

### Rationale

- 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* (Cth) (Copyright Act). To comply with these Acts, consent will generally be required from parents/guardians before schools can collect and use student photographs and film.

### Purpose

- To ensure the collection and use of student photographs and/or film in the school protects the personal information of individuals and respects the individual’s right to control how and for what purpose their personal information is used.
- To ensure Newport Gardens Primary School complies with DET policy and guidelines.
- To ensure the school complies with the legislative requirements of the *Copyright Act 1968* and the *Privacy and Data Protection Act 2014*.

### Implementation

- The school will
  - advise parents/guardians when photographs and / or film are to be taken and how they will be stored and used
  - provide parents/guardians with the choice to withhold or withdraw consent for their child to be photographed or filmed
  - control and manage how and when others collect and publish photographs and/or film of students
  - obtain parents’/guardians’ permission before student photographs and/or film are published
  - consider whether to allow parents/guardians to photograph or film their children participating in school events or performances.
- The school will advise parents/guardians about
  - whether or not the school arranges for individual and classroom photographs to be taken each year; and then detail the notification, consent and publication procedures and protocols the school will follow
  - the collection, use and disclosure of other school photos, video, film and digital images that may be taken by the school from time to time
  - whether the school permits the media to take photographs and film of the students and the notification, consent and publication procedures and protocols that the school will follow
  - whether the school permits parents/guardians and students to record school performances, school activities and other school approved activities
  - whether the school uses CCTV footage and the use, purposes and possible disclosures of this footage
  - the school’s position about the collection, use and disclosure of photographs, video, film, and digital images by third parties.
- The school may choose to develop a number of consent forms, such as a:
  - Specific Consent Form for School Photographs: for when a photographer takes individual or class photographs that are later sold to parents
  - General Consent Form: for the collection and use of photographs, video, film and digital images that are taken by the school for use in newsletters, school magazine, on the intranet or within the school
  - Specific Consent Form: for the collection and use of photographs, video, film and digital images for use in circumstances not covered by the above or in circumstances which are unique or different
- The school will ensure that a professional photographer engaged by the school signs a Confidentiality Deed prior to being permitted to take school photographs.
- This policy will be regularly communicated to the parents/guardians and students.

- For further information please go to the web reference below.  
**Evaluation**
- This policy will be reviewed as part of the school's three-year review cycle or if guidelines change (latest DET update mid December 2013).

This update was ratified by School Council on August 16<sup>th</sup> 2016

Reference:

[www.education.vic.gov.au/school/principals/spag/safety/pages/photosandfilm.aspx](http://www.education.vic.gov.au/school/principals/spag/safety/pages/photosandfilm.aspx)