



## MALVERN VALLEY PRIMARY SCHOOL

# PHOTOGRAPHING, FILMING AND RECORDING STUDENTS POLICY

## RATIONALE

At Malvern Valley Primary School we recognise that photography, filming and audio are useful learning tools within the school and that they are utilised in many ways (e.g. record keeping, displays, lessons and student work). Photographs, video, audio and digital images of students are considered “personal information”.

## AIMS

- To explain to parents/carers how Malvern Valley Primary 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and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.
- To outline the practices that Malvern Valley 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).
- To outline the circumstances in which Malvern Valley Primary School will seek parent/carer consent and how consent can be provided and/or withdrawn.

## DEFINITIONS

Photographs are defined as the taking of a still shot picture with the use of a camera, phone or other device. Filming is defined as when a person captures a moment with the use of a phone, camera, tablet or other device that records the movement of an event. Audio is defined as sound for example but not limited to voices.

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

## IMPLEMENTATION

Malvern Valley 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, communicate with our parents/carers and school community in newsletters and on classroom blogs etc.

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

In addition to the processes outlined below, parents/carers can contact the classroom teacher or Principal 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, 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 Malvern Valley 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
- stored on CASES21, Teacher Shared and Sentral for educational and administrative purposes.

Malvern Valley 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 the Principal 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 Malvern Valley Primary 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 classroom blogs, platforms or apps that can only be accessed by students, parents or school staff with passwords)
- for display in school classrooms, on noticeboards (for example, First Aid)
- to support student's health and wellbeing (for example, photographs of pencil grip to assist in OT assessments)

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

## **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 yearbook

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 Malvern Valley 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, Malvern Valley 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**

Malvern Valley Primary School permits parents/carers, students and invited guests to photograph, film or record school performances, sporting events and other school-approved activities, unless otherwise stated.

Malvern Valley Primary 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
- for classroom displays or during specific classroom tasks (eg. Performing Arts).

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

## **REFERENCES**

School Policy and Advisory Guide: [Photographing and Filming Students](#)

## **EVALUATION**

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

**RATIFIED BY SCHOOL COUNCIL: 2018**

**TO BE REVIEWED: 2021**