**MILC**

**Photographing, Filming and Recording Students Policy**

**Help for non-English speakers** If you need help to understand the information in this policy, please contact MILC

**PURPOSE**

To explain to parents/carers:

* how MILC collects, uses, and discloses photographs, video and recordings of students
* when parent/carer consent is required before photographing, filming and recording students
* how consent can be provided and withdrawn.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.

The policy does not cover the:

* use of Closed-Circuit Television (CCTV)
* use and disclosure of photographs, video and recording of adults.

**POLICY**

There are many occasions during the school year where MILC staff photograph, film or record students participating in school activities or events, for example classroom activities, cultural celebrations, concerts, excursions etc.

We do this for many reasons, including to celebrate student participation and achievement, showcase learning programs, document a student’s learning journey, communicate with our parents/carers and school community. This may be through newsletters, on our MILC website or social media platforms. There may also be occasions where we take images to support student behaviour management or to fulfil obligations. Further detail is provided within this policy.

In addition to the above, there may be situations where a third-party requests to take, use or disclose images of students.

This policy outlines the practices that MIILC 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 It also explains the circumstances in which we will seek parent/carer consent and how consent can be provided and withdrawn.

**Consent**

The *Photographing, Filming and Recording Students Consent* is provided by MILC at enrolment. This consent applies to standard uses of images for the time your child attends the school.

For non-standard uses, where consent is required, parent/carers will be sent a consent form for that specific situation. MILC will also notify parents when implementing software that may include photos of students, giving parents and opportunity to discuss any concerns or preferences.

If at any time parents/carers wish to withdraw their consent, they can by contacting MILC. If consent is withdrawn verbally, the school will make written record of this. However:

* if the images have already been published and are in the public domain, it may not be possible to remove them
* MILC can still collect, use and disclose images in circumstances where consent is not required (see below for more information).

**Image use within the physical school environment**

MILC may photograph, film or record students to use within the physical school environment, including:

* for display in MILC centre classrooms or office (for example: in displays of student work, on noticeboards to celebrate achievements and educational outcomes).

If a parent/carer would like to withdraw or change their consent at any point in time, they must notify the school.

**Image use within the school community**

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

* in the school’s online communication, learning and teaching tools (for example, emails, classroom materials, promotional flyers, family and staff bulletin etc.)
* in the school’s Family Newsletter
* Language specific bulletins

If a parent/carer would like to withdraw or change their consent at any point in time, they must notify the school.

**Image use beyond the school community**

Photographs, video, or recordings of students may also be used in publications that are accessible to the public, including:

* on the school’s website,
* on the school’s social media accounts

If a parent/carer would like to withdraw or change their consent at any point in time, they must notify the school.

**Media**

The media 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 request, MILC will:

* provide parents/carers with information about the organisation involved and when and 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. MILC does not own or control any photographs, video or recordings of students taken by the media.

**School performances and other school approved activities**

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

MILC 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.

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

**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, MILC 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

**Images to manage student behaviour or fulfil our school’s legal obligations, including child safety**

On occasion it may be necessary for school staff to photograph, film or record students and/or use images 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)
	+ supporting students’ social and emotional wellbeing, and health (duty of care)
* for identification purposes, when necessary to implement discipline and/or behaviour management policies.

MILC does not require or obtain consent from parents/carers or students to photograph, film or record students, or to use these images for these reasons. However, when MILC photographs, films or records a student for any of these purposes, staff will only collect and use such images in a way that is necessary, reasonable and appropriate in the circumstances.

**Child Safe Standards**

MILC will use student images reasonably, appropriately and sensitively, consistent with our obligations under the Child Safe Standards and our school’s *Child Safety and Wellbeing Policy.* If at any time a parent/carer or student has a concern about the use of any images they should contact the Managing Director by email.

**Curriculum-based activities**

Photographs, film and recordings of students may be collected and used for curriculum-based activities (i.e. class work) as part of standard learning and teaching practices. MILC does not require or obtain consent for this. Access is limited to students and relevant teaching staff. Parents/carers may have access to images of their own child in this context.

**Professional development**

Occasionally, teachers and classes may be recorded for professional development purposes to improve the delivery of educational services. MILC does not require or obtain consent for this, however the recordings will only be used internally and for the specific purpose of staff development.

**Storage of images**

Photographs, video and recordings of students taken by MILC will be stored on a staff password protected file storage. Any photographs, videos or recordings made on devices, including non-school issued devices, will be transferred to secure school systems and removed from the devices as soon as reasonably possible.

**Images taken by the school community**

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

MILC requests that parents/carers, students, teachers 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 MILC nor the department own or control any images of students taken by parents/carers, students or their invited guests at school activities.

**COMMUNICATION**

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

* Included on our school’s website
* Included in staff induction processes for relevant staff and the staff handbook
* Area newsletters and bulletins
* Hard copy available from school administration upon request