



Bacchus Marsh
Grammar

School Policy

Student Duty of Care

Photography and Video Policy

(source: Complispace)

Approved by the School Principal 15 May 2023





Photography and Video Policy

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1 Photography and Video Recording

- 1.1.1 This Policy applies to photography or video taken on School premises or at School-related events, and activities held on or off School premises.
- 1.1.2 With technological developments, the taking and use of photographs and videos of students while participating in School-related activities has become an inseparable part of education and social development.
- 1.1.3 The School has a duty of care and privacy obligations to manage the taking and use of photography and video by:
- School staff and School affiliates
 - parents/guardians
 - media and other third parties
 - students
 - commercial or professional photographers/videographers.

2 Bacchus Marsh Grammar's Policy

- 2.1.1 Bacchus Marsh Grammar is committed to maximising the educational and social benefits of photography and video recording while taking all reasonably practicable steps to manage the risks to student safety and wellbeing arising from the inappropriate taking and use of photos and videos.
- 2.1.2 It is our policy that:
- 2.1.2.1 The School takes all reasonably practicable measures to manage the ability and access of all persons to take photos or videos of students on School premises or at School-related activities and events.
- 2.1.2.2 The School takes all reasonably practicable steps to obtain the consent of relevant parents/guardians in taking, using, and publishing photos and videos of students.
- 2.1.2.3 The type of consent sought from parents/guardians for the collection and use of photos and videos of their children depends on the use to which the photos or videos are to be put.
- 2.1.2.4 School staff supervise and manage the taking of photos and videos by students of other students while on School premises and at School-related activities and events.
- 2.1.2.5 The School addresses parents/guardians taking and publishing photos and videos of students at School-related activities and events, through ongoing communication and education.
- 2.1.2.6 The School manages the risks to privacy by professional photographers and videographers through contractual undertakings.
- 2.1.2.7 The School communicates and educates students in the safe and respectful taking and use of photos and videos.
- 2.1.2.8 Photos and videos taken by and for the School are stored in accordance with the School's General Records Management policy.
- 2.1.2.9 The School reserves the right to decide whether a particular person has the right to take photos or video on School premises or at School-related activities and events.
- 2.1.2.10 The School does not allow personal drones with cameras on or at school events. If the school event is on public land, then any individual photographing students does so without any School permission. The School will assist individuals who wish to enforce their rights to privacy.

3 Consent from Parents/Guardians

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



3.2 Multimedia Consent

- 3.2.1 The School 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 School staff or approved external providers.
- 3.2.2 The School will annually seek and confirm parent/guardian consent for use of multimedia containing students before using or publishing images of their children. This consent will be confirmed and active for a full school year and can be selected for 'opt out' for certain categories.
- 3.2.3 The School will inform parents/guardians about how these images are stored and used.
- 3.2.4 Multimedia consent is provided through Edsmart, the Schools online portal.

3.3 Refusal of Consent

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

4 Curricular and Related Educational Activities

- 4.1.1 A Personal Information Collection Notice is initially provided to parents/guardians when a student commences at Bacchus Marsh Grammar. This covers any personal information collected in the course of providing educational services, including photography and video recording.
- 4.1.2 Multimedia consent is obtained from the parent/guardian to the use of photos and videos of the student in the course of providing educational services through Edsmart.

5 Internal Publications

- 5.1.1 Where images of students are to be used in the normal course of school life in Bacchus Marsh Grammar newsletters, on the School intranet, and within the School this will be covered by the general collection notice and consent given at enrolment.
- 5.1.2 Should issues arise where a parent/guardian does not consent to the use of their child's image, the School will take all reasonably practicable steps to not include the student's image.
- 5.1.3 Where the student's image is part of a 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.

6 External Publications

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

7 Media

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

8 Promotional Use

- 8.1.1 The School 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.

9 Court Orders and Children under Guardianship

- 9.1.1 Where students at the School 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.



- 9.1.2 Bacchus Marsh Grammar will approach any relevant third parties as part of gaining consent using the Multimedia Consent Form.

10 Copyright and Students' Work

- 10.1.1 Where the School 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.

11 Photography/Video by External Commercial or Professional Parties

- 11.1.1 The School 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 School premises, School-related activities and events, and students.
- 11.1.2 Where the School hires professional photographers/videographers, the School will set terms and requirements including written confidentiality undertakings and securing the ownership of photos and videos. If ownership cannot reasonably be obtained, the School will negotiate terms of use with the external party/parties to manage the safety and privacy of students and staff.
- 11.1.3 The School will seek consent from parents/guardians prior to school/class photos being taken. The School will advise parents/guardians prior to School-related events being recorded.

12 Photography/Video by Students

- 12.1.1 The School supervises and manages students taking photos and videos of each other for educational purposes.
- 12.1.2 The School 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.
- 12.1.3 Disciplinary action may be taken where students have knowingly breached these conditions.

13 Photography/Video by Parents/Guardians

- 13.1.1 The School acknowledges that parents/guardians will want to take photos/videos of their children while they are engaged in School-related activities, and that in practical terms, the School may not be able to control when images are taken and how they are used. However, the School 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.

14 Suspicious Activity

- 14.1.1 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.
- 14.1.2 Suspicious/criminal behaviour 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.
- 14.1.3 The Principal will take appropriate action in response to a report, which may include disciplining persons who are members of the School community or reporting the matter to the Police or relevant authorities.

15 Publishing Photos or Videos

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



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

16 Record Keeping

- 16.1.1 Bacchus Marsh Grammar 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 in accordance with our General Records Management Policy.
- 16.1.2 The School 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.

17 Implementation

The Principal is responsible for the effective implementation of this Policy.

18 Related Documents and Policies

- General Records Management Policy
- Privacy Policy
- School Community Code of Conduct

19 Authorisation

School Document No.		
School Document Name	Photography and Video Policy	
Approval Authority	Principal	
Approval Signature	<p>Andrew Neal Principal Bacchus Marsh Grammar</p>	
Administrator	Company Secretary	Greg Gough
Approval Date	15 May 2023	
Date of Next Review	15 May 2025	To be reviewed every two years

20 History

Date	Amendment
31 January 2019	1. New Policy
11 August 2020	2. Updates to parent/guardian permissions
22 January 2021	3. Updates to Multimedia Consent
15 May 2023	4. Reviewed – no changes made