



Photographing, Filming and Recording Students at Burwood East Special Developmental School (BESDS)

Annual Consent Form and Collection Notice



Help for non-English speakers

If you need help to understand the information in this policy, please contact school on 03 9803 4590.

During the school year there are many occasions and events where staff may photograph, film or record students participating in school activities and events. We do this for many reasons including to collect evidence of students' improved learning outcomes, celebrate student participation and achievement, showcase particular learning programs, document students' learning journey/camps/excursions/sports events and communicate with our parents/carers and school community in newsletters and website.

This notice applies to photographs, video or recordings of students that are collected, used and disclosed by the school. We ask that any parents/carers or other members of our school community photographing, filming or recording students at school events do so in a respectful and safe manner and that any photos, video or recordings ("images" of students are not publicly posted (eg to a social media account) without the permission of the relevant parent/carer.

If you do not understand any aspect of this notice, or you would like to talk about any concerns you have, please contact our school on 03 9803 4590 or burwood.east.sds@education.vic.gov.au.

A. Use or disclosure within the school community

Unless you tell us otherwise below, images of your child may be used by our school within the school community, as described below.

Photographs, video or recordings of students may be used within the school community in any of the following ways:

- in the school's communication, learning and teaching tools (for example, emails, apps that can only be accessed by students, parents/carers or school staff with passwords such as Compass)
- for display in school classrooms, on noticeboards etc.
- to support student's health and wellbeing (eg photographs of pencil grip to assist in OT assessments)

B. Use or disclosure in publications/locations that are publicly accessible

Unless you tell us otherwise below, photographs, video or recordings of students may also be used in publications that are accessible to the public, including:

- on the school's website including in the school newsletter which is publicly available on the website
- end-of-year school magazine

Your child may be identified by first name only in these images (or not named at all).

We will notify you individually if we are considering using any images of your child for specific advertising or promotional purposes.

Privacy

Photographs, video and recordings of a person that may be capable of identifying the person may constitute a collection of 'personal information' under Victorian privacy law. This means that any images of your child taken by the school may constitute a collection of your child's personal information. The school is part of the Department of Education and Training (**the Department**). The Department values the privacy of every person and must comply with the *Privacy and Data Protection Act 2014* (Vic) when collecting and managing all personal information. For further information see [Schools' Privacy Policy](http://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx) (<http://www.education.vic.gov.au/Pages/schoolsprivacypolicy.aspx>).

Ownership and Reproduction

Copyright in the images will be wholly owned by the school. This means that the school may use the images in the ways described in this form without notifying, acknowledging or compensating you or your child.

Opt Out

BESDS understands that parents and carers have the right to withhold permission for our school to use photographs, video or recordings of your child (apart from circumstances where the school is not required to seek consent – see *our Photographing, Filming and Recording Students Policy* attached).

If you have read this notice and are comfortable with the school using photos, video or recordings of your child as described above, you do not need to take any further action.

However, if you have decided that you **do not** want images of your child to be collected or used by our school, **please complete the form below** and return it to school. Please note that it may not be possible for the school to amend past publications or to withdraw images that are already in the public domain.

I have read this form and I **do not consent** to BESDS using photos, video or recordings of my child (named below) to appear in the following ways:

- Use within the school community** (eg in the school's communication, learning and teaching tools, on display around the school)
- Use in publications/locations that are publicly accessible** (eg on the school's website including publicly accessible school newsletter, on the end-of-year school magazine, on in promotional material for the school)

Note:

- *You may choose to opt out of both or only one type of use.*
- *It may not be possible for the school to amend past publications or to withdraw images that are already in the public domain.*

Further information is available in the BESDS Photographing, Filming and Recording Students Policy attached.

Name of Student	
Name of Parent/Carer	
Signature	
Date	___ / ___ / _____



Photographing, Filming and Recording Students Policy



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PURPOSE

To explain to parents/carers how Burwood East Special Developmental School (BESDS) 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).

POLICY

This policy outlines the practices that BESDS 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 BESDS 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.

BESDS will ensure that parents/carers are notified upon enrolment and at the end 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 collect evidence of students' improved learning outcomes, celebrate student participation and achievement, showcase particular learning programs, document students' learning journey/camps/excursions/sports events and communicate with our parents/carers and school community in newsletters and website.

BESDS will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our school'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 school on 03 9803 4590.

In addition to the processes outlined below, parents/carers can contact school in writing by sending an email to burwood.east.sds@education.vic.gov.au 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 school will record whole of school or large group events, such as the school incursions, sports events, end-of-year family event etc. and if your child participates, they may appear in these recordings which will be available to the whole school community.

The school can still collect, use and disclose images in circumstances where consent is not required (see below for more information).

Official school photographs

Each year BESDS will arrange for a professional photographer to take official school photographs of students. This will generally involve both class photos and individual photos being taken.

Official school photographs may be:

- purchased by parents/carers
- used for school identification cards
- stored on CASES21 for educational and administrative purposes.

BESDS 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 school 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 BESDS may photograph, film or record students to use within the school community, including:

- in the school's communication, learning and teaching tools (for example, emails, apps that can only be accessed by students, parents or school staff with passwords such as Compass)
- for display in school classrooms, on noticeboards etc.
- to support student's health and wellbeing (eg photographs of pencil grip to assist in OT assessments)

An Annual Consent Form and Collection Notice will be distributed to parents/carers on enrolment and also at the end of each school year in preparation for the following year's school activities.

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 school's website including in the school newsletter which is publicly available on the website
- end-of-year school magazine

The Annual Consent Form and Collection Notice also covers these types of uses and will be distributed to parents/carers on enrolment and also at the end of each school year in preparation for the following year's school activities. 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 school receives such requests BESDS will:

- 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, BESDS 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

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

BESDS 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.

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

BESDS school 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 school database and delete the images from their device within a week of the images being captured.

COMMUNICATION

This policy will be communicated to our school community in the following ways:

- Annual reminders at the end of school year in the consent pack for the following year
- Available publicly on our school's website (or insert other online parent/carer/student communication method)
- Included in staff induction processes and staff training
- Included in staff handbook/manual
- Discussed at staff briefings/meetings, as required
- Included in transition and enrolment packs
- Hard copy available from school administration upon request

FURTHER INFORMATION AND RESOURCES

- the Department's Policy and Advisory Library: [Photographing, Filming and Recording Students](#)

POLICY REVIEW AND APPROVAL

Policy last reviewed	October 2022
Approved by	Principal 25/10/2022
Next scheduled review date	2025