


St John's Catholic Primary School	System Update: 04. 02. 2022	 St John's Catholic Primary School
Version 2 - 2023	Date of Next Review: 04. 02. 2024	

Photography and Filming Policy - (Parents, guardians, visitors)

Rationale

Most people who take photos of children at school events are doing so for acceptable reasons and are using appropriate methods. However, digital image publication is readily accessible and photos or film can be taken, altered, and transmitted quickly to a vast audience by posting on the internet or 'on-sending' the photo via mobile technology and social media. This rapidly growing capacity raises concerns about the potential risks of child exploitation, breaches of court orders and privacy as well as causing direct and indirect concerns relating to Child-Safe legislation under Ministerial Order. 1359. This policy aims to reduce the risk to children and young people through the inappropriate taking, use and distribution of photographs or video material while on school private property and/or during school events both at or outside the school property.

It is an expectation that the same principles addressed in this policy will apply to students through the Digital Technology Usage Agreements.

This policy serves to:

- protect the personal information and rights of individuals at St John's and in the St John's community at large
- respect an individual's right to control how and for what purpose their personal information is used
- comply with relevant legislation e.g. Child Safe and Ministerial Order 1359, Melbourne Archdiocese Catholic Schools (MACS) and Catholic Education Commission of Victoria (CECV) policies and directives.

Legislation

Photos, video, film and digital images of a student are considered "personal information" and therefore their use and disclosure are governed by the Information Privacy Act 2000 (Vic) (IP 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 Privacy and Data Protection Act 2014 (Vic), Copyright Act 1968 (Cth), the IP ACT 2000, Ministerial Order 1359 - Child Safe Standards or MACS, CECV policies and directives.


Under Victorian legislation, the Principal of the school must control and manage how and when others collect and publish photographs and/or film students.

Under Victorian legislation, whether a school event is held on the school property, privately owned land or a school or council-owned facilities, the Principal of the school is able to restrict, ban or require permission of photography anywhere in the venue.

Policy outline

It is a condition of enrolment that parents, guardians and visitors and students (through the Technology Usage Agreements) adhere to the following:

The collection, use and disclosure of photographs, video, film and digital images by parents/guardians and visitors is governed by the condition that you will not take any images of others (including children) that may be seen as:

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- indecent (such as 'up skirt' or 'down blouse' photographs, taken covertly)
- used for voyeurism or made for the purpose of observing and visually recording a person's genital or bottom region
- breaching a court order (e.g. intervention orders, child custody or witness protection)
- defamatory
- Inciting civil unrest
- being for commercial purposes (a person's likeness is used to endorse or entice people to buy a product)
- deliberately including others beyond your own children
- infringing on a specific direction by the Principal or a school representative not to take personal photographs, video, film or digital images.

Note: CHILD SAFE - Taking photos of a child (including a parent/guardian's own child) contravenes criminal codes and censorship laws if the child is photographed in a provocative or sexual manner.

What is acceptable: Parents, guardians and visitors may take photos of their own child for personal use when on school property, however, if other children or adults are present in the images they cannot be posted online in any form without the express permission of each person in the image. Alternatively, the other people can be blurred or removed completely from the image. (Refer to consequences below relating to being asked to delete a photo you have taken on school property or at a school event.)

At all times, the Principal or designated representative reserves the right to deny any or all digital recordings while on school grounds and/or school events outside of the school property..

Social media

Digital photo publication is readily available and photo, video, film or digital images can be taken, altered, and transmitted quickly to a vast audience by posting on the internet or 'on-sending' the photo via mobile technologies.


If parents/guardians or visitors choose to post a photo, video, film or digital image on any digital platform or social media that includes others (including children) who are not of their immediate family, they must be aware of the following additional principles:

- You cannot breach any of the previously listed conditions
- You should consider proper Cyber Safety protocols before posting material online
- If you are asked by the School Principal, a representative of the school, or any other person whose image has been posted, to remove the photo, video, film or digital image from the social media site, you must do so immediately, or risk being in breach of current government legislation and/or MACS or CECV policies.

Consequences

If a person is taking photographs inappropriately (e.g. breaching the restrictions or ban in place for the private property or venue), then the Principal, or representatives of the school, can request the person to stop. If the person refuses, police or security may be called to escort them from the property.

Failure to remove a photo, video, film or digital image when requested by the Principal, a representative of the school, the parent/guardians whose image or children's image has been used, or any other person

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appearing, without their permission, is considered by the school as a breach of the conditions of enrolment. It may also constitute a breach of the Privacy and Data Protection Act 2014 (Vic), Copyright Act 1968 (Cth), the IP ACT 2000, and Ministerial Order. 1359 - Child Safe Standards or MACS, CECV policy documents.

Complaints Procedure

If a parent/guardian or visitor has concerns or complaints of inappropriate behaviour in the taking of photos, film, video or digital images, or have questions regarding their content, they should make contact with the School Principal or refer to St John's Complaints Handling Policy and procedures available on the school website.