

# Photographing, Filming and Recording Students

## 1. Background

This policy outlines the practices that Melton Secondary College (MSC) 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 It also explains the circumstances in which MSC will seek parent/carer consent and how consent can be provided and/or withdrawn.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, Compass), 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.

## 2. Purpose

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and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.

## 3. Guiding Principles

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 Policy:

- protects the personal information of individuals
- 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
- enables the College to enact the operational requirements of the educational program and fulfil its duty of care.

## 4. Implementation

MSC 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/apps/insert etc.

MSC will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our school's Child Safety Policy. If at any time a parent/carer or student has a concern about the use of any images they should contact the Principal on 9743 3322.

In addition to the processes outlined below, parents/carers can contact the school on 9743 3322 or [melton.sc@edumail.vic.gov.au](mailto:melton.sc@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 the school concert, speech nights, 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).

### **Official school photographs**

Each year MSC 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.

Parents/carers who choose to opt-out of having their child participate in official school photographs must contact MSC 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 MSC 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, classroom blogs or apps that can only be accessed by students, parents or school staff with passwords eg. Compass, Class Dojo.
- for display in school classrooms, on noticeboards etc
- in the school's newsletter
- to support student's health and wellbeing (eg photographs of pencil grip to assist in OT assessments)
- to record student performance/s conducted as part of the curriculum or educational program.

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
- on the school's social media accounts
- in the school Year Book

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 MSC 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 MSC 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**

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

MSC 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.

There may be circumstances where filming, photographing or recording school performances, sporting events or approved activities by parents/carers, students, invited guests is not permitted due to school, course or privacy requirements. In these cases, the school will notify those in attendance.

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.

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

### **5. Evaluation and Review**

This policy will be reviewed in four years or as necessitated by changes/developments which may occur through requests by DET, School Council, Parents, Students or Staff within the timeframe stated above.

### **6. References**

School Policy and Advisory Guide: [Photographing and Filming Students](#)  
Appendices 1 to 5 (attached)

<b>Date Endorsed</b>	13/03/2019
<b>Author</b>	REY
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<b>Responsible for Review</b>	Principal
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## Appendix 1



# Photographing, Filming and Recording students at Melton Secondary College

## 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 student participation and achievement, showcase particular learning programs, document a student's learning journey/camps/excursions/sports events etc, communicate with our parents and school community in:

- in the school's communication, learning and teaching tools for example, emails, classroom blogs or apps that can only be accessed by students, parents or school staff with passwords eg. Compass, Class Dojo.
- for display in school classrooms, on noticeboards etc
- in the school's newsletter
- to support student's health and wellbeing (eg photographs of pencil grip to assist in OT assessments)

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 (eg concerts, sports events etc) do so in a respectful and safe manner and that any photos, video or recordings ("images") of students are not publicly posted (eg to a social media account) without the permission of the relevant parent/carer.

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 9743 3322 or email [melton.sc@edumail.vic.gov.au](mailto:melton.sc@edumail.vic.gov.au)

### A. Use or disclosure within the school community

**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:

- in the school's communication, learning and teaching tools (for example, emails, classroom blogs or apps that can only be accessed by students, parents/carers or school staff with passwords eg Compass, Class Dojo etc)
- for display in school classrooms, on noticeboards etc
- in the school's newsletter
- to support student's health and wellbeing (eg photographs of pencil grip to assist in OT assessments)
- to record performances of student work, or activities for the purpose of teaching and learning, or assessment of student learning.

### 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
- on the school's social media accounts
- in the school Year Book

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

Melton Secondary College 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 General Office. Please note that it may not be possible for the school to amend past publications or to withdraw images that are already in the public domain.

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

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

Note:

- You may choose to opt out of both or only one type of use.
- It may not be possible for the school to amend past publications or to withdraw images that are already in the public domain.
- Further information is available in the Melton Secondary College *Photographing, Filming and Recording Students Policy*

<b>Name of Student</b>	
<b>Name of parent/carers</b>	
<b>Signature</b>	
<b>Date</b>	____ / ____ / _____

**Appendix 2**  
**School Letterhead**  
**Template Specific Event Cover Letter**

Dear Parents and Carers

**Event at our school**

*Please provide a clear description of the event taking place at your school – including (a) where, when and why the event is taking place and (b) the activities which participating students will be involved in. The purpose of this description is to fully inform parents/carers of the nature of the event.*

[SAMPLE: On 2 February 2018, Example Theatre Company will be attending our school to perform a play for grade 6 students. The event is interactive and some students may be invited to participate in the performance. Example Theatre 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 [insert organisation/s].

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 [insert school contact name and number or email address]

Kind regards

[Sender's name]

**Appendix 3  
School Letterhead  
Template Specific Event Consent Form**

**Consent Form**

Name of Student: \_\_\_\_\_

I, \_\_\_\_\_ the parent/carer of this student, consent to my child attending [INSERT name of event] on [INSERT date] and being filmed and/or photographed and/or audio recorded by [insert details of organisation/s] 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 [insert school contact person, phone number and/or email address] to do so.

Date:    /    /

Signature: \_\_\_\_\_

Name of parent/carer: \_\_\_\_\_

Contact number: \_\_\_\_\_



**Appendix 4**  
**School Letterhead**  
**Template Media Cover Letter (see Appendix 5 also)**

Dear Parents and Carers

**Event at our school**

*Please provide a clear description of the event taking place at your school – including (a) where, when and why the event is taking place and (b) the activities which participating students will be involved in. The purpose of this description is to fully inform parents of the nature of the event.*

[**SAMPLE:** On 2 February 2018, Australian cricketer John Smith will visit our school to celebrate the opening of our new cricket pitch. John will play a cricket game with our grade 6 students (**the event**). This is an exciting event for our students. Our school has invited media outlets to attend the event, speak with our students and photograph, film and/or audio record the event. Media outlets that may attend include Channel 9, The Age, and The Herald Sun (**participating media outlets**).]

**Your consent**

Our school seeks your consent to allow your child to participate in the event which may include being photographed, filmed and/or audio recorded by the participating media outlets. Your child may also be asked questions by participating media outlets and recorded answering those questions (audio and video).

Any photographs, video and audio (**recordings**) of the event will be owned by whichever organisation makes the recording. This means, for example, that participating media outlets may publish any photos taken of your child on the internet or the commercial news. Participating media outlets 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 [**insert school contact name and number or email address**]

Kind regards

[**Sender's name**]

**Appendix 5  
School Letterhead  
Template Media Consent Form**

**Media Consent Form**

Name of Student: \_\_\_\_\_

I, \_\_\_\_\_ the parent/carer of this student, consent to my child attending [INSERT name of event] on [INSERT date] and being filmed and/or photographed and/or audio recorded by [insert details of commercial and public TV channels , print and online media outlets] (**participating media outlets**) during the event.

I acknowledge that this means:

- a) participating media outlets 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 outlet that captures each recording; and
- c) this means that participating media outlets 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 [insert school contact person, phone number and/or email address] to do so.

Date:    /    /

Signature: \_\_\_\_\_

Name of parent/carer: \_\_\_\_\_

Contact number: \_\_\_\_\_