Practice Update

Visual Images in a Church Context

Information for Church and Church Entity Boards on setting guidelines and practices around the use, editing, storage, publication of Visual Images

This is a resource to be used by church and church entity boards that provides guidance on developing guidelines on how to manage Visual Images in your organisations context. Understanding that most of the readers of this document are volunteers and have very busy lives outside of your church responsibilities Adsafe has attempted to allow you to quickly move to parts of the document that respond to your specific issues. This can be done by clicking on the hyperlinked text. Each area will have a link that will bring you back to this summary page.

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# Introduction

The imperative for the management of Visual Images in the church context arises from the Local Church Policy, “***Safer Environments for Children and Young People”*** and is part section 4 which deals with creating Safer Environments for Children and Young People. Section 4.5 nominates processes that must be followed to maintain care and protection, Including: Point 4

“Not taking unauthorised pictures or records of a child on church property, or at church activities, without church authorization and the parental/guardian/carer consent (where necessary);” [***<back to contents>***](#_Contents_1)

# Rationale

Some may question the importance of visual images to Child Protection. Parents of children may take different approaches to the collection and use of images of their children. Some are quite risk adverse and express a desire that visual images of their child be not taken at all while others are more risk tolerant.

The reason for concern comes from the fact that some sexual predators search online for images of children that are available in a public forum. With some skill, these persons are able to do further searches and establish information like the school the child attends, the child’s full name, the home address of the child, social media accounts the child may use and as a consequence endeavour to make contact on social media and eventually arrange to physically meet the child.

The Adventist Church has set a high priority around the protection of children. This is evident in the church manual where it states:

“There is no priority higher than protecting children, and other vulnerable people, within our care. This is something close to the heart of God (see Matthew 18:6), and cannot be done through wishful thinking or vague aspirations. …” (Church Manual – Version 2016, Page 239)

and further

“The Church also takes seriously its responsibility to minimise the risk for child sexual abuse and violence against children in the congregational setting.“ (Church Manual – Version 2016, Page 240)

The local church may believe that the life of the church is enhanced by the documenting of memorable church events to be shared and enjoyed by members of the church community in the medium term and in historical archives. It is further understood that the recording of church services for the benefit of the community members who are unable to attend or for the general public who wish to experience an important element of worship as recorded.

The local church leadership then must balance the needs of the parents of children in their congregation with the need to engage and communicate with the wider community about the programs of the church. [***<back to contents>***](#_Contents_1)

# Aims

This practice update aims to discuss the issues relating to the collection of visual images both moving and still, their handling, use, storage and distribution. The document aims to specifically address creating a safe environment for children and vulnerable persons who attend church and church entity events when the leaders of these events choose as part of their ministry to collect visual images. As a related issue but not central to Adsafe’s work is the issue of managing community member’s expectations around privacy matters as they relate to the Privacy Act both in Australia and New Zealand. While in some jurisdictions compliance to the privacy act may not apply, local church boards may choose to voluntarily comply with this act when dealing with the personal information of its members and attendees which includes the handling of a person’s visual image.

# Legal Framework

Laws around the collection of images vary across Australia and New Zealand. Generally these are governed around whether the location is a public place or a privately own site.

Churches and other churched owned sites are consider a private location and the owner or her representative has the right to determine who can collect visual images on the site. Given this there is no problem with a church leader requesting that a person on the site stop collecting visual images and insist that they delete what has been taken. If the person refuses the church has the right to call the police. The laws in Australia are a little fuzzy on what can be done about a photograph taken on a private site after the unauthorised photographer has left the site.

In public places it is lawful to take photographs of people without their consent unless a person is in a place where they should expect privacy such as a public change area or toilet. This creates some issues when church events are planned in public places like church picnics at a public park or pathfinder camps at a national park. NZ police further advise photographers that “you should not take photos of people if:

* they are in a place where they would expect reasonable privacy and publication would be highly offensive to an objective and reasonable person
* it has potential to stop other people's use and enjoyment of the same place
* you have no legitimate reason for taking the film or photos.” (http://www.police.govt.nz/faq/what-are-the-rules-around-taking-photos-or-filming-in-a-public-place)

Given this if a member of public is taking photos of the children of your church in a public place and this is causing concern then approaching the person and indicating that his activities are (1) stopping your groups enjoyment of the place, (2) asking them why they are taking the photos of children, (3) indicating that this is causing the group anxiety and (4) requesting that they stop is a legitimate approach, but it should be understood that if the person refuses it is only appropriate to call the police and not attempt to address the matter yourself.

When a church or church entity hires a privately owned venue for its events the organisers of these events may wish to include in the agreement that the owner gives the right to the event organiser to restrict who is authorised to collect visual images. [***<back to contents>***](#_Contents_1)

# Privacy Principles

Digital images are considered Personal Information if the image allows a person to identify the subject. This means that images taken from behind or not showing the face may not allow identification and hence not be covered by the Privacy Act.

## Australia

The ***Privacy Act 1988 (Australia)*** including the Australian Privacy Principles governs the way that organisations in Australia engage with their community and members of public. This legislation applies only to organisations with a turnover of more that 3 million Australian Dollars. As such this most probably doesn’t apply to most SDA churches in Australia. It would however apply to the incorporated church companies as represented by the local conferences, Australian Union Conference and the SPD.

The privacy act does gives individuals discretion over what information may be collected and held by the organization. Records include any information that could be used to identify a person. As such a visual image, depending on how it is taken, may be categorized as a person’s record. The Act requires that organisations:

1. Have a Privacy Policy publically available (Sample found in Appendix A)
2. Have a collection notice given out when forms are filled out that explains how the organization would treat the information collected. (Sample found in Appendix B)
3. Forms to seek permission to collect visual images of persons. (Sample found in Appendix C)
4. Forms to seek permission for the publication of images in a public forum (Sample found in Appendix D
5. Have information about where data is stored if not in Australia
6. Inform persons about known data breaches

While the churches in Australia are technically not required to comply with the Privacy Act, it is Adsafe’s opinion that some attempt would be important for respectful Christian practice.

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## New Zealand

The Church in New Zealand is governed by the Privacy Act 1993. This applies to an “agency” which includes a “body of persons” that are “unincorporate” and in the private sector. Under this act local churches would need to be compliant the privacy act. The act covers the collection of personal information and guided by 12 Privacy Principles. Personal information is defined by the act as information about an identifiable individual.

Visual Images then under the act are used to identify the individual and hence are Personal Information. [***<back to contents>***](#_Contents_1)

# Guidelines and Practices for Handling Visual Images

## Managing Expectations

Adsafe primary goal is for local churches to create safe environments for the church’s worship and other activities. The issue around the safe management of visual images in the church context is more about the management of safety expectations of church parents and visiting parents with children who choose to attend. It may not just be an issue with the capturing of visual images of children but could include some sensitivity for adult attendees as well. While Adsafe’s involvement in this area is about guidance on better practice in managing images of children, the local church and conferences may have an interest in managing generally held privacy expectations that reflects wider community standards that have filtered into the church from public and private organisations in the wider community (the way they do it elsewhere). In managing the community member’s expectation Adsafe believes it is a better practice approach to create a community dialogue with its member proactively rather than address complaints after the fact. To this end the organisation may choose to voluntarily implement privacy principles even though it is not legally obliged to comply.

Beside any requirement brought about by the legal obligations to the privacy act in the appropriate jurisdiction local churches need to comply with Adsafe’s the local church policy. There are two aspects to this policy statement that relate to visual images. These being the organisation needs:

1. some mechanism for the authorisation of persons to collect visual images and
2. a mechanism to ***establish parent or guardian consent*** for the collection of the images.

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## Purpose of the use of visual images

It should be understood that local churches and church entities attempt to use visual images in a range of ways including not at all. As such this document presents only a list of suggested approaches to local churches and church entities and acknowledges that there is not a one size fits all solution on handling visual images. Local churches and church entities have wide ranging strategies in their use of Visual Images in their ministry. These include:

1. The capture of religious services in the form of sound recordings and moving images to be live streamed or uploaded to publicly available sites for later use.
2. The capture of still and moving images of church events to be published in:
3. videos
4. slide shows
5. newsletters
6. websites including sites where still and moving images can be shared.
7. databases as part of records for the management of large church events
8. social media sites for groups within the church community
9. church promotional material

The church may “publish” images for the purpose of:

1. documenting achievement
2. documenting church events
3. communicating about events to rest of the church, church group, the parents, the rest of the church community or the wider community
4. documenting church events for historical purposes
5. promoting the church and its programs to the public

The church may make available these images:

1. publically available on the wider internet including social media sites
2. restricted to church community using some authentication method

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## Management of risk

In relation to ***Child Protection*** and ***visual images*** the church needs to protect its children from:

1. access to their image from a publically available document or the misuse of a local community available document that could be used in stalking, harassment or predatory behaviour to gain access to a child.
2. the capture of their image by persons who may use the image for sexual gratification or to distribute the image to persons who may wish to use it for this purpose.
3. the accidental or intentional exposure of children to sexually explicit images from church sources

This practice update addresses the collection of images by adult volunteers, members, attendees and child volunteers at church and at events held offsite. It makes no attempt to address the capture and distribution of visual images collected by child members or child attendees. Adsafe recommends that this be handled by either a child code of conduct or a rights and responsibility document that discusses good Christian conduct and expected behaviours generally and specifically issues around the respectful use of Visual Images, technologies, social media, bullying and harassment. This should be done within a Youth Group, Sabbath school or Pathfinder context. Once established and agreed to the church may address breaches as a matter of pastoral care and may eventually escalated to involve some form of discipline.

In the wider sense it might be useful to identify the risks around the use of visual images in a church by employees, volunteers and other children. The potential problems associated with the abuse of visual images are:

1. unauthorised capture of visual images
2. taking indecent or inappropriate images of children or adults on the church site or at church activities.
3. inappropriate manipulation of visual images
4. inappropriate distribution of visual images
5. downloading indecent images onto equipment (church or otherwise) at church
6. distribution of the images in (5) to third parties including children

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## Intellectual Property and an Image Database

Visual images and published documents containing images remain the intellectual property of the organisation involved in their creation. As such a database of images has value and the organisation may wish to organise a mechanism for the collection, storage and security of these visual images.

If the organisation is committed to the privacy rights of the persons whose images these represent, and church entities will need to respond to requests for access to these images, requests to delete these images from their image database or remove documents from community accessible or the public domain. Such requests would be minimised by seeking prior consent to collect the image in the first place.

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## Equipment

Churches and church entities often use volunteers to capture, edit and publish documents containing visual images. In most cases these volunteers will use their own private equipment in the process. The question this raises is whether these organisations have set procedures to manage the removal of these images from this private equipment at the end of the publishing process or at the very least when the volunteer ceases to perform the role. Churches may wish to address these issues in guidelines for the audio/visual team.

A local church is unlikely to invest in Information and Communication Technologies equipment in particular server storage space. As a result the church may use cloud storage services to store is image database. This may have implications to churches that need to comply with the privacy act in that the Privacy Statement or Policy and policy the collection notice will need to disclose the use of off-shore storage for personal information (images).

From a child protection perspective the church will need to ensure that access to cloud storage is suitably password protected and access is given only to persons who understand the churches framework for the appropriate use if the visual images

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## Guidelines for persons and teams who manage Visual Images

The Church may wish to document a list of general principles which outline how its Visual Image team would follow in the process of editing images. This would provide some confidence to the parents of children in the community and facilitate the signing of the consent form. The more parents who withdraw permission from the church with a “Do not take” or a “Do not publish” statement increase the complexity of working with visual images in the church to a point where the time cost in removing and deleting images becomes inhibitive to the outcomes. [*(See sample guidelines)*](#_Appendix_E_1)

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# Approaches to handling Visual Images in the church

## Small churches – no formal strategy to capture images

In this scenario there is no Authorised Photographer and as such no need to develop guidelines or consent form. The church may wish address parents or family members who may wish to take visual images of their child who performs in a church event. This could be handled in an Ad Hoc manner by making an announcement from the front before the beginning of the event such as:

“<Name of church> is committed to maintaining a safe environment for children. The church has no official photographers but welcomes family members of children participating taking photos but we ask that if you inadvertently capture pictures of someone else’s child that this that these be deleted and not distributed”

## Approaches to Authorising Photographers

This could include

1. Issuing of high vis vests with official photographer on the back or a Photographer lanyard
2. An announcement in the bulletin stating “The church board has appointed (1) … (2)… as the official photographers for the church for this calendar year”
3. Photos of the official photographers on the church notice board.
4. Announcement from the front on special events about official photographers
5. Any other mechanism the church may devise

Handling family members who want to take visual images could be done either by either:

1. Insisting that only visual images by the official photographer be taken with a provision for getting copies.

Or

1. Allowing them to take visual images but using the ad hoc announcement listed above.
2. Any other mechanism the church may devise

## Approaches to Parental Consent – Church families

Some organisations split the parental consent into two types. Consent to capture images in the first place with permission to use it within the local community publications but a separate permission if the image is going to be used in a publicly available document.

Approaches could include:

1. Email sent to each family indicating that
2. the Church Visual Image team will be taking photos of persons in the church community including children
3. outlining how the Images will be used within the church
4. seeking a response only if they have concerns
5. Consent form (as found in appendix C) proposing blanket approval.
6. Consent form outlining each function and seeking consent for each of these functions.
7. Consent form for collection of image and a further consent form if an image is to be published in a public forum for each publication. (as found in appendix D)

Approaches (2) and (3) require the collection of each form and the development of a “Do not take” list and possibly a “Do not publish” list.[*<back to contents>*](#_Contents_1)

## Approaches to Parental Consent – Conference events

Consent should be sought as part of the registration process.

## Approaches to Parental Consent – Visitors

1. If the church records services and has chosen to include children as part of the service recording (such as a children story) consent could be handled with an announcement from the front before the commencement of the service with words to the effect:

“Today’s service will be live streamed and will be later available publicly on the internet. This will include a children’s story where children will be invited to the front. At this time images of child may be captured. As a parent if you don’t wish your child’s image included we ask you keep them seated with you in the congregation.”

1. If the church plans on taking photos at key events such as baptisms, children’s programs consent could be handled with an announcement from the front before the commencement of the service with words to the effect:

“Photos will be taken in today service. As a parent if you don’t wish your child’s image included we ask you keep them seated with you in the congregation.”

1. For visiting families an alternative approach might involve the person greeting at the door discussing the program for the day including the potential for photos being taken during the service and where to sit if there is a desire that photos not be taken.
2. An alternative method used by some churches for church events involving children is to issue children with a coloured sticker or badge if their don’t wish for them to photographed. If photos are inadvertently taken these can be deleted by the team member.
3. Parents of visiting children attending routine church activities where photos will be taken should complete a consent form.

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# Template approaches to managing Visual Images

| Strategy | Required elements | Option elements |
| --- | --- | --- |
| Organisations not capturing visual images | | |
| No intention to use Visual Images in church activities | * No authorised photographer * No parent consent form   If NZ or Australian Organisation with turnover of > $3m   * Privacy policy or statement * Collection notice | * Announcement made for parents wishing to take photos of their child * Privacy policy or statement * Collection notice |
| Organisations streaming services | | |
| Strategy to record services but show ***only adults*** in the recording | * No authorised photographer * No parent consent form   If NZ or Australian Organisation with turnover of > $3m   * Privacy policy or statement * Collection notice | * Privacy policy or statement * Collection notice |
| Organisations streaming services – showing children | | |
| Strategy to record services and include children in the recording. | * authorised photographer/s * parent consent form   Privacy: If NZ or Australian Organisation with turnover of > $3m   * Privacy policy or statement * Collection notice | * Privacy policy or statement * Collection notice * Announcement for visitors * Guidelines on how to handle visual images |
| Organisations collecting still and moving images | | |
| Strategy to document church events through the collection of visual images | * authorised photographer/s * parent consent form   Privacy: If NZ or Australian Organisation with turnover of > $3m   * Privacy policy or statement * Collection notice | * Privacy policy or statement * Collection notice * Announcement for visitors * Guidelines on how to handle visual images * Visitor consent forms |

# Appendix A

# Privacy Policy or Statement

Privacy Policy

<organisation name>

<organisation name> (the church) is bound by the <Australian Privacy Principles contained in the Commonwealth Privacy Act> or <the 12 Information Privacy Principles found in the Privacy Act 1993>

The church may, from time to time, review and update this Privacy Policy to take account of new laws and technology, changes to schools' operations and practices and to make sure it remains appropriate to the changing school environment.

**What kinds of personal information does the church collect and how does a church collect it?**

The type of information church collects and hold includes (but is not limited to) personal information, including other sensitive information, about:

* members and their families relating to their engagement with the church and its activities
* membership information held on the church’s membership database.
* voluntary church roles you may have chosen to assist with in a church year.
* minutes of church board meetings or church business meetings where an individual may be discussed including matters relating to keeping children and vulnerable persons in the church community safe.
* Financial information relating to charitable giving including tithes and free will offerings

**Personal Information you provide:**

Church will generally collect personal information held about an individual by way of forms filled out by *members relating to contact details* and consent forms for the capture of visual images. Individuals may also provide information about charitable gifts in offerings collected during its services or through the online eGiving website. On occasions other members may provide personal information.

**Personal Information provided by other people:**

In some circumstances a church may be provided with personal information about an individual from a third party, for example training records relating to roles for which you have volunteered or in relation to the church’s child protection legal obligations

***<<Aus clause: delete if in NZ>*** **Exception in relation to employee records:**

The Privacy Act and the Australian Privacy Principles do not apply to an employee’s record. As a result, this Privacy Policy does not apply to the church’s treatment of an employee’s record. This mostly applies to church entities where ministers and other employees are generally employed by a conference, union or South Pacific Division. On rare occasions a local church may also employ an individual. These records are also not subject to this Policy.>

**How will a church use the personal information you provide?**

A church will use personal information it collects from you for the *primary purpose of collection*, and for such other *secondary purposes* that are *related* to the primary purpose of collection and reasonably expected, or to which you have consented.

**Members and their families**

In relation to personal information of members and their families, a church’s *primary purpose of collection* is to provide ongoing pastoral and spiritual care through its religious services and related activities. This includes satisfying the needs of *Parents*, the needs of children and the needs of the wider church community through out the whole period these individuals are engaged with the wider church.  The purposes for which the church and church entities use the personal information of members and attendees including children include:

* to plan ongoing services and events
* day-to-day administration;
* looking after members and attendees’ spiritual, social, and emotional journey;
* documenting church and church entity services and events through the collection of still and moving images presented or made available to members of the wider church community including members of the public in printed or electronic form;
* seeking donations and marketing for the church and church entity service events
* to satisfy the church and church entities legal obligations and allow the church to discharge its duty of care including the appropriate handling of Child Protection matters.

**Appointment to voluntary or employed roles:**

In relation to personal information of persons seeking appointment to voluntary or employed roles, a church’s primary purpose of collection is to assess and (if successful) to engage the successful applicant for this role.  The purposes for which a church or church entity uses personal information of persons seeking appointment to voluntary or employed roles include:

* in administering the individual's engagement;
* for insurance purposes;
* seeking funds and marketing for the church or church entities service events
* to satisfy the church’s legal obligations, for example, in relation to child protection legislation or its obligations to employment law.

**Promotions, Marketing and fundraising:**

The church and church entities publish promotional magazines and documents. These usually involve stories of events and church activities including the names of participants. Personal information held by a church may be disclosed to the entities that create and publish this promotional material.

The church and church entities market and seek donations for special religious services and charitable service events. Personal information held by a church may be disclosed to other churches, conferences, unions and the South Pacific Division and organisations that assists these entities in marketing or fundraising.  Members and attendees may from time to time receive fundraising information. Church publications, like newsletters and magazines, which include personal information, may be used for marketing purposes.

**Who might a church disclose personal information to and store your information with?**

A church may disclose personal information, including sensitive information, held about an individual to:

* child protection agencies including Adsafe, the church’s child protection service or any related government agencies;
* the local conference, union or the South Pacific Division;
* the church’s local school;
* people providing services to the church, including departmental directors from the local conference or union;
* recipients of church publications, such as newsletters and magazines;
* church community members;
* anyone you authorise the church to disclose information to; and
* anyone to whom we are required to disclose the information by law.

**Sending and storing information overseas:**

<<NZ clause: delete if in Australia> A church may disclose personal information about an individual to overseas recipients, for instance, to Adsafe, the church’s child protection service located in Australia.

The church or church entity may also store personal information in the 'cloud' which may mean that it resides on servers which are situated in the South Pacific Division head office located in Australia. >

<Aus clause: delete if in NZ> However, a church will not send personal information about an individual outside Australia without:

* obtaining the consent of the individual (in some cases this consent will be implied); or
* otherwise complying with the Australian Privacy Principles or other applicable privacy  legislation.
* The church or church entity may also store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia.>

<<Aus clause: delete if in NZ> **How does a church treat sensitive information?**

For the purposes of the Act 'sensitive information' means: information relating to a person's racial or ethnic origin, political opinions, religion, trade union or other professional or trade association membership, philosophical beliefs, sexual orientation or practices or criminal record, that is also personal information; health information and biometric information about an individual.

Generally the church or church entity will avoid collecting sensitive information. There are a number exceptions to this being:

* Given the religious nature of the church and its activities some of the information collected is by its nature religious
* The church has a legal obligation to protect its children from abuse, to this end the church may need information about a certain person’s criminal record to mitigate the risk of abuse.
* The church or church entity may request health information about your child if they will be involved in pathfinder or other youth related activities so as to better manage any health emergency.

Sensitive information will be used and disclosed only for the purpose for which it was provided or a directly related secondary purpose, unless you agree otherwise, or the use or disclosure of the sensitive information is allowed by law.

**Management and security of personal information**

The volunteers and employees from the church and *church entities* are required to respect the confidentiality members and attendees including children’s personal information and the privacy of individuals.  Each church has in place steps to protect the personal information the church holds from misuse, interference and loss, unauthorised access, modification or disclosure by use of various methods including locked storage of paper records and password access rights to computerised records.

**Access and correction of personal information**

Under the Privacy Act an individual has the right to obtain access to any personal information which the church or church entity holds about them and to advise these organisations of any perceived inaccuracy. There are some exceptions to this right set out in the Act. Children will generally be able to access and update their personal information through their parents, but older children may seek access and correction themselves.  There are some exceptions to these rights set out in the applicable legislation.  To make a request to access or update any personal information the church or church entity holds about you or your child, please contact the church clerk for local churches or the General Secretary for local conferences or unions in writing depending on where this information is held.  You may be required to verify your identity and specify what information you require. The church or church entity may charge a fee to cover the cost of verifying your application and locating retrieving, reviewing and copying any material requested. If the information sought is extensive, the church or church entity will advise the likely cost in advance. If we cannot provide you with access to that information, we will provide you with written notice explaining the reasons for refusal.

**Enquiries and complaints**

If you would like further information about the way the church or *church entity* manages the personal information it holds, or wish to complain because you believe that the church or church entity has breached the ***<<Aus clause: delete if in NZ>*** Australian Privacy Principles> or ***<<NZ clause: delete if in Australia>*** Information Privacy Principles>, please contact the church minister for local churches or the General Secretary for local conferences or unions. They will investigate any complaint and will notify you of a decision in relation to your complaint as soon as is practicable after it has been made.

You can contact <organisation name> about these matters in the following ways:

**Mail:**

The Privacy Officer

<organisation name>

<organisation address>

**Phone:** <phone #>

**Email:** privacy@<organisation name>

**Website:**  [<website location>](http://www.spd.adventist.org/)

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# Appendix B

<organisation name>

Standard Collection Notice

1. The church or church entity collects personal information, including sensitive information about members and attendees including their children who attend its services and other events. This will be done during their engagement with the church and any church they may move to in the future. The primary purpose of collecting this information is to provide ongoing pastoral and spiritual care through its religious services and related activities.
2. Some of the information we collect is to satisfy the church’s legal obligations, particularly to enable the church to discharge its duty of care to attendees including the appropriate handling of Child Protection matters. To this end the church may disclose personal and sensitive information to Adsafe, the church’s child protection service in the process of handling a Child Protection matter.
3. Laws governing or relating to the operation of a church require certain information to be collected and disclosed. These include any relevant Child Protection laws that requires the church to keep screening information, training record and signed codes of conduct on those who work with the church’s children.
4. Health information about children is sensitive information within the terms of the Australian Privacy Principles under the Privacy Act. The church or church entity may ask you to provide medical information about your child to assist the church or church entity to provide emergency care at pathfinder camps, teen and youth events.
5. The Church from time to time discloses personal and sensitive information to local conferences, unions or the South Pacific Division for administrative purposes, including to facilitate the transfer of members to another church.
6. The Church may store personal information in the 'cloud' which may mean that it resides on servers which are situated outside Australia. <delete if not applicable>
7. The church's Privacy Policy sets out how members, attendees and their children may seek access to personal information collected about them. However, there will be occasions when access is denied. Such occasions would include where access would have an unreasonable impact on the privacy of others, where access may result in a breach of the church’s duty of care to a child, or where a child has provided information in confidence.
8. The church’s Privacy Policy also sets out how you may complain about a breach of privacy and how the church will deal with such a complaint.
9. As you may know the Church from time to time engages in marketing and fundraising activities to promote special services and charitable service events. Information received from you may be used to make an appeal to you. It may also be disclosed to organisations that assist in the church's fundraising activities solely for that purpose. We will not disclose your personal information to third parties for their own marketing purposes without your consent.
10. On occasions information such as members, attendees and their children’s achievements, religious highpoints, other church events and similar news is published in church newsletters and magazines, on websites and on social media. Visual or still images of church activities such as, church camps and excursions may be taken for publication in church newsletters and magazines and on our intranet. The church also maintains an archive of matters of historical interest. This would include records of achievements and activities within the church, including photographs, and records of important milestones in the church’s history. The Church will obtain separate permissions from a child’s parent or guardian prior to publication if we would like to include photographs, moving images or other identifying material in promotional material for the church or otherwise making it available to the public such as on the internet.
11. The church or church entities may live stream its religious services and later publish this material on a publically available website. This may include the visual images of participants including any children.
12. The church may share the information in 10 above with the local conference, union or the South Pacific Division and this information may be published in their newsletters.
13. The church may publish a contact list for its members Churches may wish to seek specific consent to publish contact details in group lists and church directories
14. If you provide the church with the personal information of others, such as doctors or emergency contacts, we encourage you to inform them that you are disclosing that information to the church and why, that they can access that information if they wish and that the church does not usually disclose this information to third parties.

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# Appendix C

Consent to use digital images

<Name of Church>

<name of communication team in church>

In this agreement the <name of team> ***(the team)*** of <name of church> provides ***assurances*** to the Church community that any digital images captured by ***the team*** will be used with the highest integrity and discretion, with the intent to communicate responsibly and ethically, the subject matter contained therein to help its community to experience the Love of God.

As such the team seeks the following permissions ***(strike out any permission not granted)***

1. I give ***the Team*** permission to capture digital images which may also contain sound recordings including interviews or performances of me and the family members listed below while at church or at church sponsored events held offsite
2. I give ***the Team*** permission to edit these digital images as necessary and incorporate these edited materials into church publications including but not limited to material used for church promotional purposes.
3. I give ***the Team*** permission to use and authorize others to use part or all of these edited materials in media including but not limited to printed reports, screenings, educational programs, websites, broadcast and DVD sales.
4. I grant these permissions in perpetuity:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Adult family Member |  | | | Signature | |  | | Date |
|  |  | | |  | |  | |  |
|  |  | | |  | |  | |  |
|  |  | | |  | |  | |  |
|  |  | | |  | |  | |  |
| Child | |  | Child | |  | | Child | |
|  | |  |  | |  | |  | |
|  | |  |  | |  | |  | |
|  | |  |  | |  | |  | |
| *Parent Name* | |  | *Signature* | |  | | *Date* | |

# Appendix D

<Name of Church>

Permission to use images in Public Forum

Dear Parent/Guardian,

At certain times throughout the year, our children may have the opportunity to be photographed or filmed for our church publications that will be available in a ***public forum***, such as the church’s newsletter or website and social media, or to promote the church in newspapers and other media.

Permission is sought with this form for the publication of still and moving images of your child in a Public Forum. Publication of these images within the church community is covered in the church’s General Collection notice. Please be aware that any image that is published online can be copied and redistributed without the knowledge of the person that uploaded it. Once published, we may not be able to retrieve or delete images if consent is withdrawn after publishing.

The Seventh-day Adventist Church may also wish to use a child’s photographs/videos in print and online promotional, marketing, media and educational materials.

We would like your permission to use your child's photograph/video for the above purposes. Please complete the permission form on the reverse side and return to the Church as soon as possible.

Thank you for your continued support.

Church Administration

<Name of church>

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Child’s Name:** |  |  | **Age:** |  | **YEAR LEVEL:** |  |

|  |  |  |
| --- | --- | --- |
| * □ | * I give permission for my child’s photograph/video and name to be published in: | |
|  | * + □ | * + the church website |
|  | * + □ | * + social media |
|  | * + □ | * + promotional materials |
|  | * + □ | * + newspapers and other media. |
|  | * + □ |  |
| * □ | * I authorise the wider church to use the photograph/video in material available free of charge to church departments around Australia for the church's promotional, marketing, media and educational purposes. | |
| * + □ | * + I give permission for a photograph/video of my child to be used by the wider church in the agreed publications without acknowledgment, remuneration or compensation. | |
| * □ | * I understand and agree that if I wish to withdraw this authorisation and consent at a later date, it is my responsibility to notify the church. | |
|  | | |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| Name of Parent / Guardian (please circle) |  | Signed: Parent/Guardian |  | Date |

If Student is aged 15+, student must also sign

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  |  |  |  |  |
| Name of Student |  | Signed: Student |  | Date |

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Any personal information will be stored, used and *disclosed in accordance with the requirements of the* Privacy Act 1988 *(Cth).*

# Appendix E

<organisation name>

Guidelines for <name of visual image team> (the Team) on the handling of Visual Images

# Privacy Act Compliance <amend if not implementing privacy>

1. The Privacy Officer will be responsible to ensure that the organisation has a Privacy Policy, appropriate collection notices and permission forms that include appropriate references to the organisation’s intention to collect visual images of children and the acknowledgement that this process is controlled under the Privacy Act 1988.
2. The Privacy Officer will develop and implement a system to ensure compliance to the Privacy Act including but not limited to (1) the development, adoption and circulation of a privacy policy, (2) the development, adoption and circulation of Collection Notices to be provided at the points where information is collected and (3) A system to record a parents or guardian’s desire not to have photos collected, (4) a system to seek permission from a parent or guardian and their child if over 15 years of age to publish images in which they are a subject in a public forum, and (5) a system to check before the release of any publication that the publication doesn’t contain images of students found in (3) or (4) above.
3. The <authorising guy> or her delegate will develop and regularly update lists, called ***exclusion lists*** of children whose:
4. Parents or guardians have requested that their child’s image not be collected, (This list is called the ***“do not collect” exclusion list***.) and
5. Parents or guardians have not given permission for their child’s images to be included in a particular “Publication” that will be published in a public forum. (This list will be referred to as the ***“do not publish”*** ***exclusion list***
6. The names contained on the exclusion lists are to be kept confidential outside of the publication’s development team.

# Collection of Images

1. <authorising guy> is to appoint official photographers to collecting either still or moving images.
2. Only official photographers can collect visual images on behalf of the organisation
3. The images are considered the intellectual property of the organisation and can only be distributed for purposes authorised by the organisation
4. In the process of image capture care needs to be taken to ensure that:
5. indecent or immodest images or images showing the subjects in compromising positions are not taken.
6. the images are not offensive or demeaning to any person
7. the images don’t harm or injure someone’s reputation and/or open them to public ridicule and embarrassment
8. contain personal details for example full names, personal contact information or objects that identify location
9. the image doesn’t show a person who is clearly upset or distressed.
10. show an association with other subjects that visually depicts a romantic relationship.

# Image Collection – private photographers

1. Parents or guardians of children may collect still and moving images of their child only at private church events held on or off site. The images collected are considered the property of the parents or guardians. Images of other person’s children should be deleted.
2. The collection and use of images by children is handled separately in the organisation’s <Child Code of Conduct or Rights and Responsibility document – as part of the young people’s behavioural expectations for pathfinders, youth and Sabbath school events>

# Equipment

1. Official photographers may use personal or church equipment in the capture, processing and storage of images. If personal equipment is used proper steps should be taken to back-up these images.

# Processing of Images

1. Official photographers are to delete images of subjects who are State Wards or who are on the “do not collect” exclusion list.
2. In the post capture processing, official photographers are to delete images that:
3. are indecent, offensive or demeaning to any person
4. harm or injure someone’s reputation and/or open them to public ridicule and embarrassment
5. lacking technical or ascetic quality
6. contain personal details for example full names, personal contact information or objects that identify location
7. show a person who is clearly upset or distressed.
8. show an association with other subjects that visually depicts a romantic relationship.
9. An exception to (2) would be if the image, in some areas had merit and could be cropped to eliminate the unwanted area.
10. The official photographer may choose to “enhance” or “crop” an image using image processing software to enable the image to be used within a document.
11. The official photographer must not change an image in any way to depict a subject in what a reasonable person would consider an “unflattering” light.
12. An official photographer must not crop and merge images without the express approval of the <authorising guy> and this should be done in such a way as to not misrepresent the subject or subjects.
13. “Publication ready” images are to be transferred from personal equipment to the church’s image database. Access to this location should be restricted to <name of visual image team>. Once the transfer has been completed the images should be deleted from all personal equipment.

# Adding or sharing images from the church’s image database

1. Images collected by private photographers of church Community members may be added to the Church’s Image Database only with the approval of the parent’s or guardian of the subject and the approval of the image’s owner. Persons requesting the inclusion of images in the church’s image database need to seek approval from <authorising guy>. The <authorising guy> may delegate the task to an official photographer.
2. Members of the church community may request copies of images of their child found in the church’s image database or for copies of documents with images of their child. These requests should be addressed to <authorising guy> and may include some cost to cover the time required. Approved requests will be handled as a request for the publication of a document as outlined in 25 below

# Storage of Images

1. The team will arrange a location for the storage if images. This may be on a local server or using a cloud service. An appropriate security system must be established to ensure that only authorised persons have access to the organisation’s image database.
2. The team may arrange an online and password protected mechanism to share images with community members. This should follow the conditions found in 30 below

# Publication of images – within the school community

1. A document for the purpose of this guideline includes anything on which there is writing, anything from which sounds, images or writings can be reproduced, drawings or photographs but further specifically contain still or moving images.
2. The organisation may “publish” images as elements within a document in:
3. videos
4. slide shows
5. newsletters
6. websites including sites where still and moving images can be shared.
7. social media sites for groups within the community
8. promotional material
9. magazines
10. staff wishing to develop and publish a “document” (containing images) needs to seek approval from the <authorising guy>.
11. The <authorising guy> will authorise a staff member or volunteer to be the “author” of an intended “image containing document”. The ***Author*** of the document may appoint other staff or volunteers (including children) ***(assistants***) to assist in the development of the “document”.
12. The ***Author*** and ***assistants*** will be given the necessary access to the organisation’s ***image database*** until the completion of the document.
13. Any further processing of images required for the document must be done by an ***official photographer.***
14. The ***Author*** will provide training to the ***assistants*** on (1) the requirements around the use of images, (2) the organisation’s exclusion lists and (3) and the requirement of confidentiality around the exclusion lists.
15. Documents intended for a ***community forum*** can contain images of children from the organisation’s image database ***except where*** the child’s name appears in the “***do not collect” exclusion list***.
16. Documents intended for ***public forum*** including anything uploaded to a website that isn’t controlled by password access needs written permission on the ***Use of Images Form*** from the parents of each child depicted in the contained images specifically for each intended publication. These images should also not contain personal details for example full names, personal contact information or uniforms that identify location.
17. It is the ***Author’s*** responsibility to request permission from the parent or guardians of a document intended for a public forum using the ***Use of Images Form.*** These forms are to be collated by <authorising guy> or her delegate to generate a ***do not publish exclusion list***.
18. When the ***Document*** is “publication ready” it is the ***Author’s*** responsibility to vet the document against the organisation’s ***“do not collect”*** and ***“do not publish”*** exclusion lists. Any images that include children on these lists must be removed.
19. When the vetting has been concluded, the ***Author*** is to certify in writing that the document is compliant and ready to be published and submit the document and certification for final approval to the <authorising guy>.
20. Once approval has been granted the ***Author***, (1) may publish the document, (2) must transfer a copy of the published ***document*** and ***source file*** to the designated location on the ***organisation’s storage location*** and (3) must remove copies of all source files off any personal equipment belonging to members of the development team.

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