

# Flemington Primary School Photographing and Filming Students Policy



## 1. PURPOSE AND RATIONALE:

This policy outlines the practices that Flemington Primary School has in place for the general collection, use and disclosure of photographs, video and recordings (“images”) of students to ensure compliance with the Privacy and Data Protection Act 2014 (Vic).

## 2. POLICY STATEMENT:

To outline to Parents/Carers how the School will collect, use and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.

## 3. DEFINITIONS:

- As a general rule, “use” relates to images which are shared and distributed only within the School for School purposes (i.e. ID photos, Compass), whilst “disclosure” is used for images which are shared and distributed outside of the School Staff and are available to other students, Parents/Carers and the wider School community.

## 4. ACTION GUIDELINES:

Upon enrolment and at the commencement of each School year the School will ensure that Parents/Carers are notified of the ways in which our School may use images of students.

The School will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards. Parents will be reminded of the Photographing and Filming Students Policy at the beginning of each year. It will be the responsibility of Parents/Carers to contact the School to amend their Parent Consent form if required.

If at any time a parent/carer or student has a concern about the use of any images they should contact School Leadership via phone or email.

In addition to the processes outlined below, Parents/Carers can contact the School office in writing by sending an email or letter at any time to withdraw their consent for any future collection, use or disclosure of images of their child. However:

- if the images have already been published and are in the public domain, it may not be possible for consent to be withdrawn
- The School can still collect, use and disclose images in circumstances where consent is not required

### 4.1 Official School Photographs

Each year the School will arrange for a professional photographer to take official School photographs of students which generally involves both class photos and individual photos being taken.

The School will notify Parents/Carers in advance of the official School photographs being taken to give them an opportunity to decide whether their child will be included in the official School photographs.

Parents/Carers who choose to opt-out of having their child participate in official School photographs must contact the School in writing, before the date photos are scheduled to be taken, to advise that their child will not participate. There is no obligation on any parent or carer to purchase any photographs taken.

Official School photographs may be:

- purchased by Parents/Carers
- used for student data walls
- stored on CASES21 and Compass for educational and administrative purposes

## 4.2 Images for use and disclosure within the School community and School communications

From time to time the School may photograph, film or record students to use within the School community, including:

- in the School's communication, learning and teaching tools, for example, emails or apps that can only be accessed by students, parents or School staff with passwords including Compass and Google Suites
- for display in School classrooms, on noticeboards etc.
- to support student's health and wellbeing, for example, photographs of students with Anaphylaxis Plans

## 4.3 Images to be used or disclosed outside the School community

### External use or disclosure by the School

Photographs, video or recordings of students may also be used in publications that are accessible to the public, including on the School's website or in the School newsletter which is publicly available on the website.

The Annual Consent Form and Collection Notice also covers these types of uses and will be distributed to Parents/Carers on enrolment and also at the beginning of each School year. We will notify you individually if we are considering using any images of your child for specific advertising or promotional purposes.

### Media

The media, or the Department of Education and Training's media team, may seek to photograph, film or record students for a news story or School event. This may include broadcast media, online or social media or print media, including newspapers and magazine publications.

When our School receives such requests the School will:

- provide Parents/Carers with information about the organisation involved and when/for what purposes the photography, filming or recording will occur
- seek prior parent/carer consent in writing

Students will only be photographed, filmed or recorded by the media at School if express consent is provided for that specific media event. A Media Cover Letter and Media Consent Form must be provided and signed by Parents/Carers. Neither the School nor the Department own or control any photographs, video or recordings of students taken by the media.

### **Other external collection, use or disclosure**

If there is a situation which will involve the collection, use or disclosure of images of students by or to third parties which is not otherwise covered by this policy, the School will:

- provide Parents/Carers with information about the event or activity, the organisation involved and when the photography, filming or recording will occur
- seek prior Parents/Carers consent in writing using a Specific Event Cover Letter and a Specific Event Consent Form

### **School performances, sporting events and other School approved activities**

The School permits Parents/Carers, students and invited guests to photograph, film or record School performances, sporting events and other School-approved activities.

The School requests that Parents/Carers, students and invited guests who photograph, film or record School activities only do so for their own personal use and do not publish the images in any form, including on social media, without the prior consent of persons whose children also appear in the images.

Neither the School nor the Department own or control any images of students taken by Parents/Carers, students or their invited guests at School activities.

### **Images to manage student behaviour or fulfil our School's legal obligations**

On occasion it may be necessary for School staff to photograph, film or record students when necessary to:

- fulfil legal obligations, including to:
  - take reasonable steps to reduce the risk of reasonably foreseeable harm to students staff and visitors (duty of care)
  - provide a safe and suitable workplace (occupational health and safety law)
- for identification purposes, when necessary to implement discipline and/or behaviour management policies

The School does not require or obtain consent from Parents/Carers or students to photograph, film or record students for these reasons. However, when the School photographs, films or records a student for any of these purposes, staff will only collect and use such images in a way that is reasonable and appropriate in the circumstances.

## **4.4 Staff use of personal devices**

School staff may use their own personal devices to capture images of students for reasonable and legitimate educational purposes, where a School device is not readily available. If this occurs, staff are expected to upload the images to the School database and delete the images from their device within a week of the images being captured. Under no circumstances are staff permitted to upload any images of our students onto their own social or educational blogs.

## **5. MONITORING, REPORTING AND REVIEW:**

Matters in breach of this policy should be confidentially recorded by the Principal or Vice Principal.

Any noted deficiencies in this policy document will be brought to School Council for review and update as appropriate.

## 6. RELATED POLICIES AND DOCUMENTS:

- Child Safe Standards
- Privacy Policy
- Personal Device Policy
- Parent Carers Code Of Conduct Policy

## 7. REFERENCES:

- Department of Education and Training - School Policy and Advisory Guide: Photographing and Filming Students  
<https://www.education.vic.gov.au/School/principals/spag/safety/pages/photoandfilm.aspx>
- Privacy and Data Protection Act 2014  
[http://www.legislation.vic.gov.au/Domino/Web\\_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/05CC92B3F8CB6A6BCA257D4700209220/%24FILE/14-060aa%20authorised.pdf](http://www.legislation.vic.gov.au/Domino/Web_Notes/LDMS/PubStatbook.nsf/f932b66241ecf1b7ca256e92000e23be/05CC92B3F8CB6A6BCA257D4700209220/%24FILE/14-060aa%20authorised.pdf).

## 8. REVISION HISTORY:

This policy was ratified by School Council in on **month date (e.g. March 7<sup>th</sup>)**, 2019.

It will be reviewed as determined by School Council or every 3 years.