

BACKGROUND / INTRODUCTION

This policy outlines the practices that Kensington Primary School (KPS) has in place for the general collection, use and disclosure of photographs, video and recordings (“images”) of students to ensure compliance with the *Privacy and Data Protection Act 2014* (Vic). It also explains the circumstances in which KPS will seek parent/carer consent and how consent can be provided and/or withdrawn.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, 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.

PURPOSE

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and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.

GUIDELINES / IMPLEMENTATION

KPS 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, incursions, camps, assembly etc. We do this for many reasons including eg 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, google classroom and on classroom blogs/apps etc.

KPS 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 school leadership via email.

In addition to the processes outlined below, parents/carers can contact the school Office in writing by sending an email or letter 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- if the images have already been published and are in the public domain, it may not be possible for consent to be withdrawn for existing images only of new images being captured and used.
- The school can still collect, use and disclose images in circumstances where consent is not required
These include:

Official school photographs

Each year KPS 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 student data walls
- stored on CASES21 and Sentral for educational and administrative purposes.

KPS 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 school in writing, 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 KPS 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 including Sentral and Google Suites
- for display in school classrooms, on noticeboards etc...
- to support student's health and wellbeing, for example, photographs of students' with Anaphylaxis Plans

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

Parents will be reminded of the *Photographing, Filming and Recording Student's Policy* at the beginning of each 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
- in the school newsletter which is publicly available on the website.

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 KPS 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 using the *Media Release Form*. A DET template Media Cover Letter and a template Media Consent Form must be provided and signed by parents/carers. 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, KPS 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 parent/carer consent in writing using the DET template *Specific Event Cover Letter* and a template *Specific Event Consent Form*.

School performances, sporting events and other school approved activities

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

KPS 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.

KPS does not require or obtain consent from parents/carers or students to photograph, film or record students for these reasons. However, when KPS 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, where a school device is not readily available. 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.

RELEVANT RESOURCES (DET)

- School Policy and Advisory Guide/DET Policy Portal: [Photographing and Filming Students](#)

EVALUATION

This policy will be reviewed in 3-4 years or earlier as recommended by DET school policy review cycle.