

# Photography and Filming of Students Policy

## Rationale:

At Seville Primary School we recognise that photography and filming are useful learning and chronicling tools within the school and that they are utilised in many ways.

## Aim:

This policy has been written to ensure that the collection and use of student photographs and film in schools:

- protects the personal information of individuals
- ensures that Seville Primary School staff, students and parents are able to take and use photos and film of students for educational and chronicling purposes within prescribed guidelines
- respects the individual's right to control how and for what purpose their personal information is used
- complies with the relevant legislation and Department policy.

## Scope:

In general student images are used to:

- record student learning
- record student participation at school and in school events
- celebrate student effort and achievement
- promote the school and events held by the school.

## Implementation:

### General

- This policy outlines the practices that Seville 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the circumstances in which Seville Primary School will seek parent/carer consent and how consent can be provided and/or withdrawn.
- Photographs, video or digital images of a student are considered "personal information" and therefore their use and disclosure are governed by the Information Privacy Act 2000 (Vic) (IP Act) and the Information Privacy Principles contained within it. Photographs, video and digital images of students may also contain copyright, and therefore may also be governed by the Copyright Act 1968 (Cth) (Copyright Act).
- A Consent Form will be distributed to parents/carers on enrolment and parents/carers will be notified at this time 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, showcase particular learning programs, document a student's learning journey/camps/excursions/sports events and communicate with our parents/carers and school community in newsletters.
- Seville Primary School will ensure that any professional photographer engaged by the school sign a Confidentiality Deed prior to being permitted to take school photographs.

### Child Safe

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

## Parents/Carers

- Parents/carers can contact the school in writing by sending an email to [seville.ps@edumail.vic.gov.au](mailto:seville.ps@edumail.vic.gov.au) 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, such as school concerts, graduations, 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).
- Parents/Carers are able to take photos or film of their own children at school and at school activities and events. However these photos may at times include other students, so we ask parents to 'respect the individual's right to control how and for what purpose their personal information is used'. We therefore request that parents/carers and/or invited visitors 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 or their invited guests at school activities.
- Any time a photo or film is to be published outside of school such as in a newspaper or on television, parents should be advised. This does not include the school website or school newsletter.
- At times a parent may be formally asked to take photos on behalf of the school eg camps and sports events. These will be utilised by the school for the reasons listed above. It is expected that these images will be uploaded to the school database and deleted from their device within a week of the images being captured.

## Staff

- 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.

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

- 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.
- Pre-service teachers, volunteers and contractors are not permitted to take photos of students for personal use without written consent from parents and the Principal.

- To comply with the IP Act, consent will generally be required from parents/carers before schools can collect and use student photographs and film. In some instances, additional consent may be required to ensure compliance with the Copyright Act.
- This table summarises what documentation is required to enable schools to collect, use and disclose photographs, video and digital images in certain circumstances:

Collection Type	School Use	Disclosure to third person	Documentation Required
Official school photos	Storage on CASES21 School identification cards	Parents/Guardians Graduation Photos	School level policy Specific Consent Form for School Photographs
Other school photos, video, film, digital images	School newsletters Intranet Within the school	School website Other internet sites Media	School Level Policy General Consent form (if for General Use Only) Specific Consent Form (if for disclosure to third parties) Copyright Release Form
Closed circuit television (CCTV)	<p>Detect and deter vandalism, graffiti or other unwanted activities.</p> <p>Monitor outdoor areas, corridors and other areas of the school.</p> <p>Prohibited in the following circumstances:</p> <ul style="list-style-type: none"> <li>• monitoring the work performance of staff or students</li> <li>• use in toilets, shower and change rooms or staff rooms</li> <li>• concealed or covert cameras in any location.</li> </ul>	<p>Only in very restricted and limited circumstances</p> <p>Note: Contact the Legal Services Unit to obtain advice about your particular circumstances</p>	<p>Compliance with legislation including the Surveillances Devices Act 1999 (Vic).</p> <p>Compliance with Department policies – contact the Security Services Unit for assistance with the guidelines and the approval process.</p>

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## **Students**

- Students are only permitted to bring a camera of their own to school as approved in special situations, e.g. camps and excursions and by prior approval from the Principal. This privilege carries some responsibilities - to themselves, to others and to their property. For the purpose of this policy, a camera is defined as a standard film/digital camera. It does not include mobile devices with camera capabilities such as mobile phones, tablets and ipads. Prior to approval being granted, students and parent/carers will be required to sign the SPS Photography and Filming Agreement (as attached).

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## **Additional and Relevant Documents:**

- SPS Privacy Policy
- SPS Child Safe Policy
- SPS Photography and Filming Agreement
- School Policy and Advisory Guide

## **Evaluation:**

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

**This policy was ratified by School Council in 2018.**

**This policy will be reviewed by School Council in 2020.**



# Seville Primary School Student Photographing and Filming Agreement

At Seville Primary School, students are only permitted to bring a camera of their own to school as approved in special situations, e.g. camps and excursions. This privilege carries some responsibilities - to themselves, to others and to their property.

(For this agreement, a camera is defined as a standard film/digital camera. It does not include mobile devices with camera capabilities such as mobile phones, tablets and ipads.)

## Student Declaration

As a safe and responsible user of my camera, I will follow these guidelines:

### 1. Look after myself

This means that I will:

- ✓ State clearly if I do not want my photo taken or shared with others
- ✓ Report to a staff member if my photo is taken without my permission

### 2. Look after others

This means that I will:

- ✓ Ask permission before I take images/film of anyone
- ✓ Not post images of anyone online.
- ✓ Not take images/film in sensitive areas such as toilets/showers

### 3. Look after my property

This means I will:

- ✓ Respect my camera and take care not to damage it or lose it
- ✓ Hand in my camera to School staff for safekeeping if staying overnight such as on camp.

I understand that using cameras at school or whilst at school events without permission or by breaching this agreement, I will face consequences as sanctioned by the School Leadership Team. In this instance, the student will have their camera confiscated and returned to the parent/guardian upon request.

## PARENT/GUARDIAN PERMISSION

This Student Agreement should be read and discussed in conjunction with the Seville Primary School 'Photographing and Filming Students Policy' which can be found at <http://www.sevilleps.vic.edu.au>

I acknowledge that I have read the Seville Primary School Student Photography and Filming Agreement and the relevant policy and have discussed its content with my child.

Student Name:..... Signature:.....

Parent/Guardian Name: ..... Signature: .....