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Clifton Hills
PRIMARY SCHOOL

Use Of Images Procedures and Guidelines

CONTENTS

PHOTOGRAPHS AND VIDEOS OF STUDENTS	3
USE OF STUDENT NAMES	4
SITUATIONS REQUIRING SPECIFIC PERMISSION	4
EVENTS, EXCURSIONS AND INCURSIONS	4
IMAGES TAKEN BY PARENTS AT CONCERTS/PLAYS/PRIZE-GIVING/SPORTS DAYS	5
OFFICIAL SCHOOL PHOTOGRAPHY/VIDEOGRAPHY	5
IMAGES TAKEN BY PARENTS/CARERS ON A SCHOOL EXCURSION	6
IMAGES TAKEN BY CHILDREN OF ONE ANOTHER	6
IMAGES OF STUDENTS TAKEN BY STAFF	7
PHOTOGRAPHS OF STAFF: EMPLOYMENT CONTRACT	7
CLOSED CIRCUIT TELEVISION (CCTV)	8
STORAGE OF IMAGES AND IMAGE MANAGEMENT SOFTWARE/SYSTEMS	8
STUDENT IMAGES AND ARTIFICIAL INTELLIGENCE	9
IMAGES OF PAST STUDENTS	9
FREQUENTLY ASKED QUESTIONS	10
USE OF IMAGES PERMISSION LETTER	11
USE OF IMAGES CONSENT FORM	12

USE OF STUDENT PHOTOS POLICY

This policy should be read in conjunction with: Staff Code of Conduct; Student Code of Conduct and Engagement; and Use of Social Media Policy.

1. PHOTOGRAPHS AND VIDEOS OF STUDENTS

Throughout the year, staff, and students at Clifton Hills Primary School produce (or are included in) a number of photographs and videos, taken during School events, incursions, excursions or through their participation in an activity such as sport, assembly productions, musical performances and more.

Please take note of the following:

- 'Image' refers to photography, videography and voice recordings.
- All students individual photos are uploaded onto the school information system.
- Should the School wish to use a child's image in an advertisement or other paid media (display, online or print), separate and specific permission will be sought from the parents/carers.
- When the image is of groups of 15 or more students, we cannot guarantee that a child's image will not appear. Parents and carers have the right to specify how their child/ren's image may be used according to personal preferences or legally binding agreements. We are aware that online use is often the area of most concern to families, and as such parents and carers are asked to review and/or update their preferences on an annual basis.

The options available to parents are:

- **OPTION 1:** No restrictions on the use of my child's image.
- **OPTION 2**: My child's image may NOT be used on the school's social media account OR the School website unless the image is de-identifiable.
  My child's image may be used in the Graduation book and on Graduation night
  My child's image may be used on a closed platform such as Compass for classroom news feeds and displayed in the classroom.
  My child's image can be included in class photographs, taken annually by an external provider.
- **OPTION 3**: My child's image may NOT be used or displayed in classrooms, on the school's social media account OR the School Website or included in class photographs, taken annually by an external provider.

If the parents/guardian/carers (or student) wish to withdraw or change the consent, it is their responsibility to notify the school.

2. USE OF STUDENT NAMES

For external media and online use, Clifton Hills Primary School will not use any child's full name and surname alongside the image of the child without obtaining prior permission from the parent/carer. For online media (including newsletter, website and social media), students will only be referred to by their first name, unless specific permission is obtained to include their surname. If there are two students with the same first name in a class, then the first initial of their surname may be included (Joe B and Joe D for example). In addition, when photos are uploaded to the newsletter or website, the file name of the photo will not include any part of the child's name.

3. SITUATIONS REQUIRING SPECIFIC PERMISSION

3.1 ADVERTISING: Should the school wish to use a child's image in an advertisement or other paid media (online, print, and/or display), separate and specific permission will be sought from the parents/carers. The school reserves the right contact families on a case-by-case basis and ask for specific permission, explaining clearly in which contexts the school would like to use the image.

3.2 USE ON SOCIAL MEDIA: The school will only use a child's first name (if appropriate to the context) when sharing images online. The exceptions are:

- If the School obtains prior permission from the parent/carer to use a child's full name.
- If the student's full name and image is published externally on a reputable source and thereafter shared to the school's social media account. As an example, if the West Australian newspaper publishes an article that includes the child's full name and/or image, and the school may share this article to social media platforms.

In addition, the school undertakes to:

- Disable tagging of photographs in social media*.
- Use only appropriate images of the child, relevant to the sport or activity.

* *Note: The school is unable to stop people tagging themselves, their children, or their friends in comments on social media. However, if any commentary that includes a tagged person is inappropriate or falls outside of the school's Codes of Conduct, the comment will be removed by the moderator.*

4. EVENTS, EXCURSIONS AND INCURSIONS

Photography and videography by staff on excursions and incursions may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school, and in school publications (as per the permissions given by parents).

In crowd/event settings where images that do not feature any specific individual, photos may be taken and used by the school.

In grouped, crowd or event images of 15 students or more, we cannot guarantee that a child's image will not appear.

Third parties (including, but not limited to, guest speakers and external excursion/incursion service providers) may not take or use images of students without the prior approval of the school.

5. IMAGES TAKEN BY PARENTS AT CONCERTS/PLAYS/PRIZE-GIVING/SPORTS DAYS

If photography is permitted, parents and guests should take care to avoid distracting students and the audience. They should observe any constraints imposed by school staff.

Video or sound recording of a copyright musical or theatrical performance is prohibited unless permission has been obtained from the holder of the copyright.

Photography may also be restricted for reasons of child protection or out of respect for the rights and privacy of individuals.

Parents and carers may not publish images of children who are not their own without the express permission of the parent/carer of the child in question.

6. OFFICIAL SCHOOL PHOTOGRAPHY/VIDEOGRAPHY

Formal class, individual and group photographs taken annual by a reputable commercial photographer. These photos may be used on the school information system.

Year 6 photographs / images may be used in the Graduation Book and displayed at Graduation.

The law allows the commercial photographer to retain the copyright in the photographs. Parents may opt to purchase copies of these photographs from the photographer.

The school, may on occasion, produce promotional videos for use in a variety of contexts. The same permissions will apply to any such production, although parents will be advised in advance (where possible) about the filming and may wish record a one-off exception to existing permissions for such events.

7. IMAGES TAKEN BY PARENTS/CARERS ON A SCHOOL EXCURSION

On occasions, parent volunteers may accompany a group of students and staff on excursions. Any photos or video taken by parent volunteers must be for personal use only, and should only include their own child, unless prior permission has been obtained from the staff member coordinating the event as well as from the parents of the children concerned.

Parent volunteers may be provided with a school-owned digital camera to record activities, in which case the camera should be returned to the relevant staff member as soon as the activity has concluded.

8. IMAGES TAKEN BY CHILDREN OF ONE ANOTHER

The school's mobile phone policy covers the use of mobile phones for taking photographs and videos during school hours. Mobile phones are not to be used at school, or during school excursions and activities.

If the photography/videography occurs as part of a lesson, staff will supervise and maintain control over any students during on-site or off-site activities.

Students must not take photographs/videos without the teacher's and subject's consent.

Digital cameras / iPads are provided by the school for this type of activity. Students must not take photographs in a situation which humiliates, embarrasses, or makes fun of others.

Any digital images or video footage found to be offensive will be kept for investigation, and sanctions will be placed on any student who is found in possession of offensive images. On no account will photographs be taken in changing rooms, toilets or other areas of privacy.

9. IMAGES OF STUDENTS TAKEN BY STAFF

On occasion, staff members may take photographs or videos of students while they are involved in a school-related activity, including classwork, excursions, incursions, tours, and sport. This may be to record a particular event, to show as an exemplar as to how a task was completed, or for use as a teaching tool.

All images taken by any staff member will only be used in accordance with this policy and the Staff Code of Conduct.

Ideally, images should not be captured on staff members' personal devices (tablet, laptop or mobile). The preferred option is to use a device provided by the school, such as a digital camera / iPad, which are available on loan from the library. It is essential that any images are transferred to the school network as soon as possible and any images of students must be permanently deleted from the device as soon as possible.

For assistance with electronic 'file shredding' on a device (laptop, tablet or mobile), staff should liaise with the principal.

10. PHOTOGRAPHS OF STAFF: EMPLOYMENT CONTRACT

While acknowledging the best intentions of the School Board, staff agree to the use of images and/or recordings of themselves and/or their work involved in school-based activities for internal and/or external communication and promotional purposes.

Nevertheless, should they choose not to agree with paragraph a.) above, they have the option to advise the principal in writing that approval is either not given or must be sought prior to the use of photographs or other audio-visual images of them.

Staff waive any rights to royalties or other compensation arising from or relating to the use of photographs or other audio-visual images of them.

Staff agree to release, defend, and hold harmless the school and its agents or employees, including any firm publishing and/or distributing the finished product in whole or in part, whether on paper or via electronic media, from and against any claims, damages or liability arising from or related to the use of the photographs or other audio-visual images of them, including but not limited to any misuse, distortion, blurring, alteration, optical illusion or use in composite form, either intentionally or otherwise, that may occur or be produced in taking, processing, reduction or production of the finished product, its publication or distribution.

11. CLOSED CIRCUIT TELEVISION (CCTV)

Parent/guardian/carer consent is not required for a school to install closed circuit television (CCTV) however, if an individual's identity is apparent, or can reasonably be ascertained, from an image, then the collection, use and disclosure of that image is covered by the Privacy Act.

All the privacy principles applicable to the collection, use and disclosure of personal information apply equally to the taking, storage and publication of images from CCTV.

12. STORAGE OF IMAGES AND IMAGE MANAGEMENT SOFTWARE/SYSTEMS

All information and images are stored on the Clifton Hills Primary School servers, behind a firewall, to which all legislated policies are stringently applied.

Clifton Hills reserves the right to utilise technology, such as software and image management platforms, to assist in its best intentions to correctly apply the usage permissions agreed to by parents and carers. This may include the use of facial recognition software based on biometric data, which will allow staff to apply in real time parent/carer permissions.

The school owns and is the only entity that has access to all biometric data. No third party will have access to this information. The biometric data is not in a human readable format. Further, it is not linked to the students' personal information (e.g., name, year level, parents etc.). This is kept in a separate database obtained from the integration with the school's enterprise management system.

If parents/carers do not want their child to be a part of the use of such technology, they will be provided with the opportunity to opt out. The child will then be identified by the technology as 'Unknown' and therefore not searchable by the image management system. All images marked as 'Unknown' will be classified as 'Do Not Publish'.

The school will set strict standards as to who can access this technology, and in what circumstances this can be applied and accessed.

13. STUDENT IMAGES AND AI (Artificial intelligence)

The use of Artificial Intelligence (AI) to create, alter, manipulate or distribute images of students, staff, or members of the school community in a manner that is misleading, harmful, offensive, defamatory, or detrimental to an individual's or the school's reputation is strictly prohibited.

Students who engage in such conduct will be managed in accordance with the school's Student Conduct and Engagement Policy and may be subject to disciplinary consequences. Members of the public who create, share, or distribute such content may be referred to the eSafety Commissioner and/or other relevant authorities for investigation and action.

14. IMAGES OF PAST STUDENTS

Clifton Hills Primary School recognises the right of past students to rescind consent previously provided by their parents/carers.

It may not be possible to seek retrospective consent for archival material.

Ethical considerations will always be applied, and decisions around the use of archival material will be documented as part of any commemorative project.

In assessing the risk and ethical nature of using archival material the following questions will be asked:
• Does the photograph or video identify an individual?
• Is it practical to alter the photograph or video to de-identify subjects?
• Is the photograph or video of a sensitive nature? For example, students in swimsuits
• Does the photograph or video indicate a health condition?
• Are there cultural considerations?
• Is the location or context sensitive? For example, if the photograph shows the student engaging in inappropriate behaviour.
• Is the photograph of old documents? Copies of letters or awards may include personal information such as names, signatures, home addresses, and other contact details. Is removal of the information practical?

15. FREQUENTLY ASKED QUESTIONS

- *How will we accommodate children subject to court orders, family violence concerns or other protection requirements?*

Students who have the aforementioned will be protected in accordance with orders and will be classed as OPTION 3 unless otherwise informed by the carer.

- *How will we make sure that image permissions remain accurate throughout the year?*

The onus is on the legal carer to inform the school of any changes. Once parents / carers have updated this information to the front office staff, our student record information will be updated and the class teacher informed.

- *How will image permissions be communicated to relief teachers?*

This information should be kept ion our student record system and be available in the Teacher's relief file.

PERMISSION TO PUBLISH STUDENTS' IMAGES AND WORK FOR SCHOOL PURPOSES

Dear parent

Your permission is sought for the school to publish video or photographic images of your child and/or samples of your child's schoolwork to be used by the school and the Department of Education. The purpose of using the images or work will be activities such as promoting the school, school events and student achievements.

The options available to parents are:

• **OPTION 1:** No restrictions on the use of my child's image.

• **OPTION 2**: My child's image may NOT be used on the school's social media account OR the School website unless the image is de-identifiable.
My child's image may be used in the Graduation book and on Graduation night
My child's image may be used on a closed platform such as Compass for classroom news feeds and displayed in the classroom.
My child's image can be included in class photographs, taken annually by an external provider.

• **OPTION 3**: My child's image may NOT be used or displayed in classrooms, on the school's social media account OR the School Website or included in class photographs, taken annually by an external provider.

If the parents/guardian/carers (or student) wish to withdraw or change the consent, it is their responsibility to notify the school.
Parents/carers who do not provide their preference will be assumed to be selecting Option 3.

Once signed, the consent will remain effective until such time as you advise the school otherwise.
Patricia Joss
PRINCIPAL
Clifton Hills Primary School

PERMISSION, *please tick the option you give permission for your child*
I hereby give permission:

☐ **OPTION 1:** No restrictions on the use of my child's image.

☐ **OPTION 2:** My child's image may NOT be used on the school's social media account OR the School website unless the image is de-identifiable.
My child's image may be used in the Graduation book and on Graduation
My child's image may be used on a closed platform such as Compass for classroom news feeds and displayed in the classroom.
My child's image can be included in class photographs, taken annually by an external provider.

☐ **OPTION 3:** My child's image may NOT be used or displayed in classrooms, on the school's social media account OR the School Website or included in class photographs, taken annually by an external provider. My child's image **may not be used in any circumstance.**

I understand that once my child's information has been published on the internet the school and Department of Education have no control over its subsequent use and disclosure. I understand that I can withdraw this permission at any time by contacting the school or Department in writing; however, this will not affect materials that have already been published and disseminated.

Name of student: ______________________________ **Form / Class**: ______________________________

Signature of student: ___________________________ **Date:** ______________________________________

Signature of parent: ____________________________ **Date:** ______________________________________

Note: *This consent form should be filed by the school and a copy provided to the parent.*

***OFFICE INFORMATION ONLY**

DATE PROCESSED BY FRONT OFFICE: _______________

☐ *RECORDED ON STUDENT INFORMATION SYSTEM* ☐ *CLASS TEACHER INFORMED* ☐ *FORM FILED ON STUDENT FILE*