



# Photographs, Videos & Digital Images of Students Policy

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This policy applies to: The Administrator, teaching staff and non-teaching staff.

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## **PHOTOGRAPHS, VIDEOS & DIGITAL IMAGES OF STUDENTS POLICY**

The School's privacy policy covers the use of information gathered by the school. However, the use of some forms of information, notably the linking of the name of a student to a photograph, video and/or digital image, requires consideration of other issues, in particular child protection.

Our school publishes newsletters and magazines, in print form and, increasingly, we are using electronic publishing through the school's website. Because these publications often include photographs of students, we seek explicit approval from parents to use such photographs. Such permission is sought at enrolment through a pro forma that requires parents to make a clear statement of their wishes. It has been decided that a student's full name should not be used in conjunction with a photograph in any publication that will be freely available beyond the school community. (In some cases individual parents write and publish articles that included their own child's picture with the full name. Parent's will be counselled against doing this.)

### **RELATED LEGISLATION**

- Information Privacy Act 2000
- Copyright Act 1968 (Cth)

### **RELATED POLICIES**

- Privacy Principles
- Safeguard of Students

### **PROCEDURE**

Photographs, video or digital images of a student are considered “personal information” and therefore their use and disclosure are governed by the Privacy 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).

The following matters will be considered when publishing photographs which illustrate an article on student achievement:

- The nature of the photograph, e.g. of a swimming carnival or a photograph of a student in full uniform.
- The age of the students in the photograph.
- Whether there are reasons, linked to a student's circumstances that mean he/she should not be identified.

### **Consent and rights of access to the personal information of students**

The School respects every Parent's right to make decisions concerning their child's education. Generally, the School will refer any requests for consent and notices in relation to the personal information of a student to the student's Parents. The School will treat consent given by Parents as consent given on behalf of the student, and notice to Parents will act as notice given to the student. Parents may seek access to personal information held by the School about them or their child by contacting the Administrator. However, there will be occasions when access is denied. Such occasions would include where release of the information would have an unreasonable impact on the privacy of others, or where the release may result in a breach of the School's duty of care to the student.

### **How will the School use the personal information you provide?**

The School will use personal information it collects from you for the primary purpose of collection, and for such other secondary purposes that are related to the primary purpose of collection and reasonably expected by you, or to which you have consented.

**COLLECTION, USE AND DISCLOSURE BY THIRD PARTIES**

The School has a degree of control over the collection of photographs, video and digital images by third parties during school hours and at school approved activities.

This table summarises what documentation is required to enable third parties to collect photographs, video and digital images in these circumstances.

<b>Third party</b>	<b>Documentation required</b>
Parents / guardians	<ul style="list-style-type: none"> <li>• School policy</li> </ul>
Students	<ul style="list-style-type: none"> <li>• School policy</li> </ul>
School photographer	<ul style="list-style-type: none"> <li>• School policy</li> </ul>
Other professional photographer	<ul style="list-style-type: none"> <li>• School policy</li> <li>• Specific consent form</li> <li>• Confidentiality Deed</li> </ul>
Media	<ul style="list-style-type: none"> <li>• School policy</li> <li>• Specific consent form</li> </ul>

## REFERENCES

AISWA – Privacy Policy Guidelines

Available: <https://www.ais.wa.edu.au>

AISWA – Use of Photographs Guidelines

Available: <https://www.ais.wa.edu.au/index.cfm?view=member&partof=114&fID=173>

Australian Privacy Principle & Privacy Amendment (Enhancing Privacy Protection) Act 2012

Available: [http://www.austlii.edu.au/au/legis/cth/num\\_act/pappa2012466/sch1.html](http://www.austlii.edu.au/au/legis/cth/num_act/pappa2012466/sch1.html)

National Catholic Education Commission and Independent Schools Council Of Australia Privacy Compliance Manual

Available: <https://www.ais.wa.edu.au>