



CVNA Photography Policy

Purpose

The Photography Policy is a framework set by the Central Victorian Netball Association 'CVNA' which covers still photography, videography and their intended distribution of and by Association members. The Policy safeguards the privacy and safety of people participating in events managed or operated by CVNA. The Policy aims to clarify CVNA's position on photography and videography and provide clarity on the definitive processes for acquiring and displaying photography / videography by any person at CVNA's sanctioned events.

CVNA is bound by the Netball Australia Member Protection Policy and this policy operates closely alongside the Netball Australia Child Safeguarding Policy, as well as CVNA's social media Policy (*under development*) and Codes of Conduct.

Context

It is not the intention of CVNA via this policy to prohibit those with a legitimate interest in filming or photographing children, volunteers and officials participating in sport related activities associated with CVNA. For example, most people taking photos of children at sporting events are doing so for acceptable reasons and are using appropriate methods. It is accepted that photos and videos create great memories for players, their families and the Association and that the use of recorded images can also be a valuable coaching aid. However, many photos and videos taken in public places will include subjects who have not consented to their image being taken and those who have no knowledge of it being taken at all.

CVNA takes the privacy of its members and children very seriously and is committed to maintaining a safe physical and emotional environment for everyone. A vital part of this commitment is ensuring that all necessary steps are taken to protect our members from inappropriate use of their images online, on display or elsewhere.

Photographic and recorded images can be used as a means of identifying young people if personal information is included. They can also be used or adapted for inappropriate use. Young people may feel uncomfortable or vulnerable when their image is being captured and it also exposes them to individuals seeking to identify or even 'groom' them for abuse or exploitation.

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Whilst cases such as these are rare, the Association, along with all clubs and their members, should be vigilant about the possibility. All members are somebody's child, family member, friend or someone under our care and this Policy has been developed as the best practice in trying to ensure the safety of all of them in netball at CVNA.

Our aim is to prevent inappropriate images or recorded data from being produced and/or distributed, to deter unsuitable people from obtaining and misusing images or recorded data and to protect the identity of players, volunteers, officials and parents.

Scope

This policy applies to all members of CVNA, including Board and committee members, affiliates, staff, members, volunteers, spectators, parents, players, coaches and officials. It covers all forms of technology that can be used to record images, including all forms of film-based and digital photography such as video, social media live streaming and mobile phone cameras. It also covers all CVNA sanctioned events, programs, activities and competitions.

The Law

In Australia, generally speaking, there is no law restricting photography of people (including children) in public spaces, as long as the images are not:

- Indecent
- Being used for voyeurism
- Protected by a court order (eg, child custody or witness protection)
- Defamatory
- Being used for commercial purposes

There is also nothing to prevent a person from photographing outside the property boundary, unless it is taken for indecent purposes, as above. Consensual photos of a child (including your own) also contravene Criminal Codes and censorship laws if the child is photographed in a provocative or sexual manner.

Federal privacy laws protect the personal information of all people and images of individuals in photographs or videos may be treated as personal information where a person's identity is clear or can be reasonably worked out from that image.

CVNA is also bound by the Netball Australia Member Protection Policy, which states: (Clause 7 – Position Statement: Taking Images of Children)

7.1 Images of children can be used inappropriately or illegally. Netball Australia requires every person and Organisations bound by this Policy, wherever possible, to obtain permission from a child's parent/guardian before taking an image of a child that

is not their own. They should make sure the parent/guardian understands how the image will be used.

7.2 Netball Australia, Member Organisations and Affiliates also require the privacy of others to be respected and prohibit the use of camera phones, videos and cameras inside changing areas, showers and toilets.

7.3 When using a photo of a child, Netball Australia, Member Organisations and Affiliates will not name or identify the child or publish personal information without the consent of the parent/guardian.

7.4 Netball Australia, Member Organisations and Affiliates will not publicly provide or publish to any person or Organisations, information about a child's hobbies, interests, school, or the like, as this information can be used by paedophiles or other persons to groom a child.

7.5 Netball Australia, Member Organisations and Affiliates will only use the images of children that are relevant to netball and will ensure that they are suitably clothed in a manner that promotes participation in netball. Wherever possible, the CVNA will seek permission from a child's parent/guardian before using the image.

Images

Acquiring Images

The CVNA Process (outlined below) must be followed when acquiring images. The additional following must also be adhered to:

- A coach must inform and gain permission from all players and parents if they wish to video the team as a tool to analyse and improve performance. It is recommended that an appropriate approved adult (with a Working With Children Check) also be present during filming.
- Parents are permitted to take images (still and moving) of their own children. If parents do not wish for their child to be captured, they need to notify the CVNA by alerting the office. An A frame will alert people of this process. Consent re photography will be obtained via Netball Connect.
- CVNA may use images to promote and celebrate netball as outlined in the Information Booklet and as referred to in Netball Connect consent, including sharing these with any values aligned third parties.
- Consent can be withdrawn at any time by emailing admin@cvna.com.au
- Photography and filming are not permitted inside changing areas, showers, first aid room or toilets.
- Photographers, professional or not, are not allowed unsupervised or individual access to children

Displaying Images

CVNA will follow the process of consent obtained through Netball Connect registration, which will include the following:

- Personal information such as a residential address, email address, phone number, social media name, hobbies, likes/dislikes, school etc must not be displayed
- Only use appropriate images of young people, avoiding positions or poses which could potentially be misconstrued or misused and ensuring suitable dress is worn in each image

Storing Images

Care should be taken when safely storing digital files, negatives and proofs to avoid unauthorised access and inappropriate use

- Hard copy images should be stored in a locked drawer or cabinet
- Electronic images should be stored in a 'password protected' folder
- Secure destruction of all images should be arranged
- Association photos of regular competition may remain on the CVNA website, providing online photos have "downloadable" turned off.

Professional Photographing, Recording and Filming

This applies to professionals who have been organised to attend CVNA specifically to capture images for a special event and not to spectators whose regular vocation may coincidentally be as a professional photographer themselves.

- Professional photographers/filming/video operators or student or amateur photographers who wish to record Association events will need to register with the CVNA office and produce a Working With Children Check, if 18 years or older.
- If necessary, a contract may be written to clearly outline who will retain the taken images, as well as any restrictions for use and sale

Reporting Procedure

CVNA takes the misuse of photographic or recorded images very seriously and any concerns are acted upon swiftly and appropriately. If a member of CVNA suspects or becomes aware that any images are being taken or are being used inappropriately of our members, they can:

Match day

Inform the Match Day Coordinator/Court Supervisor/Umpire Coordinator immediately.

Outside Match Day

Report the issue with a formal written grievance lodged to CVNA as soon as possible using the official CVNA complaint form

CVNA will thoroughly investigate any incident or official complaint received in accordance with the CVNA Regulations, Netball Australia Integrity Policy and Netball Australia Member Protection Policy, which may result in a notification to Police and Netball Victoria where CVNA is legally obliged to do so. A notification to Police will not nullify CVNA of its responsibility to fully investigate a complaint and CVNA will welcome as well as completely cooperate with any such Police investigation.

Non-Compliance

CVNA reserves the right to ask any person taking photos/videos to check where deemed necessary a person's authenticity. CVNA, where appropriate, could collect information such as:

- name
- if they have a relationship with a participant and which participant it is
- which club they are representing
- if they have a legitimate reason to take photos/video

If it is considered that a person is in breach of the policy, by two match day officials, then the Association will immediately ask them to stop and delete any images. The match day representative will explain this Policy and if/how it has been breached. If the person refuses to stop, the match day officials can ask them to leave, or the police or security may be called to escort them off the property.

CVNA has the right to ask people to leave the property (see attached map).

An incident report must be submitted to the Governance Committee by match day officials involved as soon as is practicable following the event.

Breaches or failure to comply with this Policy may result in appropriate disciplinary action, including, but not limited to:

- Reprimand
- Signing and submitting of CVNA Photography Policy and Codes of Conduct
- Official warning
- Suspension
- Expulsion from the Association

Appeals

Any registered member who is sanctioned under a disciplinary process for breach of this, or similar policy has a right of appeal under the Netball Australia Integrity Policy.

Policy Review

This Policy is subject to ongoing monitoring due to the continual evolution of technology, the needs of the Association and to ensure it remains relevant and practical. It will be reviewed on an annual basis by CVNA.

Definitions

Match Day Officials: Board Director, Match Day Coordinator, Operations Administrator, Umpire Coordinator, Umpires, Court Supervisor.

Reprimand: On Match Day

Match Day: CVNA sanctioned events.