



HIGHVALE PRIMARY SCHOOL

Photographing and filming policy

Ratified by School Council: November 2012

Review date: November 2015

Rationale

We live in an age in which digital technology has vastly increased the use of photography. We have taken the view, that the risk of photos/video footage of children being targeted for misuse is unlikely. To that end reasonable steps are taken to inform families in the use of photos/filming in a 'common-sense' framework, as the school understands that photographs and videos are often used as precious historical records in the growth and development of their child. The school does, however, maintain the right to prohibit recording of student images at its discretion.

The following guidelines are informed by the DEECD School Advisory and Policy Guide.

Issues of Consent

Photographs, video or digital images of a student are considered "personal information" and therefore their use and disclosure are governed by the *Information Privacy Act 2000* (Vic) (IP Act) and the Information Privacy Principles contained within it. Photographs, video and digital images of students may also contain copyright, and therefore may also be governed by the *Copyright Act 1968*.

As it is likely that there will be a number of occasions during a pupil's school life when the school may wish to photograph or video that pupil, consent is sought when the pupil starts at the school, to last for the duration of their stay.

A signed consent form, is obtained at the beginning of every school year from the child's parent/guardian, and kept on file, covering all cases where images of children are to be published beyond the parameters of school use. Consent gained is for photographs, videos and the website. Parents retain the right to withdraw consent at any stage, but they need to do so in writing.

This policy should be read in conjunction with the Privacy Policy. Should there be any conflict or discrepancy with the Photograph and filming policy, the Privacy Policy must take precedence.

Planning Photographs of Children

Images and details of pupils published together allow for the remote possibility that people outside the school could identify and then attempt to contact pupils directly. The measures described below should help to minimise the risk of such unsolicited attention.

The use of images of children in suitable dress, and taking care when photographing PE or swimming events to maintain modesty.

Children can be identified by logos or emblems on sweatshirts etc. Depending on the use to which the photograph will be put, consideration will be given to airbrushing logos.

Only use the first name of the student and the last letter of their surname.

Using Photographs of Children Supplied by a Third Party

Copyright does not apply to images for private family use. However, copyright does exist in commercial photographs and it rests with the photographer. Copyright is a right that the photographer automatically enjoys as the creator of the work to prevent other people exploiting his or her work and to control how other people use it. Before using a photograph supplied by a third party we check that the third party owns the copyright in the photograph and obtain their written permission to use it. The use of a photograph by the school, without the copyright owner's permission could result in an action being taken against us for copyright infringement. Images downloaded from the Internet are also subject to copyright. Third Parties will generally be under the same obligations as the school to obtain

parental consent to the use and distribution of photographs. The school will therefore ask the third party to guarantee that all relevant consents have been given and that they are entitled to provide you with the image.

Use of Images of Children by the Press

There may be occasions where the press take photographs of pupils at the school. A consent form will be sent to parents at the beginning of each year so that they can make a decision about whether to agree to their children being featured in the press. The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. However, given our responsibility to parents and pupils, to ensure that broadcasters and press photographers we may be chaperoning on school premises are aware of the sensitivity involved in detailed captioning, one to one interviews, and close or sports photography.

School Prospectuses and other Literature

Although most school literature is sent to a specific audience, the school will avoid using personal details or full names of any child in a photograph.

Videos

The school ensures it has parental consent before any child can appear in a video at the beginning of each year. Unless otherwise advised, parents and guardians may make video recordings of events for their own personal and family use.

Websites

This is an area that gives particular concern to parents because of the potential misuse of images. With digital recording there is the possibility that images of children could be produced, manipulated, and circulated, without the parents or children's knowledge. The dual concern which follows such a risk is that children might be exploited, and a school might be criticised or face action. The school reviews and updates images on the School website annually. The school takes care with identification, and to respect parental views on the use of any photography of children on a website.

Parental right to take photographs

Parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of a school event). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film. Data Protection considerations aside, the principal may prohibit all filming / recording / photography of school productions, sports days etcetera if necessary. Whilst acknowledging that such action would be difficult to enforce, there may be times when this is requested.

The important thing is to be sure that people with no connection with the school do not have any opportunity to film covertly. Staff are required and parents encouraged to report any suspicious behaviours to the principal or acting principal immediately.

The Storage of Photographs

Photographs will be maintained securely for authorised school use only, and disposed of either by return to the child, parents, or shredding as appropriate.

Official School Photographs

Schools will periodically invite an official photographer into school to take portraits/photographs of individual children and/or class groups. When considering such an activity the school will undertake their own risk assessment in terms of the validity of the photographer/agency involved and establishing what checks/vetting has been undertaken. The professional photographer engaged by the school must sign a Confidentiality Deed prior to being permitted to take school photographs.

Responsibility and Evaluation:

School Council will regularly review its policy and procedures to effectively address photographing and filming as part of its cyclic policy and procedures review schedule.