

PHOTOGRAPHING, FILMING & RECORDING STUDENTS POLICY

Rationale

To explain to parents/carers how Birralelee PS will collect, use and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn. 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).

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 and displays), 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.

Aims

Birralelee PS 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 and camps. We do this for many reasons including to celebrate student participation and achievement, to showcase particular learning programs, document a student's learning journey, during camps, excursions and sporting events, to communicate with parents and carers, and the wider school community in newsletters or through using apps.

Birralelee PS will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our school's Child Safe Policy. If at any time a parent/carer or student has a concern about the use of any images they should contact the class teacher of the student or the administration office.

In addition to the processes outlined below, parents/carers can contact the administration office 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- If the images have already been published and are in the public domain, it may not be possible for consent to be withdrawn.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 through DVD sales etc.), such as the school concert, speech nights or sports events 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).

Implementation

Official school photographs

Each year Birralelee PS 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.

Official school photographs may be:

- purchased by parents/carers
- used for school identification cards
- stored on CASES21 for educational and administrative purposes.

Birralee PS 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 administration 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.

Images for use and disclosure within the school community and ordinary school communications

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

- in the school's communication, learning and teaching tools, e.g. emails, classroom blogs or apps that can only be accessed by students, parents or school staff with passwords e.g. Compass
- for display in school classrooms or on noticeboards etc.
- to support a student's health and wellbeing e.g. to demonstrate an action required by a therapist for practice purposes, for behaviour management reasons or for safety identification reasons.
- for education purposes e.g. to review performances, for the teaching of fundamental motor skills, within ICT lessons or as part of student-based media visits or excursions where photographs or film may be used for students to assess their presentations or for learning particular actions
- in the creation of 'social stories' that are used to help student development

An Annual Consent Form and Collection Notice will be distributed to parents/carers on enrolment and also at the beginning of each school year.

We do not need permission for photo displays in order to identify students at risk of anaphylaxis, allergy, epilepsy or other health conditions that may need emergency treatment or urgent action.

Images to be used or disclosed outside the school community

External use or disclosure by the school

Photographs, video or recordings of students may 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 on the website)
- on the school's social media accounts

The Annual Consent Form and Collection Notice 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 Birralee PS will:

- provide parents/carers with information about the organisation involved and when/for what purposes the photography, filming or recording will occur
- seek prior, express 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. 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, Birralee PS 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, express parent/carer consent in writing

School performances, sporting events and other school approved activities

Birralee PS permits parents/carers and guests to photograph, film or record school performances, sporting events and other school-approved activities.

Birralee PS requests that parents/carers and 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 (e.g. duty of care and to identify students under court orders).
 - provide a safe and suitable workplace (Occupational Health and Safety law)
- for identification purposes, when necessary to implement discipline and/or behaviour management policies.

Birralee PS does not require or obtain consent from parents/carers or students to photograph, film or record students for these reasons. However, when Birralee PS 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.

Staff use of personal devices

Birralee PS School staff may use their own personal devices to capture images of students for reasonable and legitimate educational purposes. 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.

Student use of personal devices

Students are not permitted to use personal photographic or filming devices at school or during excursions, at camps or during school visits (neither cameras, iPads, smartphones nor smartwatches), without the express permission of a teacher, the Principal or Assistant Principal. If students bring such devices to school, they will be required to hand them in to their class teacher for storage until the end of the day. The school is not responsible for the security or maintenance of these devices whilst at school.

Evaluation

This policy will be reviewed as part of the School's three year review cycle.

Photographing, Filming and Recording students at Birralelee PS

Annual Consent Form and Collection Notice

During the school year there are many occasions and events where staff may photograph, film or record students participating in school activities and events. We do this for many reasons including to celebrate a student's participation and achievement, showcase particular learning programs, document a student's learning journey, at camps, excursions and sports events etc., to communicate with our parents and school community in newsletters and on classroom blogs and apps.

This notice applies to photographs, video or recordings of students that are collected, used and disclosed by the school. We ask that any parents/carers or other members of our school community photographing, filming or recording students at school events e.g. Concerts, assemblies and sports events etc., do so in a respectful and safe manner, and that any photos, video or recordings (i.e. "images" of students are not publicly posted (e.g. to a social media account) without the permission of the relevant parent/carer and without identifying the child by name.

If you do not understand any aspect of this notice or you would like to talk about any concerns you have, please contact our school on 9848 4996.

A. Use or disclosure within the school community

We do not need permission for photo displays in order to identify students at risk of anaphylaxis, allergy, epilepsy or other health conditions that may need emergency treatment or urgent action.

Unless you tell us otherwise below, images of your child may be used by our school within the school community, as described below.

Photographs, video or recordings of students may be used within the school community in any of the following ways within the school:

- in the school's communication, learning and teaching tools e.g. emails, classroom blogs or apps that can only be accessed by students, parents/carers or school staff with passwords e.g. via Compass
- for display in school classrooms, on noticeboards or on the foyer TV etc.
- to support a student's health and wellbeing (e.g. to demonstrate an action required by a therapist for practice purposes or for behaviour management reasons)
- for education purposes e.g. to review performances, for the teaching of fundamental motor skills, within ICT lessons or as part of student-based media visits or excursions where photographs or film may be used for students to assess their presentations or for learning particular actions
- in the creation of 'social stories' that are used to help student development

B. Use or disclosure in publications/locations that are publicly accessible

Unless you tell us otherwise below, 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 on the website
- on the school's social media accounts

Your child may be identified by first name only in these images (or not named at all).

We will notify you individually if we are considering using any images of your child for specific advertising or promotional purposes.

Privacy

Photographs, video and recordings of a person that may be capable of identifying the person may constitute a collection of 'personal information' under Victorian privacy law. This means that any images of your child taken by the school may constitute a collection of your child's personal information. The school is part of the Department of Education and Training (**the Department**). The Department values the privacy of every person and must comply with the *Privacy and Data Protection Act 2014* (Vic) when collecting and managing all personal information. For further information see [Schools' Privacy Policy](http://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx) (<http://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx>).

Ownership and Reproduction

Copyright in the images will be wholly owned by the school. This means that the school may use the images in the ways described in this form without notifying, acknowledging or compensating you or your child.

Opt Out

Birralee PS understands that parents and carers have the right to withhold permission for our school to use photographs, video or recordings of your child (apart from circumstances where the school is not required to seek consent – see our *Photographing, Filming and Recording Students Policy*).

If you have read this notice and are comfortable with the school using photos, video or recordings of your child as described above, you do not need to take any further action.

However, if you have decided that you **do not** want images of your child to be collected or used by our school, **please complete the form below** and return it to the administration office at Birralee.

.....

I have read this form and I **do not consent** to Birralee PS using photos, video or recordings of my child (named below) to appear in the following ways:

- ☐ **Use within the school community** (e.g. in the school's learning and teaching tools or on display around the school)
- ☐ **Use in publications/locations that are publicly accessible** (e.g. on the school's newsletter, school website, on the school's social media accounts or in promotional material for the school)

Note that you may choose to opt out of both or only one type of use.

Further information is available in the Birralee PS *Photographing, Filming and Recording Students Policy*

Name of Student	
Name of parent/carers	
Signature	
Date	___ / ___ / ____



Specific Event Consent Letter

Dear Parents and Carers

Event at our school

On **(date)**, **(company)** will be attending our school to perform a play for Grade students. The event is interactive and some students may be invited to participate in the performance. The **(company)** may film, photograph and/or audio record the event. This is an exciting event for our students.

Your consent

Our school seeks your consent to allow your child to participate in the event which may include them being photographed, filmed and/or audio recorded by **(company)**.

Any photographs, video and audio recordings of the event will be owned by whichever organisation makes the recording. This means, for example, that the organisation may publish any photos or other recording taken of your child. Participating organisations may do so without notifying or compensating you.

Please read the attached consent form carefully. If you have any questions about this event or the consent form, please contact Birralelee PS administration office: 9848 4996

Kind regards

Specific Event Consent Form

Name of Student: _____

I, _____ **(the parent/carer of this student)**, consent to my child attending **(event)** on **(date)** and being filmed and/or photographed and/or audio recorded by **(organisation)** during the event.

I acknowledge that this means:

- a) participating organisations may ask my child questions and my child's responses may be recorded;
- b) any photographs, video or audio recording **(recording)** of my child will be owned by the participating organisations that captures each recording; and
- c) this means that participating organisations may then broadcast, publish, distribute, or reproduce the recordings as they choose to without notifying or remunerating me or my child.

I understand that I can only withdraw my consent for my child to participate before the event occurs and I must contact Birralelee PS administration office (9848 4996) to do so.

Date: / /

Signature: _____

Name of parent/carer: _____

Contact number: _____



Media Consent Form

Name of Student:

I (parent/carer), consent to my child attending
(event)..... on (date) and being filmed and/or
photographed and/or audio recorded by (the participating media unit).....
during the event.

I acknowledge that this means:

- a) participating media unit may ask my child questions and my child's responses may be recorded
- b) any photographs, video or audio recording (recording) of my child will be owned by the participating media unit that captures each recording
- c) this means that participating media units may then broadcast, publish, distribute, or reproduce the recordings as they choose to without notifying or remunerating me or my child.

I understand that I can only withdraw my consent for my child to participate before the event occurs
and I must contact Birralelee PS administration office (9848 4996) to do so.

Date: / /

Signature (parent/carer):_____

Name of parent/carer (printed):_____

Contact number:_____