

USE OF IMAGES

POLICY AND PROCEDURES

Version:	0001
Applies to:	HBCAC BOM, LJACC employees, contractors, volunteers, user groups, students, interns, partners and visitors who are sourcing, collecting or using images for HBCAC. All images published or stored and liable to be published by HBCAC/LJACC.

PURPOSE

The purpose of this policy is to:

- ensure that images are collected, sourced and used honestly and ethically, and that they portray their subjects with respect, dignity and accuracy
- explain what images can be captured on HBCAC premises and under what circumstances those images can be used

HBCAC aims to achieve a sensible balance between

- protecting vulnerable people and LJACC users from image-based exploitation
- avoiding undue restrictions on the creation and use of images by HBCAC staff, other providers, parents, guardians, carers, clients, and family and friends.

All stipulations of the present policy are to be understood in the context of the *Privacy Act 1988 (including amendments up to Act No. 127, 2019)* which prevails in the case of any apparent contradiction.

POLICY

HBCAC has a responsibility to protect the reputation and privacy of any people portrayed in any image used by the organisation for any purpose.

HBCAC and LJACC will ensure that all content is collected and used ethically, honestly and sensitively and with respect for people's dignity and culture.

HBCAC communications will reflect people, their experiences and the context of situations truthfully and authentically, and accurately describe the nature, scope and impact of our work.

HBCAC will not publish an image in which an individual's identity is apparent, or can reasonably be ascertained, without the consent of the person depicted, and, in the case of a vulnerable person, the consent of *both* that person and the person's legal guardian.

If a vulnerable person is represented by more than one legal guardian, consent must be unanimous amongst all guardian's present.

Only images of vulnerable people in normal day clothing will be used. No images of vulnerable people in swimming costumes, specialised sports attire (e.g. gymnastics), in any state of undress, or in any posture or position that could be considered revealing, indecent or compromising to their dignity or privacy will be used.

PROCEDURES

Employees, volunteers, all participants who enrol in LJACC programs and legal guardians of vulnerable people attending or participating in LJACC activities will be asked to sign a consent form (see example in annexure) which gives HBCAC/LJACC permission to publish images.

Every effort will be made by HBCAC/LJACC staff and agents – in conformity with the Privacy Act 1988 – to prevent the capturing of an image of any person who has not given consent, or to delete such images once identified.

Images will be stored securely and only accessed by those authorised to do so.

Under current legislation, it is not illegal for private individuals to take photographs of people they do not know, including vulnerable people. Nevertheless, HBCAC has every right to prohibit this kind of behaviour on its premises, and people with no obvious connection to HBCAC or to a particular LJACC event will not be permitted to take photographs.

The taking of photographs of artwork within LJACC is prohibited without the written consent of LJACC and/or the owner of said artworks.

Employees are expected to question anyone they do not recognise who is using a camera or other recording device at LJACC events and programs.

Members of the media operate under their own Code of Ethics. If media are invited into LJACC for publicity purposes, any person or legal guardian of a vulnerable person who does not want their image captured must be informed of the media presence.

It is the responsibility of the BOM to ensure that this policy is implemented.

It is the responsibility of the Centre Manager to ensure that the procedures are implemented.

IMPLEMENTATION PLAN

- Obtain consent from current employees, volunteers and Board members; and
- Inform employees and volunteers of the new procedures.
- Create a form from the Annexure and use that to obtain permission whenever there is an intention to publish a photo.

RELATED DOCUMENTS

- *Privacy Act 1988 (including amendments up to Act No. 127, 2019)*

Definitions

Image – covers static images (photographs, photographic treatments and illustrations) and moving images (video and animation)

Consent – permission given by a person to HBCAC to collect and use content, having been informed

- why their content is being collected
- where and how the content will be used
- over what period of time the content will be used
- of the potential risks and consequences of their content being published
- that their participation is entirely voluntary

Content – images and any accompanying quotes, statements, interview transcripts or relevant information that may be used to illustrate any aspect of HBCAC's work, activities and functions

Publish – reproduce in any format (physical or electronic) and make available to the general public

Vulnerable person –

- any individual below the age of 18 years (i.e. children)
- an individual aged 18 years and above who is or may be unable to take care of themselves, or is unable to protect themselves against harm or exploitation because of age, illness, trauma, disability, or any other reason