



STUDENT IMAGES POLICY

1. BACKGROUND

At Abbotsford Primary School we recognise that photography and filming are useful learning and communication tools and that they are utilised in many ways. This includes record keeping, displays, lessons and student work, and student newsletters.

Children's photographs add colour, life and interest to school material and articles promoting school activities and initiatives. Making use of photographs in school materials and to promote the school within the broader community can increase student motivation and staff morale, and help parents/carers, other family members and the local community identify and celebrate the school's achievements.

However, photographs must be used in a responsible way. Schools need to respect children's and parents/carers' rights of privacy and be aware of potential child safety issues.

This Policy aims to:

- *Respect the privacy of individuals.* Photographs and video images of students and staff are personal information under the terms of the Privacy and Data Protection Act 2014. Using such images for school publicity purposes requires the consent of either the individual concerned, or in the case of students, their legal guardians.
- *Protect the safety and wellbeing of students.* There may be a risk when individual students can be identified in photographs, particularly where they are also identified by name. This policy seeks to minimise this risk by providing guidelines for how photographs and video images are used by the School.
- *Encourage and support students and their families in the responsible and safe use of social media.* Teaching children to stay safe when using the internet and to respect the privacy of others is a shared responsibility. This policy provides guidelines for the responsible and safe use of photographs and video images of children at school events.

2. CHILD SAFETY AND PRIVACY ISSUES

2.1 Photographs and video images are personal information protected by the *Privacy and Data Protection Act 2014*. Publication of images requires consent. In addition, publication on the internet needs to take into account the risk that, once published, there is a loss of control over how that image is used and it may not be possible to subsequently remove the image from the public domain. Including a student's name enables that image to be located by any person searching for that name.

2.2 Abbotsford Primary School recognises that individuals are entitled to the protection of their privacy and consent is required before their personal information is published.

2.3 Risks to a child's safety can occur when individual students are identified in photographs. Publishing the name and photograph of a student allows for the possibility of people outside the school identifying and then contacting students directly. Publication of images on the internet raises a potential risk of inappropriate use of images because of the lack of control over who might see the image and the wide extent of the misuse of the Internet by certain people.

3. APPROPRIATE USE OF IMAGES IN PUBLICITY MATERIALS

Application

3.1 The guidelines in this section apply to the use of photographs of children in publicity materials, including:

- School newsletters;
- School intranet;
- School website;
- Public displays, including in areas of the school to which the public has or may have access;
- Other material to which persons other than staff of the School, the child and their parents/carers have access.

3.2 These guidelines do not apply to

- Photographs taken or used for the purpose of the identification of children with known health issues e.g. allergies that may require urgent medical treatment; or
- Official school photographs.

Guidelines

3.1 Children will not be identified by name in photographs in publicity materials, particularly when they are used for publication to the broader community or in an electronic form.

3.2 Only photographs of children appropriately dressed should be used. This normally means school uniform. Care should be taken when using photographs of children participating in sports activities. The School will not use photographs of children participating in swimming events.

3.3 The School will not use the image of a child who is known to be the subject of a court order.

3.4 The School will obtain consent for the use of children's photographs, as set out in this Policy.

3.5 The School will ensure that:

- images are stored securely and used only by those authorised to do so;
- electronic images are stored on a secure network to which members of the public have no access;
- if student images are recorded on devices that belong to staff, they will be transferred to our school network and deleted from the devices.

4. USE OF IMAGES WITHIN THE SCHOOL

4.1 The School will seek the consent of parents/carers to use images of their child within the school, including on display boards in common areas. A copy of the consent form will be placed on the student file. Parents/carers may withdraw consent at any time in writing.

5. SCHOOL NEWSLETTER AND PUBLICATION OF IMAGES ON THE INTERNET/WEBSITE

5.1 The School Newsletter and school website is an opportunity to document and celebrate the activities and achievements of students. Children's photographs add colour, life and interest to the School Newsletter. They also enable our younger students and others with limited reading ability to see their achievements reflected in the newsletter.

5.2 The School Newsletter is distributed in printed form and by email to families of current students as well as prospective students. The newsletter is also emailed to subscribers and a link to the newsletter is published on the school website.

5.3 Photographs in the School Newsletter and photographs uploaded to the internet for the school website are to have specific consent for the image to be approved by the parent/carer. The parent/carer will be provided the image intended to be used as well as details regarding how it will be used. A separate consent form for each image will be required to be signed by parents/carers before the image is used in the School Newsletter and/or uploaded to the internet.

5.4 Only given names of students may be used in the School Newsletter. Given names of students will not to be linked to images uploaded to the internet.

6. PHOTOGRAPHING AND FILMING EVENTS

6.1 It is usual for parents, carers and other family members to take photographs and videos of children at school events such as school assemblies, the annual moon lantern festival, performing arts events, and sporting competitions.

6.2 We encourage all persons to model the behaviour we expect of our students, by respecting the privacy of others and in the safe and appropriate use of social media.

6.3 We acknowledge that social media can be a useful tool for keeping close friends and family up to date with you and your children's lives. However, particular care needs to be taken in using social media. Some useful guidelines in using social media are:

6.3.1 do not post any photographs or video images of children on **public** social media or other websites.

6.3.2 ensure your privacy settings are set appropriately.

6.3.3 share images of **your** children only.

6.3.4 ensure the images are appropriate and will not be embarrassing for the child (either now or in the future).

6.3.3 only share images of children with those specific friends or family members that you want to be able to see those images. Most social media sites enable you to distinguish between close friends, family and other.

6.4 On occasions, the school may arrange for an event such as a school production to be filmed. The school will inform parents where arrangements have been made for a commercial photographer to film such an event. Where a commercial photographer is used, the school will follow the guidelines which are as follows:

- The school will provide a clear brief about what is considered appropriate in terms of content and behaviour;
- The school will issue the photographer with identification which must be worn at all times;
- The school will let parents and children know that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films and photographs;
- The school will not allow unsupervised access to children or one-to-one photo sessions at home;
- The school will not approve / allow photo sessions outside the event or at a child's home.

6.5 If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the Principal who would report them in the same manner as any other child protection concern.

7. PARENTAL CONSENT

Abbotsford Primary School will seek the consent of parents / guardians regarding the use of photographs of children. The consent will include agreement on how and where the photographs will be used, and how to withdraw consent.

10. COMPLAINTS ABOUT PRIVACY

Should the school receive a complaint about personal information privacy this will be investigated in accordance with Department of Education's Privacy Complaints Handling Policy.

11. IMPLEMENTATION

The School's Information Privacy Policy will be provided to anyone who requests a copy. It will also be available on the public pages of the School website.

12. EVALUATION

This policy was ratified by the Abbotsford Primary School Council in December 2017.

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

ATTACHMENT A

Who can provide consent?

If you are or the Student and you are under 18 years of age and not considered a mature minor – one of the following people can provide consent (whichever is applicable in the individual circumstances):

- person who has parental responsibility for "major long term issues" as defined in the *Family Law Act 1975* (Cth)
- a person appointed as "guardian" pursuant to the *Children Youth and Families Act 2005* (Vic)

Where neither of the above people are available or cannot be contacted, consent may be obtained in the following ways:

1. Court Appointed Guardian

If you or the Student have a person appointed as a "guardian" pursuant to the *Guardianship and Administration Act 1986* (Vic), the guardian can provide consent.

2. Informal Carer

An Informal Carer is a relative or other responsible adult with whom the Student lives, and who has day to day care of the Student. See the School Policy Advisory Guide for information on informal carers:

<http://www.education.vic.gov.au/school/principals/spag/participation/Pages/admission.aspx>.

It is important to note the following:

- The informal carer should provide an Informal Relative Carer Statutory Declaration to confirm their status as an informal carer. A copy of this statutory declaration can be obtained from <http://www.ccyp.vic.gov.au>.
- If a person with parental responsibility for major long term issues and/or a person granted guardianship can subsequently be contacted, their consent should be sought.
- If a person with parental responsibility for major long term issues and/or a person granted guardianship subsequently refuses or withdraws consent, their decision prevails, and the consent and authority under this form will cease immediately.

3. Mature Minor Students

If you are or the Student is under 18 years of age but is considered a mature minor, he/she/they is able to provide their own consent. See the School Policy Advisory Guide for information on mature minors at:

<http://www.education.vic.gov.au/Pages/default.aspx>

4. Persons who are eighteen years of age or older

If you are or the Student is 18 years of age or older – he/she/they is able to provide their own consent unless the Student is subject to a court order.

*The above methods of consent apply in situations where parents are **divorced or separated**, or when the **Student is not living with a parent, or a parent cannot be located**.*

What happens if a new partner of a parent or a de-facto wants to provide consent?

Only a person with parental responsibility, a legal guardian or informal carer can provide consent. A new partner or de-facto partner of a parent cannot provide consent.

What will the School do with consent forms?

All consent forms are retained by the School to demonstrate consent was appropriately given.

For other information about retention of personal information see the School's Information Privacy Policy located at www.abbotsfordps.vic.edu.au