



PHOTOGRAPHING, FILMING AND RECORDING STUDENTS POLICY

PURPOSE

The purpose of this policy is to explain to parents and carers how Monivae College will collect, use and disclose photographs, video and recordings of students and how parent or carer consent can be provided and how it can be withdrawn.

SCOPE

This policy applies to the general collection, use and disclosure of photographs, video and recordings (images) of students. It does not cover the use of Closed Circuit Television (CCTV). The use of CCTV is covered in our school's CCTV policy.

DEFINITIONS

Key word/abbreviation	Definition
CCTV	means Closed Circuit Television which is video surveillance
Film	a moving image which may also include sound recordings
Photograph	a static image in print or digital format
Recording	audio recording

POLICY STATEMENT

This policy outlines the practices that Monivae College has in place for the collection, use and disclosure of images of students to ensure compliance with the Privacy and Data Protection Act 2014 (Vic). It also explains the circumstances in which Monivae College will seek parent/carers consent and how consent can be provided and/or withdrawn.

As a general rule, use relates to images which are shared and distributed only within the school for school purposes (i.e. ID photos, SIMON), 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.

Monivae College will ensure that parents/carers are notified upon enrolment and at the commencement of each school year of the ways in which our school may use images of students. There are many occasions during the school year where staff photograph, film or record students participating in school activities or events, for example classroom activities, sports events, concerts, excursions, camps etc. We do this for many reasons including to celebrate student participation and achievement, showcase particular learning programs, communicate with our parents/carers and school community in newsletters etc.

Monivae College will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our school's Child Safety and Wellbeing Policy. If at any time a parent/carers or student has a concern about the use of any images they should contact the Development Office.

In addition to the processes outlined below, parents/carers can contact the school via email or phone 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.
- There may be occasions when the school will record whole of school or large group events and make those recordings available to the school community, such as Year 12 Graduation, and if your child participates, they may appear in these recordings which will be available to the whole school community.
- The school can still collect, use and disclose images in circumstances where consent is not required (see below for more information).

1. Official School Photographs

- 1.1. Each year Monivae College will arrange for a professional photographer to take official school photographs of students. This will generally involve both class photos and individual photos being taken.
- 1.2. Official school photographs may be:
 - purchased by parents/carers;
 - used for school identification cards, if required; and or
 - stored on SIMON for educational and administrative purposes.
- 1.3. Monivae College 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.
- 1.4. Parents/carers who choose to opt-out of having their child participate in official school photographs must contact Monivae College 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.

2. Images for Use and Disclosure within the School Community and Ordinary School Communications

- 2.1. From time to time Monivae College may photograph, film or record students to use within the school community, including:
 - in the school's communication, learning and teaching tools e.g. SIMON, Google Classrooms;
 - for display in school classrooms, on noticeboards etc;
 - in the school's newsletter; and
 - to support student's health and wellbeing.
- 2.2. An Annual Consent Form and Collection Notice will be distributed to parents/carers on enrolment and at the beginning of each school year.

3. Images to be Used or Disclosed Outside of the School Community External Use or Disclosure by the School

- 3.1. Photographs, video or recordings of students may also be used in publications that are accessible to the public, including:
 - on the school's website, including in the school newsletter which is publicly available via the website;
 - on the Schools social media accounts; and
 - in the College Annual magazine.
- 3.2. 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.
- 3.3. Where we are considering using any images of your child for specific advertising or promotional purposes, outside those listed in 3.1, we will notify you individually.

Media

- 3.4. The media, DOBCEL, CEB, CECV or MSC 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.
- 3.5. When our school receives such requests Monivae College will:
- provide parents/carers with information about the organisation involved and when/for what purposes the photography, filming or recording will occur; and
 - seek prior, express parent/carer consent in writing.
- 3.6. Students will only be photographed, filmed or recorded by the media at school if express consent is provided for that specific media event. Neither the school nor DOBCEL, CEB, CECV or MSC own or control any photographs, video or recordings of students taken by the media. See Specific Event and Media Consent Form.

Member of Parliament

- 3.7. Students must not be photographed or filmed during a Member of Parliament's (MP) visit to a school without appropriate consent. This includes the use of students in political material. If there is a media presence (including staff of the MP's political team), the usual consent requirements associated with photographing students by media apply and a specific event and media consent form should be used.

Other External Collection, Use or Disclosure

- 3.8. 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, Monivae College will:
- provide parents/carers with information about the event or activity, the organisation involved and when the photography, filming or recording will occur; and
 - seek prior, express parent/carer consent in writing.

School Performances, Sporting Events and Other School Approved Activities

- 3.9. Monivae College endeavours to respect the privacy of all members of our school community and requests that parents/carers, students and invited guests do not photograph, film or record school performances, sporting events and other school-approved activities.
- 3.10. The school does not own or control any images of students taken by parents/carers, students or their invited guests at school activities.

Crowd of Event Settings

- 3.11. 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. A Template poster – photographer on premises is available for the school to use in these circumstances.
- 3.12. If parents or carers are taking photographs or video of crowds or performances, the School will 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 any school policy.

Research

- 3.13. Monivae College ensures that parent or carer consent is obtained before allowing any student to be recorded for the purpose of research. This consent should be defined and included in the consent for participating in the research.

Images to Manage Student Behaviour or Fulfil Legal Obligations

- 3.14. 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.
- 3.15. Monivae College does not require or obtain consent from parents/carers or students to photograph, film or record students for these reasons. However, when Monivae College 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.

Using Photographs and Film for Commemorative Purposes

- 3.16. From time to time Monivae College may wish to use photographs for commemorative purposes, such as the school's 50th anniversary book. However, it may not always be possible to seek retrospective consent for photographs already held by the school. These photographs may not be subject to privacy requirements if they were taken before the year 2000, but ethical considerations will still apply.
- 3.17. Photographs may be used for commemorative purposes without seeking retrospective consent if the risks have been considered and decisions are documented as part of the commemorative project documentation.
- 3.18. Monivae College will assess the risk and ethical nature of using photographs by reviewing the photos and asking the following questions:
- Does the photograph or video identify an individual?
 - Is it practical to alter the photograph or video to de-identify subjects?
 - Is the photograph or video of a sensitive nature? For example, students in swimsuits.
 - Does the photograph or video indicate a health condition?
 - Are there cultural considerations?
 - Is the location or context sensitive? For example, if the photograph shows the student engaging in inappropriate behaviour.
 - Is the photograph of old documents? Copies of letters or awards may include personal information such as names, signatures, home addresses, and other contact details. Is removal of the information practical?
- 3.19. School Leadership must be informed of any planned commemorative activities and approval sought from the Principal.

4. Staff Use of Personal Devices

- 4.1. School Staff are not permitted to capture images of students on their personal devices. If staff would like to photograph, film or record students, they must use the school's phone, camera or iPads and ensure that the images are uploaded onto the school server. If school devices are not available, prior approval must be sought from the Principal to use an alternative device.

5. Photographs and Copyright

- 5.1. If a photograph or video has been taken by someone outside the school, copyright permission may need to be gained to establish how that image or footage is used in publications, on websites or social media.

6. Communication

- 6.1. This policy will be communicated to our school community in the following ways:
- Annual reminders in our school newsletters
 - Available publicly on our school's website
 - Listed in the parent handbook
 - Included in staff induction processes and staff training

- Included in staff handbook
- Discussed at staff briefings/meetings, as required
- Included in transition and enrolment packs
- Discussed at parent information nights/sessions
- Hard copy available from school administration upon request

GOVERNANCE

Supporting procedures	Nil
Supporting schedules	Annual Consent Form — Photographing, Filming and Recording Students Specific Event and Media Consent Form — Student Specific Event and Media Consent Form — Adult
Associated policies	Information Sharing Policy
Related Legislation	Copyright Act 1968 (Cth) Privacy and Data Protection Act 2014 (Vic)
Category	Operational
Approval	School Leadership Team 14.11.2022
Endorsement	Relevant Senior Officer 07.11.2022
Policy Owner	Compliance and Risk Manager
Date Effective	14.11.2022
Review Date	14.11.2027(5 years from effective date) This policy is to be kept for five(5) years until review, unless there is a significant legislative or organisational change requiring earlier review. The master copy is kept in Knowledge Banks in read-only PDF form. All printed copies are uncontrolled.
Version	1.1
Content Enquiries	eguthrie@monivae.vic.edu.au

DOCUMENT HISTORY

Version #	Date	Changes Made
1.0	06.07.2022	Initial release
1.1	14.11.2022	Changes to include specific reference to social media.