



Morwell Central Primary School

Photographing, Filming and Recording Students Policy 2022

Rationale:

The Department of Education and Training (which includes all Victorian government schools, central and regional offices) values the privacy of every person and is committed to protecting information that schools collect.

All staff, service providers (contractors) and agents, (whether paid or unpaid) of the Department, and Morwell Central Primary School must comply with Victorian privacy law and this policy.

Photographs, films and other recordings of individuals are considered personal information, and as such are protected by privacy law in the same way as other personal information. They may also be protected by copyright law.

Schools are required to develop a policy for the collection, use and disclosure of photographs, films and other recordings of students.

Aims:

The purpose of this policy is to ensure the collection and use of photographs, films and recordings of students in schools complies with relevant legislation and Department policy. This policy outlines the practices that Morwell Central Primary School 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explains the circumstances in which the school will seek parent/carer consent and how consent can be provided and/or withdrawn.

Implementation:

Definitions:

“Use” relates to images which are shared and distributed only within the school for school purposes (i.e. ID photos, UEducateUs).

“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.

Morwell Central Primary School 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,
- document a student’s learning journey,

- camps/excursions/sports events, and t
- to communicate with our parents/carers and school community in newsletters and Facebook

Morwell Central Primary School will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards. If at any time a parent/carer or student has a concern about the use of any images they should contact the school.

In addition to the processes outlined below, parents/carers can contact the school 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, school assemblies, sports events etc 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).

Official school photographs

Each year Morwell Central Primary School 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.

Morwell Central Primary 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 Morwell Central Primary School 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

Morwell Central Primary School may photograph, film or record students to use within the school community, including:

- for display in school classrooms, on noticeboards etc.
- in the school's newsletters.
- to support student's health and wellbeing (eg students with particular health need such as Asthma, Anaphylaxis, Epilepsy, photographs of pencil grip to assist in OT assessments).

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 [including in the school newsletter which is publicly available on the website –
- on the school's social media accounts
- in the school magazine

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 Morwell Central Primary 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, 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, Morwell Central Primary 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, express parent/carer consent in writing.

School performances, sporting events and other school approved activities

Morwell Central Primary School 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.

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.

Morwell Central Primary School does not require or obtain consent from parents/carers or students to photograph, film or record students for these reasons. However, when Morwell Central Primary 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.

Staff use of personal devices

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.

Guidelines:

- the Department's Policy and Advisory Library: [Photographing, Filming and Recording Students](#)

If you have a query or complaint about privacy, please contact:

- **Knowledge, Privacy and Records Branch**
Department of Education and Training
2 Treasury Place, East Melbourne VIC 3002
(03) 8688 7967
privacy@edumail.vic.gov.au

Evaluation:

This Policy will be reviewed as part of the school's three-four year review cycle or earlier as required.

This policy was last ratified by School Council...

7th November 2022