

# Personal Information and Photograph Release Policy

## July 2022

### Summary

This policy applies to Community Language Schools SA and all member schools.

**Table 1: Document Details**

<b>Policy Number</b>	<b>ES10</b>
<b>Related Policies</b>	ES03: Teacher Selection Procedures and Recruitment Policy ES07: Enrolment Policy and Procedures ES07A: Student Enrolment Application Form ES07B: General Student Health Support Form ES07C Trial Lesson Enrolment Form ES09: Supervision of Students Policy ES12: Principal Job Description Policy ES16: Adult Students attending Community Language School Policy ES20: Data and Information Management Policy ES21: Copyright Policy ES36: Excursion and Incursion Policy and Procedures ES37A: Medical Management Forms ES37B: Medication Authority Form ES39: Cyber Safety Policy and Guidelines ES41: Gender Identity Policy and Guidelines ES42: Student Personal Care Policy and Guidelines
<b>Version</b>	2.3
<b>Created by</b>	CLSSA Policy Officer
<b>Reviewed by</b>	CLSSA Executive Officer
<b>Applies to</b>	All Community Language Schools
<b>Key Words</b>	Media release; use of photographs; consent; social media; visual media; publication; privacy; Commercial photographs, use of student material; <i>Privacy Act 1988</i> ; Information Privacy Principles and Child Protection; Information Privacy Principles (IPPs) Instruction
<b>Status</b>	Approved
<b>Approved By</b>	CLSSA Board <i>(Administrative updates approve by Executive Officer)</i>
<b>Approval Date</b>	July 2022
<b>Review Date</b>	December 2023
<b>Notes</b>	Version 2.3 – Administrative and specific content update

**Table 2: Revision Record**

Date	Version	Revision Description
March 2017	1.0	New policy developed
30 <sup>th</sup> June 2019	2.0	<ul style="list-style-type: none"> <li>• New section added Commercial Photographs, Use of student work</li> <li>• Updated policy section to reflect changes made to the 2018 enrolment form</li> <li>• Addendum to policy section to include more examples where student's photos and names may be used, additional responsibilities for Principals</li> <li>• Policy numbers added</li> <li>• Change Government Department Names (Department of Education and Child Development to Department of Education); References to ESASA policies and procedures included throughout the policy</li> <li>• Amend policy to make it generic by replacing individual school details with "Ethnic and Community Language Schools"</li> <li>• Added the mention of Privacy Act 1988, Information Privacy Principles and Child Protection and Information Privacy Principles (IPPs) Instruction</li> <li>• Changes in 'Created By' and 'Reviewed By' in Table 1; Changed Contents to Table of Contents; Reformatting of table and titles; Added new key words; Formatting of policy</li> </ul>
January 2021	2.1	<ul style="list-style-type: none"> <li>• Added policies in 'Related Policies' (Table 1)</li> <li>• Amend 'Policy' to include explanation on IPP</li> <li>• Changed 'Table 3' to 'Diagram 1' (also from a table to a diagram) to reflect the Declaration and Consent from the Student Online Enrolment Form</li> </ul>
December 2021	2.2	<ul style="list-style-type: none"> <li>• Added policies in 'Related Policies' (Table 1)</li> <li>• Changed 'Table 3' to 'Diagram 1' (also from a table to a diagram) to reflect the Declaration and Consent from the Student Enrolment Application Form</li> <li>• Changed 'Social Media' to 'Visual Media'</li> <li>• Added 'General Publication'</li> </ul>
July 2022	2.3	<ul style="list-style-type: none"> <li>• Changed content in 'Policy' and added 'Consent to publish images and creative work of students and the community'</li> <li>• Amended content in 'Visual Media' and 'General Publication'</li> <li>• Added content in 'Responsibilities'</li> <li>• Added references in 'References and Other Documentation'</li> </ul>

## Table of Contents

Personal Information and Photograph Release Policy .....	1
Summary .....	1
Table 1: Document Details .....	1
Table 2: Revision Record .....	2
<b>Personal Information and Photograph Release Policy .....</b>	<b>4</b>
Introduction .....	4
Policy .....	4
Consent to publish images and creative work of students and the community .....	4



Visual Media ..... 6

General Publication ..... 6

Internal Use of Photographs ..... 6

Commercial and Independent Photographers ..... 6

Use of Student Work ..... 7

Privacy of Students..... 7

Responsibilities ..... 7

References and Other Documentation..... 8

## Personal Information and Photograph Release Policy

### Introduction

Community Language Schools communicate with teachers, students, parents/guardians, carers and the wider community on a regular basis. Common reasons for distributing media by schools and preschools include:

- recording participation in school and preschool and events
- celebrating student and child effort and achievements
- marketing and communication initiatives promoting the school and preschool, events or public education.

This policy is based on information from Department for Education Administrative Instructions and Guidelines.

### Policy

There are times when students may be photographed or filmed to showcase their creative work and promote the language school's educational programs, activities of Community Language Schools SA or activities that are funded by the Government of South Australia which includes, but is not limited to, electronic or printed (hard copy) versions of:

- images and photographs
- video and audio recordings
- creative work including:
  - school projects
  - podcasts
  - artwork
  - blogs
  - written work.

### Consent to publish images and creative work of students and the community

To ensure the collection and use of photographs of students is controlled and individual privacy is maintained, Community Language Schools will obtain consent prior to publishing any photograph in the public domain in the form of the parents/guardian acknowledging and signing the 'Declaration and Consent' section of the children's enrolment form.

**Diagram 1** outlines the permission that is sought from parents/guardians in the annual student enrolment application form

## Diagram 1: Declaration and Consent Form from ES07A: Student Enrolment Application Form

### Declaration and Consent

- I/we agree to delegate my/our authority to supervising ethnic school staff. Such supervising staff may take whatever disciplinary action they deem necessary to ensure the safety, well-being and successful conduct of the students as a group and individually.  Yes  No
- In the event of an accident or illness and contact with me/us being impracticable or impossible, I/we authorise ethnic school staff to arrange whatever medical or surgical treatment a registered medical or dental practitioner, hospital or ambulance service (including transport to a hospital) considers necessary. I/we will pay all ambulance, medical and dental expenses incurred on behalf of my/our child.  Yes  No
- I/we consent to the staff administering medication if so requested by me/we in writing using the appropriate medication authority form (*I/we recognise all medication administered at the school will only be given if the medication has been prescribed by a registered medical practitioner; from its original container, bearing the original label with the name of the child to whom the medication is to be administered; and before its expiry or use by date. I/we understand that such medication should be administered in accordance with any instructions attached to the medication or written instructions provided by a registered medical practitioner using a medical management form*).  Yes  No
- I/we agree to notify the school as soon as possible if my/our child will be absent.  Yes  No
- I/we agree to give two weeks written notice to withdraw my/our child from the school.  Yes  No
- There are times when children may be **photographed or filmed**: e.g. Special events, newspaper/newsletter articles, television news items, website articles, social media articles. **I/we give permission for my/our child to be filmed or photographed and for the photos or films – together with their name – to be used for non-profit promotional purposes. This includes publication for or on behalf of The Ethnic Schools Association of South Australia, my/our child's community language school or the Government of South Australia and its elected members and department staff. We acknowledge that publication is generally of a permanent nature.**  Yes  No
- From time to time teachers will take classes on **short local walks** as part of the school's educational program. These walks will take place at any time during the year. It is understood that in extreme heat or inclement weather conditions, such walks would not take place. **I/we give consent for my/our child to go on short local walks.**  Yes  No

Note - excursions involving the use of transport or whole day activities are not included in this consent. For each excursion involving transport and/or a financial cost, a separate notice will be provided and separate consent forms collected.
- I/we give consent for my/our child to participate in any incursions the school may organise, where people share their skills, knowledge, experiences etc. with my/our child.  Yes  No
- **I/we certify that this school is the only Ethnic School my/our child attends.**  Yes  No  
 Or My/Our child is also enrolled at (if applicable):
- I/we agree to pay all charges made aware to me/us by the school that I am/we are enrolling my/our child. I/we understand that this charge is legally recoverable as a debt of the school in the event of my/our non-payment of those charges.  Yes  No

Images of students or children on a social media site **must not include their full name and any other personal information**. Only the students or children's first name is allowed

This policy does not affect a school personnel, parents or volunteer's obligation to report a reasonable suspicion of abuse or neglect under Section 11 of the *Children's Protection Act 1993*. Under section 11, certain persons, such as teachers, police officers and medical practitioners, must notify the Child Abuse Report Line (CARL) if they suspect on reasonable grounds that a child has been or is being abused or neglected.

## Visual Media

Visual media here includes visual images, movies, videos, interactive media and television shows. Community Language Schools acknowledge that social media is a platform that visual medias are commonly used to communicate with members of the school community. For Community Language Schools which have a Facebook Page, Instagram or other forms of social media, the posting of any visual media of students is strictly not allowed unless prior permission from parents/guardians and children have been obtained. This information can be acquired from the Declaration and Consent section of the enrolment application form. In addition to this, approval from the principal is required prior to posting any photographs on Facebook or any other social media platform.

Parents should be made aware of the privacy and security concerns of identifying their children online, within the 'acceptable use' conditions. They do, however, have the right to identify their children.

## General Publication

Community Language Schools may also produce publications such as magazines, newsletters/newspapers, schoolbooks and/or other audio-visual content to communicate with members of the school community and the general public. The use of photographs, text, work of students is strictly not allowed unless prior permission from parents/guardians and children have been obtained. This information may be acquired from the Declaration and Consent section of the enrolment application form. In addition to this, approval from the principal is required prior to posting any photographs in any publications.

## Internal Use of Photographs

School personnel may take photographs of students' work which may include the student in the photograph. These photographs may be used within the classroom, in a students' portfolio of work or for other educational purposes. School personnel may only use these photographs for the intended use and return them to the principal. The principal will then inform the relevant teacher(s).

## Commercial and Independent Photographers

Community Language Schools may engage the use of a commercial photographer to take photographs of students that may then be used for advertisements/brochures, for individual or group school photos or other purposes. Commercial photographs may be taken only if they have a valid Working with Children Checks. A commercial photographer may also be considered an independent photographer who may not seek payment for their services.

Community Language Schools will adhere to the following procedures when employing a commercial or independent photographer:

- No student may be photographed in a group or individually without obtaining - in advance - the written permission of a parent or carer
- Parents/guardians must consent to the addition of students' names on all photographs
- Students must be directly supervised by a school personnel at all times during any photographic sessions
- Parent must consent to the sharing, display, publication of any photographs.

### **Use of Student Work**

Community Language Schools will use and retain student's work samples to support teacher judgements on student's progress, reporting student's progress, be used in professional discussions and for school displays. Community Language Schools will seek student and parental consent for any student work that is to be used for promotional purposes. Consent will involve seeking permission to publish the work with only the student's first name. Promotional purposes may include, but not be limited to Community Language Schools' newsletters, websites, brochures, banners, advertisements or any form that is intended to endorse or promote the school.

Prior to the use of student's work samples for professional discussions, teachers and the Principal will make sure that student's full name will be removed from the work samples.

### **Privacy of Students**

Community Language Schools respect the privacy of students and acknowledge that family circumstances may change over time. If the consent given at the start of a school year needs to be redacted, parent and carers are required to inform their Community Language School.

A Privacy Disclaimer is on the bottom of all forms that contain personal or sensitive information and indicates how the information that is being collected will be used.

### **Responsibilities**

*It is the responsibility of the Principal to:*

- Seek student and parental consent for use of student's work for promotional purposes and remove any student's names according to the consent provided
- Create an annual list of students' names that have parental permission to use photographs and personal information that could be used for school promotion
- Ensure that all sections of the student enrolment application form are completed

- Update the list of students' names that have parental permission to use photographs and personal information when a parent withdraws consent
- Ensure that everyone involved with in the community language school will not take or share photographs of children and young people in the school without having the right processes in obtaining permission
- Make sure that photographs are not taken on the school ground at all times and if needed parental permission will be seeked.
- Make sure that independent and commercial photographers have a valid Working with Children Checks.

## References and Other Documentation

- Australian Government: Federal Register of Legislation (August 2017) *Privacy Act 1988*: [Privacy Act 1988 \(legislation.gov.au\)](https://www.legislation.gov.au/idx/instruments/1988-0001)
- Privacy law in South Australia : [Privacy Guidelines and Information Sheets | State Records of South Australia \(archives.sa.gov.au\)](https://www.archives.sa.gov.au/privacy-guidelines-and-information-sheets)
- eSafety Commissioner: [Homepage | eSafety Commissioner](https://www.esafety.gov.au/)