



# PHOTOGRAPH, TESTIMONIAL & VIDEO CONSENT POLICY AND PROCEDURES

<b>Policy Number:</b>		<b>Version:</b>	1
<b>Drafted by:</b>	Strategic Finance Executive	<b>Board approval on:</b>	June 2023
<b>Responsible Person:</b>	Strategic Finance Executive	<b>Scheduled Review Date:</b>	June 2024

## INTRODUCTION

Big Yellow Umbrella is required to take audio, testimonial, and / or visual images of programs and program participants in the context of activities delivered by the organisation. An ethical framework for the taking and using of these images is essential and applies to the following:

- The reason behind taking these images.
- How these images are used.
- Obtaining permission to take and use these images.
- Access to these images by the participants involved.

## PURPOSE

The purpose of this document is to provide a framework for Big Yellow Umbrella's staff, students, and volunteers in dealing with taking and using audio, testimonial, and / or visual images in the course of service delivery.

Photographs, testimonials, and videos of our activities are vital elements of our delivery. However, Big Yellow Umbrella is committed to protecting the privacy of all participants involved in our programs and understands the essential right of individuals to provide or decline permission to have their image taken.

This policy outlines how these values can be administered and is supported by the Privacy Policy and the Privacy Act 1988 (Cth.).

Big Yellow Umbrella will endeavor to ensure that any records or images provided with permission are used in an appropriate context and sensitive manner.

## POLICIES

Photographs, testimonials, and videos of our programs and program participants form an important part of how Big Yellow Umbrella delivers its services. Photographs, testimonials, and videos are taken for the following reasons:

- Marketing and social media.
- Public Awareness campaigns.
- Promotional material.
- Big Yellow Umbrella's website.
- Annual reports.
- Evidence of service delivery for our reports to the funders.
- Historical record of programs delivered.
- Support the outcomes of programs delivered.

## Guidelines on ethical photography, testimonials, and images.

Photographs, testimonials, and all images / videos taken by Big Yellow Umbrella should respect human dignity and ensure the rights, safety and well-being of the person or people being portrayed as follow:

- When images and testimonials are being taken, it is essential that the participants are fully aware of how they will be saved and used, and that full permission is received in advance of them being used.
- Cultural or religious sensitivities of people using Big Yellow Umbrella's services and what that means to taking images and testimonials must also be considered.

<https://hrfocus1.sharepoint.com/sites/SUPPORT/Shared Documents/CLIENT WIP/Big Yellow Umbrella/Our Culture/New Policies/Photograph, Testimonial & Video Consent Policy.docx>

- Respect for a person's right to refuse to be photographed, recorded, or videoed is maintained at all times. If there is any sense of reluctance or confusion, refrain from taking the image.
- Ensure that harm is not caused by the images or testimonials through a potential risk of reprisal, violence, or rejection in their communities as a result of exposing their identity or personal story through the publication.
- Ensure the individual, situation, context, and location is not misrepresented by the image or testimony.
- No payments or any form of compensation are being provided in exchange for the images or testimonials or for their consent or signed release for publication.

Photographs, testimonials, and videos that contain issues that could be culturally sensitive, politically sensitive, or socially stigmatized must protect the identity and privacy of the participants at all times.

- Do not identify individuals. Position the camera away from their faces and other unique characteristics and collect the verbal testimonials without names attached.
- Obtain informed written consent to use real names and locations in situations where disclosure could result in harm. Otherwise, remove detailed personal information such as names and locations in captions or any other associated documentation.
- Identifiable images or testimonials of individuals should not be used to illustrate sensitive subject matter in such a way as to indicate that the individual is connected with the issue.

Photographs, testimonials, or videos of people with special needs are to be taken with particular care, compassion, and protection of privacy.

- Respect and dignity must be used at all times when taking images and testimonials. Special care and compassion must be exercised with vulnerable people.
- Survivors of sexual abuse, gender-based violence, or abuse are not to be identified as such.
- An individual's status as a person with any serious health condition must not be revealed without informed written consent.
- An individual's engagement in sex work or other socially marginalized or criminalized activities must not be identified.
- Care must be taken in photographing, recording, or filming people in times of crisis. Do not exploit an individual's vulnerability at times of trauma or grief.

Photographs, testimonials, or videos of children taken for work-related purposes must adhere to standards set by the Big Yellow Umbrella's Working with Children and Young People Policy. Before photographing, recording, or filming a child (under 12) Big Yellow Umbrella must obtain informed written consent from the parent or guardian and explain how the images will be used. A risk assessment must be completed (see Working with Children and Young People Policy) if this consent is not possible.

- Before photographing, recording, or filming a child, assess and comply with all legislation relating to reproducing personal images or records of children.
- Ensure photographs, testimonials, and videos present children in a dignified and respectful manner and not in a vulnerable or submissive manner. Children should be adequately clothed and not in poses that could be seen as sexually suggestive.
- Images and records must be an honest representation of the context and the facts.
- File labels must not reveal identifying information about a child when sending images, testimonials, or videos electronically.

## **ROLES AND RESPONSIBILITIES**

The Chief Operations Manager and the Strategic Finance Executive are responsible for the implementation and monitoring of all aspects of this Policy and Procedures.

Staff, students, and volunteers are responsible for adhering to the guidelines contained in this Policy and Procedures.

## **PROCEDURES**

The following procedures apply:

<https://hrfocus1.sharepoint.com/sites/SUPPORT/Shared Documents/CLIENT WIP/Big Yellow Umbrella/Our Culture/New Policies/Photograph, Testimonial & Video Consent Policy.docx>

## Taking Photographic and Video Images:

### Images, Photographs, Digital Images, Testimonials, and Written Descriptions Covered by this Policy.

- Audio and visual images.
- Photographic/physical images.
- Digital images.
- Videos.
- External publications such as newspapers and media.
- Promotional materials.
- Print media campaigns.
- Internal publications such as annual reports, posters, flyers, booklets, and displays.
- Websites, internet, and emails, including advertising.
- Social media platforms such as Facebook and Instagram
- Radio and internet event broadcasts.
- Internal and external reports to management and funding bodies.
- Verbal and written testimonials developed as part of a program.
- All other audio and visual images used to record Big Yellow Umbrella's programs.

### Process When Taking Images and Collecting Testimonials.

1. Establish the reason why images and testimonials are required and how they will be taken and saved.
2. Ensure all program participants are aware that images or testimonials will be taken, the reason why they are needed, and how they will be saved.
3. Gain signed permission for images and testimonials to be taken from ALL participants using the [Photo, Testimonial & Digital Image Consent Form](#).
4. If there are changes in the reasons for how the images or testimonials will be used, new consent forms must be signed.
5. If the participant is under 12 years of age, a parent or caregiver must sign the [Photo, Testimonial & Digital Image Consent Form](#).
6. Participants must be informed when photographs or records are being taken.
7. Participants have the right to request not to be photographed, recorded, or filmed at the time, even if they have signed a Photo, Testimonial & Digital Image Consent Form.
8. If a participant forwards a photograph or testimony to Big Yellow Umbrella that involves other people and/or was created by another person, it is essential that the other people involved also provide permission and agree to have their work used for the consent.

### Storing Photographic, Testimonial, or Digital Images.

- The taking and keeping of client images and testimonials must only be done with the permission of the client involved.
- All images and testimonials, both hard copies or electronic, must be stored securely, in accordance with the privacy legislation and policy.
- When the client willingly signs consent and participates in audio or visual recordings, they also agree that Big Yellow Umbrella owns the images and testimonials and all rights related to them.

RELATED DOCUMENTS
Anti-discrimination Policy
Bullying & Harassment Policy
Clients Records
Code of Conduct Policy
Commonwealth Privacy Act 1988
Confidentiality and Declaration Policy
Data Security Policy

<https://hrfocus1.sharepoint.com/sites/SUPPORT/Shared Documents/CLIENT WIP/Big Yellow Umbrella/Our Culture/New Policies/Photograph, Testimonial & Video Consent Policy.docx>

Playgroup Policy
Privacy Policy
Risk Management Policy
Social & Electronic Media Policy
Staff Induction Policy
Volunteer Management Policy
Working with Children & Young People Policy

## AUTHORISATION

The Board of Big Yellow Umbrella has reviewed and approved this policy.

Signature of Board Secretary: \_\_\_\_\_

Date of approval by the Board: \_\_\_\_\_

On behalf of the Big Yellow Umbrella

### Staff, volunteers, and students' declaration

I have read this Photograph, Testimonial, and Video Consent Policy and Procedures and agree to comply.

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: \_\_\_\_\_