

## Purpose

To explain to parents/carers how *Mildura Senior College and Mildura English Language Centre (College)* 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and disclose photographs, video and recordings of students, how parent/carer consent can be provided and how it can be withdrawn.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 College’s CCTV policy.

## Policy

This policy outlines the practices that College 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also explains the circumstances in which College will seek parent/carer consent and how consent can be provided and/or withdrawn.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.

The College 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.

The College will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our College’s Child Safety policies. If at any time a parent/carer or student has a concern about the use of any images they should contact their student’s Sub School Leader or Assistant Principal.

In addition to the processes outlined below, parents/carers can contact their student’s Sub School Leader or Assistant Principal 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 College will record whole of school or large group events and make those recordings available to the school community through DVD sales etc., such as Debutant Dance & VCE Ball, and if your child participates, they may appear in these recordings which will be available to the whole school community.
- The College can still collect, use and disclose images in circumstances where consent is not required (see below for more information).

## Official school photographs

Each the College will arrange for a professional photographer to take official school photographs of students. This will generally involve:

- **Mildura English Language Centre:** Whole school group photo & individual student photos.
- **Mildura Senior College:** Yr12 group photo & individual student photos.

Official school photographs may be:

- Purchased by parents/carers
- Used for school identification cards

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- Stored on CASES21 for educational and administrative purposes.

The College 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 their student's Sub School Leader or Assistant Principal, 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 *Mildura Senior College and Mildura English Language Centre (College)* may photograph, film or record students to use within the school community, including:

- In the school's communication, learning and teaching tools that can only be accessed by students, parents or school staff with passwords e.g. Compass etc.
- For display in school classrooms, on noticeboards, art exhibitions & performances, etc.
- College's newsletter.
- To support student's health and wellbeing (e.g. photographs of pencil grip to assist in OT assessments)

### 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 College's website or newsletter.
- On the College's social media accounts – Facebook & Instagram.
- In the College's annual magazine.
- Art exhibitions or performances.
- Promotional purposes, such as Open Day, sporting events, VCE/VET/VCAL results and ceremonies.

In addition, the college may use student work to promote the college, or as a resource for MSC or VCAA publications.

#### Annual Consent

An annual *Use of Student Names, Images & Work Samples* consent form is completed as part of the College's Student Enrolment documents at the start of each school year or upon enrolment if students enrol during the school year. The College will also provide advance notice to parents/carers of an upcoming community events through either Compass or a note sent home with the student.

The annual consent covers *Use of Student Names, Images & Work Samples* both within and outside of the school community. 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 College receives such requests it will:

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- 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, the College 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**

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

The College 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.

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

Where possible, staff should use a College owned camera or work device to take photographs, video or other recordings ("images") of students. However, 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 College's database and delete the images from their personal device within a week of the images being captured.

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All staff must ensure that photographs, video or other recordings ("images") of students are managed carefully to ensure that images are used consistently with this policy and in a reasonable and appropriate manner.

Resources

This policy should be read in conjunction with the following Department polices and guidelines:

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

The following College policies are also relevant to this policy:

- 1.04 Child Safety Reporting Obligations Policy & Procedures
- 1.05 Child Safety Policy
- 1.06 Child Safety Code of Conduct
- 1.07 Child Protection Officers Register
- 1.11 Digital Technologies
- 1.12 Duty of Care Policy
- 1.42 CCTV policy
- College’s Student Enrolment form

Review and Evaluation

<i>Ratified by:</i>	<i>SOP</i>	<i>Ratified date:</i>	<i>11.06.2020</i>
<i>Document Owner:</i>	<i>Business Manager</i>	<i>Reviewed date:</i>	<i>11.06.2023</i>
<i>S:\Admin\Policy Docs\Policy Register</i>		<i>Review Cycle:</i>	<i>Every 3 Years</i>
<i>Principal Approval:</i>			