Purpose
To explain to parents/carers how Maryborough Education Centre (MEC) will collect, use and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.

Scope
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 use of CCTV is covered in our Department of Education and Training (DET) CCTV policy.

Policy
This policy outlines the practices that MEC 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 It also explains the circumstances in which MEC will seek parent/carer consent and how consent can be provided and/or withdrawn.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, XUNO CASES 21) 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 community.

MEC 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, school productions, investiture, presentation evening, Energy Breakthrough etc. This is done 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, yearly magazine, facebook and MEC Website.

MEC 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 General Office by telephoning 5461 7900.

In addition to the processes outlined below, parents/carers can message the school via XUNO or email maryborough.ec@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 school or large group events [and make those recordings available to the school community through DVD sales etc], such as the school concert, school productions, whole school events, school fete, 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 MEC will arrange for a professional photographer to take official school photographs of students. This will generally involve 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
- stored on XUNO for educational and administrative purposes

MEC 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. Parents/carers who choose to opt-out of having their child participate must contact the school before the date photos are scheduled. 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 MEC may photograph, film or record students to use within the school community, including:
- in the school's communication, learning and teaching tools e.g. emails, classroom blogs or apps that can only be accessed by students, parents or school staff with passwords
- for display in school classrooms, on noticeboards, displays etc
- to support student’s health and wellbeing

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 website
- Instagram
- Facebook page
- in the school newsletter
- in the school annual yearbook (Mecazine)
- handbooks
- promotional advertising

MEC will notify parents/carers individually if we are considering using any images of their 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 MEC receives such requests it 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.

Where possible, 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. (Appendix A)

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, MEC 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
MEC 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.

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

Further information and resources
- School Policy and Advisory Guide: Photographing and Filming Students
This policy was ratified by School Council on Wednesday 28th November and will be reviewed as part of the school’s 3 year review cycle

Signed:

Paul Rumpff
School Council
President
Appendix A:

Dear Parents and Carers

Re: 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 the General Office by telephoning 54617900.

Kind regards

David Sutton
Principal
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 General Office by telephoning 54617900 or email maryborough.ec@edumail.vic.gov.au to do so.

Signature:_____________________________________________________________________

Name of parent/carer:______________________________________________

Contact number:_____________________________________________________

Date: ____________________
Photographing, Filming and Recording students at Maryborough Education Centre
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 newsletters and on classroom blogs/apps and facebook

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 5461 7900 or maryborough.ec@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 XUNO)
- for display in school classrooms, on noticeboards etc
- to support student’s health and wellbeing

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 – (including in the school newsletter which is publicly available on the website)
- on the school’s social media accounts
- in the school magazine
- Power point presentations in the library, at assemblies and in the General Office foyer

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 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).

**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**

Maryborough Education Centre 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.
I have read this form and I do not consent to Maryborough Education Centre 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)
- **Use in publications/locations that are publicly accessible** (eg on the school’s website, in the school’s newsletter) on the school’s social media accounts, in promotional material for the school)

*Note that you may choose to opt out of both or only one type of use.*

*Further information is available in the Maryborough Education Centre Photographing, Filming and Recording Students Policy*

| Name of Student |  
|----------------|---|
| Name of parent/carer |  
| Signature |  
| Date | __/___/______ |