Volleyball Australia Photography & Filming Guidelines

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1. Purpose

The purpose of the Photography & Filming Guideline is to outline Volleyball Australia's (VA) approach and commitment to safeguarding the privacy of individuals when photographic images and video are obtained, used and published by VA employees, contractors, volunteers, and member associations for VA business, activities, competitions and events.

VA does not impose a blanket ban on photography or video recording of participants during volleyball activity however, VA is committed to ensuring all participants in volleyball can participate in a safe and inclusive environment and individuals privacy is maintained.

VA wants the volleyball community to be aware of the risks associated with publishing or sharing imagery and the safeguarding risks required to protect children and young people.

This policy elaborates on the Volleyball Australia Child Safeguarding Policy, 2.7 of the Child Safeguarding Practices which states:

Photographs of Children

1. Children are to be photographed or videoed while involved in our sport only if:
    a. the Child's parent or guardian has provided prior written approval for the photographs to be taken or for the video footage to be captured;
    b. the context is directly related to participation in our sport;
    c. the Child is appropriately dressed and posed; and
    d. the image is taken in the presence of other personnel.
2. Relevant Organisations and Relevant Persons must not distribute images or videos (including as an attachment to an email) to anyone outside our sport organisation other than the Child photographed or their parent, without organisational knowledge and approval.
3. Images (digital or hard copy) are to be stored in a manner that prevents unauthorised access by others and will be destroyed or deleted as soon as they are no longer required.
4. Images are not to be exhibited online or in publications (annual report) without parental knowledge and approval (through a signed image consent form), or such images must be presented in a manner that de-identifies the Child. Any caption or accompanying text may need to be checked so that it does not identify a Child if such identification is potentially detrimental.

The full Child Safeguarding Policy can be found here - https://volleyball.org.au/integrity/policies/

2. Background

VA recognises 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. However, in circumstances that a Volleyball Australia or another Volleyball Organisation has been given control over a public place (such as a beach or indoor stadium) with the agreement of the local government or proprietor of the venue, Volleyball

Australia or another Volleyball Organisation will be able to control access by photographers to the area.

The rules 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.

3. What are the risks?

3.1. Children and Young People (or any adult) may be identified, contacted or groomed

Images or videos which are shared on social media or other public websites create a risk to that individual. The risk is greater and usually more sinister when the individual is a minor (under the age of 18).

Including the individual's personal information (name, location, school) alongside their image can make them identifiable and therefore vulnerable to individuals looking to locate, contact or 'groom' for abuse.

Even if personal details are kept confidential, other details identifying Volleyball Australia or another Volleyball Organisation, a school or club, or their favourite sportsperson or team, can also be used to groom the individual.

There's an increased risk of identification and contact with an individual where:

- there are legal restrictions – such as if the Child or Young Person is in local-authority care, placed with an adoptive family or under child protection orders;
- it's potentially dangerous to reveal the Child or Young Person's whereabouts to an estranged parent due to previous concerns about domestic violence; and
- someone is under witness protection as part of an on-going or complete investigation.

3.2. Someone might make inappropriate or illegal images

Photo or video content may itself be inappropriate, or images may be used inappropriately or out of context:

- some individuals deliberately target sports activities and set out to take inappropriate photos in ways that are potentially illegal and harmful, such as:
    - images of people in change rooms
    - photos taken in the toilets
    - using a camera at ground level to photograph upwards towards someone's genitals
- images that appear ambiguous can be used inappropriately and out of context by others (for example, images from some angles of athletes doing the splits)
- images can easily be copied and edited, perhaps to create child-abuse images
- images shared privately online can be re-shared, possibly entering the public domain on websites or social media

3.3. Privacy Breach

Regardless of the above, the reality is that some individuals wish to maintain their privacy in regard to their location, the activities they participate in and the work that they do.

There is a risk that by not obtaining appropriate consent for the taking and distributing of images or information, that the organisation is breaching an individual's privacy.

This can lead to complaints and even legal pursuits by individuals to correct the record, remove the information and even repair reputations.

4. Volleyball Australia's Photography & Filming Guidelines

4.1. Intent to Publish or Share images or film

4.1.1. Images or videos taken of Participants with the intent to publish or share, should only be done if appropriate consent is obtained from the Participant, and in the case of minors, consent from both the Participant and the parent/guardian of the Participant. This consent should be informed consent (i.e. the individual/parent should be informed where the images/videos will be published and/or who the images/videos will be shared with). An example of a Media Consent Form can be found in Annexure A.

4.1.2. Individuals wishing to take photos with the intent to publish or share, should be authorised by Volleyball Australia, event organisers or another approval body (i.e. School or State).

4.2. Inappropriate imagery

4.2.1. Images captured or published of persons in connection with VA sanctioned events or venues must not be offensive or indecent according to accepted standards of the community. For example, it must not be an image that depicts the person:

- in a sexual, offensive or demeaning context;
- engaging in a private act, such as showering, changing or using the toilet;
- in a state of undress, where the person is naked; or
- as visibly upset, distraught or angry (in particular, a Child or Young Person who is in a vulnerable emotional state).

4.2.2. Volleyball Australia may request to view images or footage taken by individuals during any Volleyball Australia sanctioned event and request the deletion of any images or footage which are considered inappropriate.

4.3. Location

4.3.1. Photographic and video equipment should not be used in designated areas. In particular private areas including:

- Change rooms, toilets and showers;
- First aid or physiotherapy facilities; and
- Any other area where one may expect to be afforded privacy.

5. Photography for Personal Use

5.1. Personal Use

Personal Use means a photographic image intended for individual viewing, as opposed to a photograph published for commercial use. Individual viewing does not mean it can be published or shared online (including social media).

5.2. Parents, Guardians and Family Members

Parents, guardians, family members and other spectators are permitted to take photos or videos of their Child or Young Person participating in Volleyball Australia sanctioned Activities on the basis that the images/film are for personal use only and does not encroach on the Guidelines described above.

Parents, guardians, family members and other spectators should understand that they could be contacted to have any image/film removed.

Parents, guardians and/or family members capturing photos using a SLR or long-lens professional camera may be requested to become Authorised Photographers.

6. Photography for Professional Use

6.1. Authorised Photographers

VA will, at times, appoint official photographers/videographers to obtain images to be used for promotional material to the benefit of VA, Volleyball and Volleyball Activities.

Members of the media and professional photographers/videographers should be clearly identifiable for any events managed by VA. Where possible VA will display signage at events where photography or video recording might take place.

VA may request individuals become Authorised Photographers during an event if VA identifies that they are:

- using a SLR or professional-grade camera;
- taking photos of athletes outside of their personal-relationship group; or
- intend to publish the photos/videos.

Authorised Photographers seeking to take images/film for professional use should be:

- clearly identifiable with either a sticker, accreditation or high visibility vest issued by Volleyball Australia;
- be clear on where the photos/videos will be published (i.e. URL address, social media account);
- act in accordance with VA's media consent;
- required to sign and agree to be bound by VA Policies;
- operate with respect to privacy; and
- meet the requirements of the relevant state or territory Working with Children laws. Specific state and territory requirements can be found here.

6.2. Imagery for Performance Analysis

Images or videos taken by Coaches, Officials or VA Staff for the purpose of performance analysis, scouting or other official Volleyball activities is permitted provided the images and video are:

- of athletes/participants within their programs or activities (i.e. an AVA coach shouldn't be taking photos/film of grassroots activity unless involved in an official capacity);
- are related to the sporting activity;
- stored on a secure database, computer, or server;
- not publicly shared without the permission of the individual; and
- not classed as inappropriate in accordance with 4.2.

Coaches, Officials and VA Staff should abide by the VA Guideline.

Individuals seeking to take images/film for Performance Analysis or Scouting should be:

- be clearly identifiable with either a sticker, tag, accreditation or high visibility vest issued by Volleyball Australia;
- comply with VA Policies and act in accordance with VA's media consent;
- agree not to publish or share the scouting film on a public forum (website, social media etc.)
- meet the requirements of the relevant state or territory Working with Children laws. Specific state and territory requirements can be found here.
- will be required to sign and agree to be bound by VA Policies.

6.3. Image Rights of Elite or Talented athletes

Volleyball Australia recognises the public and commercial interest in promoting successful performances of high-performance athletes. Volleyball Australia may retain the image rights for any image or film it captures, or any image or film captured as part of a contractual agreement with a third party.

Volleyball Australia will seek consent to use images or film taken of high-performance athletes (athletes within the National program), except in circumstances where:

- the image is of public interest; or
- the athlete has been paid for modelling.

6.4. Scouting

Volleyball Australia recognises the benefit that scouting has for the promotion of Volleyball and the development of players and coaches.

Scouting is the filming of teams/individuals outside of a Coaches authority for the purposes of identifying players for future teams, video reviews of future oppositions and identifying future playing partners.

Scouts should:

- be clearly identifiable with either a sticker, accreditation or high visibility vest issued by Volleyball Australia;
- agree to be bound by and comply with VA Policies and act in accordance with VA's media consent;
- agree not to publish or share the scouting film on a public forum (website, social media etc.).

6.5. Live Streaming matches involving Children and Young People

Prior to livestreaming any match/matches, Volleyball Australia or another Volleyball Organisation should alert all Participants about the intent to livestream including:

- details of the match or matches that Volleyball Australia intends to livestream;
- where and how the match/matches will be livestreamed (for example, via Facebook Live, Youtube or other platform);
- who will have access to the livestream (for example, will it be a private or otherwise publicly accessible stream);
- whether the recorded footage may be used for any other purposes (for example, for promotional, commercial or educational reasons or for disciplinary reasons should the footage show a breach of a Code of Conduct or other competition rules);
- state that parents or guardians can withdraw this consent at any time and provide details as to how they can do this; and
- any other relevant details with respect to the livestream.

If Volleyball Australia is intending to livestream a match/matches, they should contact the Head of Delegation or equivalent for each participating team in advance of the match/matches and obtain written confirmation that consent has been obtained with respect to all Children and Young People who may participate in the match/matches. This confirmation should be recorded by Volleyball Australia.

Matches should not be livestreamed unless informed written consent has been obtained from the parent or guardian of every Child or Young Person involved in the match/matches (from both teams).

6.6. Minimising Risk to Children and Young People

Volleyball Australia will take steps to maintain the safety and privacy of individuals when it comes to photography and filming, including:

- avoiding identifying a Child or Young Person by name alongside an identifiable image/footage of their face;
- if the livestream displays the scorecard or score and includes the name of the participating Child or Young Person, consider positioning the camera far enough away so that the Child or Young Person's face is not clearly visible;
- not displaying photographs of the child alongside their name on the livestream;
- display the Child or Young Person's last surname or initials only and not their full name
- consider limiting access to the livestream to relevant people only by using private links, password protection or requiring individuals to register prior to viewing;
- limit the ability of viewers to download and/or copy the content from the platform.

7. Capturing informed consent

7.1. Annual membership consent

During a membership period, there are typically many occasions and events where Volleyball Australia staff may photograph or film individuals participating in Volleyball activities and events. These images are used for a variety of purposes including promoting Volleyball, Annual Reports, website and social media.

Each Volleyball Organisation must develop their general consent form for these common purposes using the template provided in this document as a guide. This form must also include information about the storage of these photographs and any other proposed uses of the individual photograph.

The form must be provided to all participants annually, preferably at the beginning of each membership cycle.

Parents, carers or any participant can withdraw consent at any, by contacting their state volleyball association or updating their profile in RevSport (where applicable).

7.2. Event or Activity specific consent

In the situation where Volleyball Australia intends to take images or video outside the scope of the Consent Form provided, Volleyball Australia may seek to obtain additional consent for specific Events or Activities as required.

For example; if Volleyball Australia hosts a camp and intends on livestreaming a scrimmage, Volleyball Australia may seek additional consent to ensure all participants are aware and consent to this additional activity.

7.3. Crowd or event settings

Crowd shots that do not feature any particular individual do not need a signed consent from each person. Opt-out consent can be used instead, for example:

- add information about intended photography and filming to event invitations and newsletter articles
- have posters up at entrances to advise that a photographer is present, and ask anyone who does not wish to be photographed to make themselves known.

If parents or carers are taking photographs or video of crowds or performances, consider if there are any opportunities to remind them to use and post the materials respectfully, for example when posting on social media, and in line with Volleyball Australia's policy.

7.4. Media

Occasionally, media outlets (digital or print) may attend Volleyball activities or events and take imagery of participants. Volleyball Australia will limit the media's capturing of participants to only those that have provided appropriate media consent.

Volleyball Australia has limited control over media outlets photographing or filming participants outside of the event.

7.5. Athlete Agreements

Where Volleyball Australia or another Volleyball Organisation enters into a formal agreement with an athlete (Athlete Agreement), that agreement may require athletes to agree and consent to the use of their Image Rights by Volleyball Australia or another Volleyball Organisation both during and after the term of that agreement.

8. Storage and disposal of images/footage

8.1. Storage

Images and footage taken by Volleyball Australia staff or contracted professional photographers will be stored on VA's Server which is accessible only to VA staff.

Official Photographers may also keep images or footage in their portfolio or on their website. Where possible, official photographers will have a password protected portfolio for restricted access to the images/footage.

8.2. Retention

Images held in our image bank for general promotional purposes will be retained for five years unless you withdraw your consent prior to that date. After this time, we will review all images and they will be deleted or archived unless they are deemed to be of public interest as they reflect a key event in Volleyball Australia or the sport's history.

Further information about how we use your personal information and your individual rights can be found in our Privacy Policy which can also be viewed on our website.

9. Complaint Process

9.1. During a Volleyball Activity

If you believe a person is taking images or video inappropriately or indecently during a Volleyball Activity, please approach a VA employee or volunteer immediately.

The VA 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. You and the VA employee will be required to submit an Incident Form and this information will be shared with Sport Integrity Australia.

9.2. Imagery posted without your permission

If an image or video of you or your Child or Young Person 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.

Other avenues for reporting include:

- e-Safety Commissioner - https://www.esafety.gov.au/report
- Sport Integrity Australia - https://www.sportintegrity.gov.au/contact-us/make-an-integrity-complaint-or-report
- Volleyball Australia - https://volleyball.org.au/integrity/reporting-integrity-issues/

Please note that it is best to raise any concerns you have whilst you are at the Volleyball Activity immediately with a VA employee or volunteer so that the matter can be followed up and dealt with promptly.

9.3. Opting Out – Media Consent

Any Participant in a Volleyball Activity may at any time revoke their media consent.

To change your media consent with Volleyball Australia, please email info@volleyball.org.au or alternatively, contact your Club or State Association directly.

Parents/Guardians may revoke their media consent for their Child or Young Person at any time and can request Volleyball Australia remove imagery containing their Child of Young Person at any time.

10. Definitions

Activity means a Volleyball contest, match, competition, event, or activity (including training), whether on a one-off basis or as part of a series, league, or competition, sanctioned or organised by Volleyball Australia or a Volleyball Organisation.

Child or Young Person means a child or young person, or two or more children or young persons, who is or are under the age of 18 years.

Participant means:

a) Athletes who are registered with or entitled to participate in a Volleyball Organisation or a Volleyball Australia Activity
b) Coaches appointed to train an Athlete or Team in a Volleyball Organisation or Volleyball Australia Activity
c) Administrators who have a role in the administration or operation of a Volleyball Organisation or Volleyball Australia, including owners, directors, committee members or other persons
d) Officials including referees, umpires, technical officials, or other officials appointed by a Volleyball Organisation, Volleyball Australia or any league, competition, series, Club or Team sanctioned by Volleyball Australia
e) Support Personnel who are appointed in a professional or voluntary capacity by a Volleyball Organisation, Volleyball Australia or any league, competition, series, Club or Team sanctioned by Volleyball Australia including sports science sports medicine personnel, team managers, agents, selectors, and team staff members.

Member means a member of Volleyball Australia or a Volleyball Organisation under its constitution, including:

a) Member Organisations, which means each company or incorporated association that is a member of Volleyball Australia including each:
    a. Member State, which means an entity recognised under clause 12.1 of the Volleyball Australia Constitution to administer the sport of volleyball in its particular State or Territory; and
    b. State Affiliate, which means an organisation affiliated as a member of a Member State.
b) Individual Members, which means individuals who are registered financial individual members of a Member State.

Personal Use means a photographic image intended for individual viewing, as opposed to a photograph published for commercial use. Individual viewing does not mean it can be published or shared online (including social media).

Photograph(s) is a term used interchangeably with photos and filming. Photography includes but is not limited to still camera, mobile phone photos and any form of still captured images

Video is a term used interchangeably with video recording and live streaming. Filming includes but is not limited to video, mobile phone video, DVD and any form of moving captured images.

Volleyball Australia means VA or Volleyball Australia Limited.

ANNEXURE A – Media Consent Form

VOLLEYBALL AUSTRALIA CONSENT FORM

We respect your privacy and believe that you should have a choice about how your images are used. We will always ask for your consent to publish any images taken at a photograph or filming shoot we have organised.

How could my image by used?
We have a specific purpose for which we wish to use your images. We also retain positive images for general marketing and promotional purposes on our website, on social media, in e-newsletters and for use in printed and digital leaflets including event programs, posters, adverts, reports and presentations or in materials sent out to the media for newspaper or magazine articles.
With your consent we may also share your images on request with our approved third-party organisations to promote the sport or their own activities as they relate to Volleyball.

What happens if I agree and later change my mind?
You can withdraw your consent at any time by contacting info@volleyball.org.au If we have published your image on our website or social media account, we can usually remove them. It is important to understand that after publication in this way, your image [or words] can be copied and used by others without specific authority. If your image(s) have been used in hard copy documents, it is usually not possible to withdraw a document that is already in circulation, especially if it is early in its lifespan, but we will ensure any images of you are deleted from our image bank. If you have agreed for your image(s) to be shared with a third party, we will make all reasonable efforts to ensure they also delete any images of you that they hold.
Please note that withdrawing your consent does not mean that any use of your images based on your consent prior to its withdrawal would be unlawful.

Where will my images/footage by stored and who will have access to them?

Images and footage taken by Volleyball Australia staff or contracted professional photographers will be stored on VA's Server which is accessible only to VA staff.

Official Photographers may also keep images or footage in their portfolio or on their website. Where possible, official photographers will have a password protected portfolio for restricted access to the images/footage.

How long will Volleyball Australia retain my images?
Images held in our image bank for general promotional purposes will be retained for five years unless you withdraw your consent prior to that date. After this time, we will review all images and they will be deleted or archived unless they are deemed to be of public interest as they reflect a key event in Volleyball Australia or the sport's history.
Further information about how we use your personal information and your individual rights can be found in our Privacy Policy which can also be viewed on our website.

Conditions of use

- No information will be included with any published images that will identify the person featured unless you have provided your written agreement and subject to applicable safeguarding policies.
- The authorised photographer and/or Volleyball Australia will hold the copyright of photos and may publish these images in their portfolio or on their website to promote their business. If images are required for any purpose that may be unexpected or sensitive, we will seek further consent.
- We will only use your contact information to contact you as described above.
- Data subject details including date of birth are required to help us label, store and manage the files and consent. They also enable us to locate the images should you withdraw your consent or request copies of your personal data.
- Images will be held in accordance with Volleyball Australia Privacy Policy.

CONSENT STATEMENTS

The below content should be added into Volleyball Australia and affiliated Volleyball Organisations membership forms.

For Volleyball Australia sanctioned events, Volleyball Australia will rely on the consent provided by members during their registration process unless additional media consent is required (i.e. livestreaming at specific events).

[personal details not required if using the membership database to obtain consent as these details will already be captured in the membership database]

Name:
(person featured in photos/footage) _____
Date of birth _____
Home address: _____
Email: _____
Phone number: _____
Name of club, school, team or similar: _____
Name of parent or guardian
(if contributor is under 18) _____

Please mark the box to provide your consent for each item:
Where a box is left blank, it will be assumed that you do not provide your consent.

I give permission for my image to be used by Volleyball Australia or another Volleyball Organisation for general promotional purposes, including:

- ☐ social media accounts for Volleyball Australia or the Volleyball Organisation or Event page such as FaceBook, Instagram, Twitter and LinkedIn
- ☐ official websites for Volleyball Australia or the Volleyball Organisation or Event website
- ☐ Annual Report for Volleyball Australia or the Volleyball Organisation

☐ Other promotional products (event programs and publications, posters, newsletters, general collateral to promote Volleyball or Volleyball events and programs)

☐ By providing this consent, I understand how my image will be used by Volleyball Australia or another Volleyball Organisation.

☐ I consent for my image to be shared with Volleyball Australia approved third party organisations (listed below) for them to use to promote our sport and their volleyball activity programmes.

☐ I consent for media outlets (digital or print) to take photos and video of me/my child for the purposes of news relating to the promotion of Volleyball.

☐ I acknowledge that from time to time, Volleyball Australia or Volleyball Organisation will arrange for events to be broadcast or livestreamed and I consent to my image being displayed through this type of media

☐ I acknowledge that if at any point in time my consent changes, I will notify Volleyball Australia in writing to info@volleyball.org.au

Do you need to alert us of any court orders, witness protection or other legal documents that require us to maintain a higher level of privacy over your involvement in Volleyball?
Yes ☐ If yes, please provide more detail:
No ☐

List of Volleyball Australia approved organisations, including but not limited to:

- Volleyball Organisation includes Volleyball Australia and all Volleyball State Associations including club and team affiliates for the sport of Volleyball.
- Member Organisations: Volleyball SA, Volleyball ACT, Volleyball WA, Volleyball NSW, Volleyball NT, Volleyball TAS, Volleyball Victoria, Volleyball QLD
- International Federation for Volleyball (FIVB), Volleyball World
- National Sponsors: Hancock Prospecting, Scape, Mikasa, Errea, Gerflor, Active Ankle, We are Feel Good Inc., Budgey Smuggler, Fine Designs, Scrunchiko and other sponsors as listed on the Volleyball Australia website
- State Association Sponsors: as listed on the respective State Association website
- Government bodies: Australian Sport Commission, Australian Institute of Sport, Sport Integrity Australia, National Sports Tribunal, Department of Health (Office of Sport), State Government Office for Sport, Local Tourism bodies
- Major Event Organisations including the Australian Olympic Committee, Paralympics Australia and Commonwealth Games Australia as well as local Organising Committees.

Signature		**Date:**	
Print name			