

Photography, Video and Other Recordings

The Hazard - Photography, Video & Other Recordings

This policy applies to photography, video and other recordings taken on College premises or at College-related events and activities held on or off College premises.

With technological developments, the taking and use of photographs, videos and other recordings of students while participating in College-related activities has become an inseparable part of education and social development.

The College has a duty of care and privacy obligations to manage the taking and use of photography, video and other recordings by:

- St Joseph's College staff and College affiliates
- parents/guardians
- media and other third parties
- students
- commercial or professional photographers/videographers.

St Joseph's College's Policy

St Joseph's College is committed to maximising the educational and social benefits of photography, video and other recordings while taking all reasonably practicable steps to manage the risks to student safety and wellbeing arising from the inappropriate taking and use of photos, videos and other recordings.

It is our policy that:

- the College takes all reasonably practicable measures to manage the ability and access of all persons to take photos, videos or other recordings of students on College premises or at College-related activities and events
- the College takes all reasonably practicable steps to obtain the consent of relevant parents/guardians in taking, using, and publishing photos, videos and other recordings of students
- the type of consent sought from parents/guardians for the collection and use of photos, videos and other recordings of their children depends on the use to which the photos, videos or other recordings are to be put
- College staff supervise and manage the taking of photos, videos and other recordings by students of other students while on College premises and at College-related activities and events
- the College addresses parents/guardians taking and publishing photos, videos and other recordings of students at College-related activities and events, through ongoing communication and education
- the College manages the risks to privacy by professional photographers and videographers through contractual undertakings
- the College communicates and educates students in the safe and respectful taking and use of photos, videos and other recordings
- photos, videos and other recordings taken by and for the College are stored in accordance with the College's **Records Management** policy
- the College reserves the right to decide whether a particular person has the right to take photos, video or other recordings on College premises or at College-related activities and events.

Consent

The consent required from parents/guardians to the taking and use of photos, videos and other recordings of a student will vary depending on the context and purpose of the photography or video recording.

Initial permission is provided on signing the enrolment offer, where parents/guardians are provide permission for their child's photograph/video/other recording and name to be published.

Then annually an Operoo consent is sent to parents/guardians seeking consent for the College take and use photographs, videos and other recordings of their child.

Operoo Consent Form

The College works with parents/guardians to provide information about and gain consent for the use of photographs and videos of students which may be taken by College staff or approved external providers. Consent forms given to parents/guardians

Seek consent for the College to use their child's photograph, video or other recording:

- on the College website and on the College social media sites
- in materials promoting the College including advertising materials
- in newspapers and other media to promote the College's activities
- in material available free of charge to schools and education departments around Australia for the College's and Edmund Rice Education Australia's promotional, marketing and media
- in material available free of charge to schools and education departments around Australia under the National Educational Access Licence for Schools (NEALS), which is a licence between education departments of the various states and territories, allowing schools to use licensed material wholly and freely for educational purposes.

See **Photography/Video Consent Form**.

Refusal or withdrawal of Consent

Should a parent/guardian refuse or wish to withdraw consent to their child's photograph/video /other recording appearing in any or all of the publications above, or if they wish to withdraw the authorisation and consent, it is the parent/guardian's responsibility to notify the school.

If a parent/guardian does not consent to having their child photographed, videoed or otherwise recorded the College takes all reasonably practicable steps to ensure that the student is not photographed/videoed/otherwise recorded, or if that is not reasonably practicable, then that they are not identified in photos/videos/other recordings.

The College utilises the photo management software package "Schoolbench" to manage and securely store photos of students. Schoolbench uses facial recognition to assist with identifying student images and allowing the College to link photo permissions for each student to their image. The images and metadata information related to these images are stored securely within the College firewall and cannot be accessed or searched external to the College network. Schoolbench is only accessible to St Joseph's College staff. Any updates to a student's photo permission will be updated via SIMON which will allow Schoolbench to restrict the use of their image.

Students also have the right, at any time, to request to not appear in photographs at the time they are taken, even if they have previously provided permission. If a student has previously provided permission but would prefer not to have his photo taken at a particular event, or for any purpose, they can inform the photographer and can 'step out' of that photo without having to withdraw their entire permissions. If there is a shot taken that they are not happy with they can also request that photo be removed from the College photo library without having to withdraw their entire permission.

Curricular and Related Educational Activities

Consent is obtained from the parent/guardian via the enrolment application process, to the use of photos, videos and other recordings of the student in the course of providing educational services.

Internal Publications

Where images of students are to be used in the normal course of college life in College newsletters, on the intranet, and within the College this will be covered by the general collection notice and consent given at enrolment.

The consent and permissions provided by parents/guardians are updated yearly via an Operoo consent form.

Should issues arise where a parent/guardian does not consent to the use of their child's image, the College will take all reasonably practicable steps to not include the student's image.

Where the student's image is part of a large group of students, consideration will be given to varying the caption to either not include names, or only including the first names of the students in the image.

External Publications

The College seeks specific consent from parents/guardians prior to including the student's image in any external publication. This includes consent for College magazines or websites which are available to the public.

Media

The College seeks specific consent from parents/guardians prior to any contact with the media for the purposes of photos or videos of the student.

Promotional Use

The College will seek specific consent from parents/guardians prior to using any images of students for promotional purposes. The request for consent will include details of where the images will be placed and the context in which they will be used.

Court Orders and Children under Guardianship

Where students at College are under court orders or protection (including guardianship/foster arrangements, care and protection orders or witness protection programs), consent may also need to be obtained from third parties for external publications for promotional use.

College will approach any relevant third parties as part of gaining consent using the **Photography/Video Consent Form**.

Copyright and Students' Work

Where the College wishes to publish a student's work, consideration may need to be given to any copyright the student may have in that work. Consent may need to be obtained under the Copyright Act 1968 (Cth) before the work may be published.

Photography/Video by External Commercial or Professional Parties

The College takes all reasonably practicable steps to manage and control the taking of photos or videos of its students by external parties, and their access to College premises, College-related activities and events, and students.

Where the College hires professional photographers/videographers, the College will set terms and requirements including written confidentiality undertakings and securing the ownership of photos and videos. If ownership cannot reasonably be obtained, the College will negotiate terms of use with the external party/parties to manage the safety and privacy of students and staff.

The College will seek consent from parents/guardians prior to college/class photos being taken. The College will advise parents/guardians prior to College-related events being recorded.

Photography/Video by Students

The College supervises and manages students taking photos and videos of each other for educational purposes.

The College educates students on the safety risks of publishing personal information, and the importance of privacy, consent, and showing respect for each other in their use and control of photos and videos.

Disciplinary action may be taken where students have knowingly breached these conditions.

Photography/Video by Parents/Guardians

The College acknowledges that parents/guardians will want to take photos/videos of their children while they are engaged in College-related activities, and that in practical terms, the College may not be able to control when images are taken and how they are used. However, the College will communicate with parents/guardians on an ongoing basis to ensure they understand the risks of publishing the photos and videos and how to best protect the students' safety and privacy.

Suspicious Activity

Where a teacher, student or member of staff notices behaviour which may be criminal, or may endanger the health or wellbeing of a student, they must report the behaviour immediately to the Principal.

Suspicious/criminal behavior may include:

- people taking photographs in sensitive places, such as change rooms and bathrooms
- indecent photography such as 'upskirting'
- voyeuristic or 'peeping tom' behaviour, which includes people taking photos surreptitiously.

The Principal will take appropriate action in response to a report, which may include disciplining persons who are members of the College community, or reporting the matter to the Police or relevant authorities.

Publishing Photos or Videos

The College will follow these general guidelines when using and publishing photos or videos in print and online publications:

- photos/videos of a student will only be used where we have permission of the parent/guardian
- where appropriate, we will not identify any student in the photos/videos published
- where there are photos which may potentially be misused (for example, photos of students at gymnastics or swimming events), the College will take steps to ensure only appropriate images or videos are published.

Record Keeping

St Joseph's College has an obligation to comply with both jurisdictional privacy laws and the Privacy Act 1988 (Cth). A photograph or video is a form of personal information (a record) which must be managed according to our **Privacy Policy** and **Records Management** policy.

The College will maintain a record of photographs and associated consent forms (with applicable dates) to ensure that consent has been received for a particular use. Where reasonably practicable this will include a record of the image.

Implementation

This policy will be implemented through training and the publication of information for parents/guardians.