



Covenant  
Christian School  
*All knowledge through Christ*

## Collection, Use and Disclosure of Images of Students Policy

## RATIONALE

At Covenant Christian School the safety and privacy of our students is a priority. This means having clear, concise and enforced processes and protocols for everyone to follow around the use and publication of 'images' of students at school or at school-related activities/events.

## PURPOSE

To explain to our school community how Covenant Christian School ('the School') will collect, use and disclose photographs, video and recordings of students, and how parents/carers consent can be provided and withdrawn.

## SCOPE

This policy applies to the general collection, use and disclosure of photographs, video and recordings ('images') of students, with or without sound and whether stored/transmitted electronically or as a hard copy. They may be taken whilst at school or at school-related events/excursions, and may be captured by employees of the School or delegated third parties. It does not cover the use of Closed Circuit Television (CCTV).

## POLICY

This policy outlines the practices that the School has in place for the collection, use and disclosure of images of students to ensure compliance with the *Privacy Act 1998* and the Australian Privacy Principles (APPs). It also explains the circumstances in which the School will seek parent/carer consent and how consent can be provided and/or withdrawn. Whilst these regulations will always guide our actions, it is hoped that common sense and goodwill will be applied by all parties.

As a general rule, *use* of images relates to images which are shared and distributed only within the school for school purposes, i.e. the school management system (Edumate), whilst *disclosure* of images is where images are shared and distributed outside of school staff and are available to other students, parents/carers and the wider school community.

There are many occasions during the school year where staff may take images of 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 celebrate student participation and achievement, showcase particular learning programs, document a student's learning journey/camps/excursions/sports events, communicate with our parents/carers and school community in newsletters and the yearbook, etc.

The School will use student images reasonably, appropriately and sensitively, consistent with our obligations under the relevant legislation. If at any time a parent/carer or student has a concern about the use of any images they should contact the Privacy Officer via the Office.

In addition to the processes outlined below, parents/carers can complete the *Consent Form for the Publication of Images of Students* (see Appendix 1) to change or 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; where images are able to be removed by the School, the School will take reasonable steps to do so.
- There may be occasions when the school will record whole of school or large group events, such as the school concert, and if your child participates, they may appear in these recordings which will be available to the whole school community to purchase or available on a closed digital file-sharing platform.
- The school can still collect, use and disclose images in circumstances where consent is not required (see below for more information).

Whilst we have previously used an 'opt-out' approach in regard to images, we now require parents and students over the age of 15 to 'opt-in'. This leads to the overall principle which underlies this policy, namely that the School will never use an image of any child unless that level of permission has been received in writing, and that permission must be based on a full understanding of the context and purpose of the photograph. Students over the age of 15 may give or withdraw their consent for how their images are used. Students over 15 may also consent in the collection by participation. For example, a 15 year old who participates in a photograph could be deemed to have consented to its collection if it has been explained to the child what the purpose of the collection is for.

Students may be asked to stand aside for photography or filming where consent has not been granted, to ensure the child is not inadvertently included.

### Official school photographs

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

Official school photographs may be:

- purchased by parents/carers
- used by the school for the school yearbook, newsletter, website, etc
- used for school identification on the school management system (Edumate)
- stored for educational and administrative purposes.

The School 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 the Office before the 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.

However, as part of our duty of care, we require a photograph of your child upon enrolment, and this image will be updated annually (via the official school photographs). If you have chosen to opt-out of the official school photographs, you are required to provide a recent (less than 6 months old) portrait image of your child for our records.

## CONSENT FOR THE USE AND DISCLOSURE OF IMAGES

The annual *Consent Form for the Publication of Images of Students* and the *Standard Information Collection Notice* covers **all** the uses below, and will be distributed to parents/carers on enrolment and at the end of each year in readiness for the following school year.

### ***1. Images for use and disclosure inside the school community - School Use***

From time to time the School may photograph, film or record students for use within the school community, including:

- portfolios, progress reports, artwork, class specific activities
- for display in school classrooms, on noticeboards etc
- for class specific events (e.g. Kindergarten's first day of school)
- to support student's health and wellbeing (e.g. photographs of pencil grip to assist in OT assessments)

## *2. Images to be used or disclosed outside the school community*

### *a) External use or disclosure by the school – Printed Internal Publications*

From time to time the School may photograph, film or record students for use in printed internal publications (e.g. yearbook). Whilst these publications are primarily intended for use by our school community, there are times when these will be available for viewing by prospective families visiting the school or at an event for prospective parents (e.g. Open Evenings, school expos).

### *b) External use or disclosure by the school – Covenant website*

There will be times when the School may photograph, film or record students for use on the School website that is accessible to the public, including:

- newsletter or blog
- general pages.

### *c) External use or disclosure by the school – Social Media*

From time to time the School may photograph, film or record students for use on our social media, including:

- Facebook, Instagram or Covenant's YouTube channel.

### *d) External use or disclosure by the school – Promotional or Marketing Material*

There will be times when the School will wish to use, or will seek to photograph, film or record students for the promotion of the School or a school event, including:

- a news story for the media
- an external publication (e.g. prospectus, annual report)
- an advertising campaign
- an upcoming school event

This may include broadcast media, online or social media or print media, including newspapers and magazine publications.

For the School to use images for any of these purposes, we will:

- seek prior, express parent/carer consent in writing
- provide parents/carers with information about the use of the image and when/for what purposes the image will be used
- ensure that only first names will appear with their image (if applicable).

### *e) 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, the School 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.

### *f) Images published without express consent*

There are opportunities at certain events, including school performances, sporting events and other school approved activities, where the School permits parents/carers, students and invited guests to photograph, film or record such events.

The School 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 who also appear in the images.

The School does not own or control any images of students taken by parents/carers, students or their invited guests at school activities.

In the unlikely event that a student or staff member is photographed, filmed or recorded without their prior, express consent, and it is placed on social media, the School will not be responsible but will take steps to assist (as able) in the removal of that photo, in addition to dealing with it as a discipline matter if relevant (if the image has been taken/used by a student).

#### **g) Images to manage student behaviour or fulfil our school's legal obligations**

On occasion it may be necessary for the School staff to photograph, film or record students:

- 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.

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

The School may disclose images in furtherance of its legal obligations where it is permitted to do so under the APPs and in accordance with the *Privacy Act 1988* (Cth).

#### **Staff use of personal devices**

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 a school device and delete the images from their device as soon as reasonably practicable.

### **FURTHER INFORMATION AND RESOURCES**

This policy should be read in conjunction with the following documents:

- Privacy Policy
- Standard Information Collection Notice
- School Digital Presence Policy
- Drone Policy

### **REVIEW CYCLE OR EVALUATION**

This policy was updated in November 2020 is scheduled for review in November 2022.

## **Appendix 1 – Consent Form for the Publication of Images of Students**