



Information Sheet

Photos and Video Recordings

Southern Cross University must comply with the *Privacy and Personal Information Act 1998* (PIIP Act) which governs the collection, use and disclosure of personal information.

Photographs and video recordings of people are considered personal information if individuals are able to be identified or are reasonably identifiable. You do not need to be able to see a person's face for a photograph or recording of them to be their personal information.

Generally, it is when images are published that the most concerns are raised. To avoid this, it is best practice to seek each individuals' express, informed consent before taking or using their image. This means you will need to tell people what their image will be used for and who will be able to see it.

Particular care should be taken when handling images of children and, depending on the age and ability of the child, you may need to seek parental consent.

FREQUENTLY ASKED QUESTIONS

1. What consent is required when taking or using photos of children and young people?

The PIIP Act does not prescribe an age at which consent can be given. As a general rule, a person can provide consent if they have the intellectual capability and maturity to understand the consequences of doing so. However, while the law may permit a person under 18 to consent, it is usually prudent to get consent from a parent before publishing photos of someone under 18.

When working with a school, check what policies and procedures they adopt. If the school policy is to seek parental consent then the University should do the same.

The University has a standard permission form for use when taking or using images of children which can be accessed [here](#).

2. Do I need consent from staff for use of their images?

Yes.

A standard permission form for use when taking or using images of adults can be accessed [here](#).

3. Can I rely on verbal advice from a third party that they have a person's consent to publish their image?

No, always request a copy of the written consent.

4. Is it OK to digitally alter images?

If you intend to digitally alter images, this should be disclosed in the permission form.

5. What permission is required for large group photos or to make recordings at events?

You are required to take reasonable steps under the circumstances to advise people that photographs or video recordings are being taken, and how the resulting images will be used.

Depending on the circumstances, individual written consent from all people attending an event may not be 'reasonable'. However you should make reasonable efforts to obtain the consent of individuals who appear in the foreground of photographs.

A standard permission form for use with groups is available [here](#).

Notices should be displayed in a prominent position at all events and, if using a PA system, a verbal statement should be given at the start of the event. An example notice, which can also be adapted as a verbal statement, is below. Please note that a system for recording any objections or future revocations of consent is also required.

NOTICE: EVENT PHOTOGRAPHER

Southern Cross University has engaged a photographer to document this event through photographs and video recordings (Images). The Images may be used to promote the University, its campus and its courses [include any other uses], including electronically and on the internet.

All reasonable attempts will be made to obtain the consent of people who appear in any foreground Images. However, the University reserves the right to use Images of large numbers of people without obtaining every person's consent.

If you would prefer not to be photographed or recorded, please indicate this to our photographer or one of our staff. You can also contact [insert contact name] after the event on [contact tel.] or at [contact email] if you believe you have been photographed or recorded and would like to either access those Images or have them deleted.

The University is bound by the *Privacy and Personal Information Protection Act 1998* (NSW) in relation to how it collects, stores, uses and discloses personal information, including the Images taken today. If you have any concerns or questions, please contact our Privacy Officer on (02) 6620 3072 or at privacy@scu.edu.au

NEED FURTHER INFORMATION?

The University's Legal Office can provide you with information and advice on privacy issues.

You can request advice or support using the [Legal Assistance Form](#) or, if the matter is urgent, please email privacy@scu.edu.au or telephone (02) 6620 3465.