission to take photographs/video of their participants that is intended to be used for promotional purposes.

Policy Statement

VWA recognise that most people take photographs and/or videos of special moments including participation in sport. It is important that the volleyball community understand their responsibility to ensure any images taken are in accordance with this basis and no other.

VWA does not impose a blanket ban on photography or video recording of participants during volleyball activity.

VWA is committed to ensuring all participants in volleyball can participate in a safe and inclusive environment. As such, VWA adopts the following strategies:

Acquiring Images

- Images and video are intended to immortalise special moments of players while participating in volleyball activity. Any image or video that contradicts this is not permitted.
- All images or video taken must be for private or VWA business use only and must not be on sold to a third party without consent.
- Photography and videography permission for all members is gained as part of the VWA Membership Registration Agreement. A VWA member must notify VWA in writing if the member does not give permission to VWA or their sanctioned agents to publish any image (photographs/videos). The VWA Membership Agreement outlines the photography and videography terms and conditions.
- Photographers and/or videographers (professional photographers/videographers, VWA employees, contractors, volunteers, spectators, fans, coaches or members of the media) are not permitted unsupervised access to children.
- Coaches must inform any athlete (adult or child) and parents/guardians, if applicable, if they want to video the athlete as a tool to analyse and improve performance.
- Members of the media and professional photographers/videographers must be clearly identifiable for any events managed by VWA. This can be as simple as wearing a fluoro vest or other identifying uniform approved by VWA.

- Where possible VWA will display signage at events where photography or video recording might take place.

Displaying Images

- At all times, seek permission prior to taking photographs or video of participants that would be used for promotional purposes.
- Only use appropriate images of the participants. All images must be relevant to the sport or activity, and all athletes (adult or child) need to be suitably clothed. Images of athletes in sports or activities that involve minimal clothing or unusual body positions/poses, can be misused and should not be taken.
- Avoid images and video that:
 - are indecent, offensive or demeaning to any person
 - harm or injure someone's reputation and/or open them to public ridicule and embarrassment
 - contain personal details for example full names, personal contact information or uniforms that identify location
 - show a child who is clearly upset or distressed.
- Be extra vigilant when displaying images and/or video of children. Avoid publishing personal details for example full names, personal contact information or uniforms that identify location. Instead use only first name, or the name of a club.

VWA Promotional Images

- VWA will at times appoint official photographers/videographers to obtain images to be used for promotional material to the benefit of VWA.
- Where professional photographers/videographers are present, signage will be located around the venue advising members of the public of this.
- If VWA appoint an official photographer/videographer, any images captured during their contract will remain the property of VWA and will not be usable by the photographer/videographer for third party access or sale.
- Where an image is intended to be used for a media campaign which is larger than a general post on social media, for example printing for vehicle wrapping and large signage at venues, VWA will obtain permission to use the image. In the event that permission is unable to be obtained, VWA will ensure the image is published in the spirit of the sport.

Complaint Process

- If you believe a person is taking images or video inappropriately on site, please approach VWA employee or volunteer immediately. The VWA employee or volunteer will then assess the situation and may request the person to stop taking images. If the person refuses, the police or security may be called to escort them off the property.
- If there are reasonable concerns that a person (adult or child) is taking photographs/video that are indecent or in areas like toilets/change rooms, then the VWA employee or volunteer will contact the police immediately.
- If an image or video of you or your child has been posted online without your permission and you wish it to be removed, then in the first instance you should ask the person who posted the image or video to remove it. If the person refuses or you do not know who posted it, you should contact or report your concern directly to the social media site.
- Please note that it is best to raise any concerns you have whilst you are at the volleyball activity immediately with a VWA employee or volunteer so that the matter can be followed up and dealt with promptly.

Policy Breaches

VWA will take all breaches of the policy seriously and will ensure they are dealt with promptly, sensitively, and confidentially.

Disciplinary action may be taken against a person who is found in breach of this policy, in accordance with the Complaints Management Procedure.

If a criminal offence is considered to have been committed, the appropriate authorities will be contacted for advice and guidance.

Document Control

Version History

Date	Version number	Executive Summary of changes
October 2021	1.0	<ul style="list-style-type: none">This policy was adopted at the November VWA Board Meeting.

Appendix & Relevant Procedures

This policy is to be read in-conjunction with the following:

- VWA Membership Agreement
- VWA Child Safeguarding Policy
- Social Media Policy
- VWA Codes of Behaviour
- VWA Cyber Safety Policy
- VWA Complaint Management Policy
- VWA Member Protection Policy Statement
- VWA Anti-Harassment Policy
- National Principles for Child Safe Organisations

VWA acknowledge the contribution of content to this policy from the Department of Local Government, Sport and Cultural Industries and Play by the Rules.