



*Achieving, Caring &
Respecting with Confidence*

Thorpedene Primary School

Safe Use of Images for Schools Policy

Signed by Chair of Governors

Reviewed: January 2021

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Safe Use of Images for Schools Policy

1. Introduction – Why this is important

- 1.1 Photos and videos can be an effective way to show parents and the local community the activities and learning that takes place at your school.
- 1.2 Using new technologies such as digital cameras and websites makes it easier to take images and show them to the world, but all staff have a responsibility to make sure that individual and parental rights are respected, and that vulnerable individuals are protected from risk.
- 1.3 Issues of child protection data protection and parental consent need careful thought. It is important to make a balanced judgement on the use of photographs etc. Schools are as likely to be criticized for over-reacting as they will for apparently not being concerned.
- 1.4 These guidelines are intended to apply to all forms of publication, in print, on film or video, on websites and in the media.

2. Getting consent for children and young people

- 2.1 Photos and videos taken purely for personal use such as by parents at Sports Day or by grandparent's videoing a nativity play do not breach the Data Protection Act and are allowed. No consents are needed.
- 2.2 Photos taken for official use may be covered by the Data Protection Act. The school should have permission from a pupil's legal guardians and age appropriate consent of the individual concerned before taking their photo for a publication, website or display in a public place. This includes areas where visitors to the school have access.
- 2.3 It will reduce administration if consent is obtained for the whole period that the child is at school plus a year after they have left, to enable the school to publicise activities undertaken by final year pupils.
- 2.4 The consent form should be sent with the school registration pack, but yearly reminders should be sent to all parents reminding them that they should let the school know if there are changed circumstances, or if they want to withdraw permission for their child to be photographed.
- 2.5 It will be necessary to record changed circumstances so forms and photos should be kept together.
- 2.6 In the case of older pupils (Yr 9 and above) permission should be sought from the pupils directly and you would want to also inform parents as a courtesy.
- 2.7 If the two parents/carers disagree over consent for their child to appear in photos or videos, the school should treat it as if consent has not been given.

2.8 Where children are in Public Care (Looked After) schools must gain consent on the corporate parent's behalf from the social worker.

2.9 The school's admission form contains a section where parents and carers are asked to give their consent to photographs or videos of their child being taken.

3. Getting consent for adults

3.1 Staff do have the right not to have their photograph taken for any purpose outside of that required for identity and safeguarding purposes (such as staff ID badges). A member of staff should put in writing to the Headteacher their desire not to be photographed. The Headteacher will periodically remind staff of this right.

4. Use of images – planning

4.1 The school will make sure that people are aware about what their image will be used for. If writing to parents to accompany the photo permissions form, the school will be as specific as possible about what sorts of photos might be taken – for example:

- Reception year photos for publication in local papers
- Media photography of school drama, music and sporting events
- Photographs of school activities for use in school brochures and publicity materials, and in Southend-on-Sea Borough Council publications.

4.2 The school will make sure that people are aware if it is intended to use their photo in a potentially sensitive publication. For example, a person giving consent to appear on a health promotion leaflet might object if it turns out to be for sexually transmitted diseases.

4.3 The school will make sure that only images of pupils in suitable dress are taken to reduce the risk of images being used inappropriately. Screening all images for acceptability will be carried out, and if there is any possibility that a photograph could be used inappropriately then it will be destroyed. Particular care will be taken with photos taken during PE and swimming lessons to maintain modesty.

4.4 Where possible, the school will use general shots of classroom or group activities rather than close up pictures of individual children. Consideration will be given to the camera angle; photographs taken over the shoulder or from behind, are less identifiable.

4.5 The school will make sure that photo shoots are inclusive and show a range of different pupils from diverse backgrounds and abilities such as different ethnic backgrounds and positive images of children with disabilities

4.6 Rarely there may be situations in some adoption placements or children resettled after domestic violence for example where the child's security is known by the school to be at stake indicating the need for extra care as such children must not appear in photographs.

5. Naming Pupils

5.1 If the school uses a photograph, it will avoid naming the pupil in full (first name and surname) and will use general captions eg: working in the science lab, or first names only.

5.2 If a pupil is named in full in the text of a publication, the school will avoid using their photograph.

5.3 The school will also check that it has not inadvertently named a child in a photo because they are wearing a name badge. Children can be identified by logos or emblems on sweatshirts. These should be removed before the photograph is taken, or they should be blanked out in the production process.

5.4 See section 9 for more details concerning newspapers.

6. School plays and other events

6.1 There are a number of issues to consider when allowing photography/video recording at school events. For example:

- Disturbance to other members of the audience
- Distraction to the children taking part in a performance especially where flash is used
- Copyright restrictions
- Parental objection
- Child protection concerns

6.2 The Headteacher and governors will take a common sense approach, based on their knowledge of general parents' views when deciding whether to allow video cameras and photography at school plays, sports days etc. see the checklist for schools on page 6. Fear of breaching the Data Protection Act should not be wrongly used to stop families taking photographs or videos of school events.

6.3 Parents and carers and their families can use photographs and videos taken at a school event for their own personal use. Such photos and videos cannot be sold. Parents and Carers must display care and caution in where they choose to store and display such images. It is recommended that parents do not put pictures of their children on social networking sites such as 'Facebook' or 'Twitter'. However, if a parent does make such a choice, no image of any other child or member of staff should be recognisable. The Headteacher will remind parents and carers of this at the beginning of special events such as assemblies, sports days, nativities, performances etc.

6.4 The school will make all parents/carers aware in advance of any filming that may take place that would have an audience beyond the school premises to give people a chance to let the school know if they don't want their child to be filmed.

6.5 For example the school could include a line in a letter home, and on the event the programme, to make people aware that other parents may be recording the event or include the 'Use your camera and video courteously' code see page 6.

6.6 If an objection is raised, the school will need to consider ways to overcome This. For example, arranging professional photography, reducing disturbance and enabling parents to buy acceptable images. Or giving parents an opportunity to photograph or film before or after the event, so that any objectors would be able to withdraw their child without affecting the event or performance – or bringing the cast together after a school play or winners after a sports event.

7. School fetes and open evenings

7.1 If it is intended that general shots will be taken at these events of pupils and Visitors for publicity purposes, the school will warn people in the invitations that this will take place, so that general consent is implied by attendance.

8. Outside events

8.1 Pupils may take part in public performances outside the school. In these cases the event organiser should seek the permission of parents or carers for photos to be taken and used in publicity.

9. Press photography and media filming

9.1 The media operate under their own Code of Practice. Photos taken by the media are usually exempt from the Data Protection Act.

9.2 Pupils should not be approached or photographed at school without the permission of the school authorities. However, you may want to invite the media into school to publicise an event or you may be approached by the media regarding a news story.

9.3 Newspapers will often want to name children in photographs – the school will make parents/carers aware of this and give them an opportunity to object to their child being in media photos. This is included on the photo permissions section of pupil application form.

9.4 If the media is invited into school for publicity purposes it is important that parents/carers whose children may feature in photos or filming are informed.

9.5 Where the school knows that there are children who should not be identified as attending the school, even if they are in a big group shoot and are not named, they will be kept away from the cameras.

10. Video conferencing

10.1 The school will to explain to parents how this is used and why, and that it means sending images over the internet that might be stored for educational use in schools. If parents/carers have not given permission for internet publication of their child's photo the school will angle the webcam to avoid these children.

11. MMS (video) phone i.e. Multi-media messaging service mobile phones (video phones)

- 11.1 These phones can take and transmit images and the same rules would apply as for photography; user's need to recognize that any pictures taken are for personal use only.
- 11.2 Because of the potential misuse of digital visual images, the governing body has imposed firm limits on the use of video phones by all pupils at school, including banning their use in lesson times, because of the disruption and potential for bullying.
- 11.3 Many schools already have similar rules in place with regard to mobile phones (audio) so the principles are an extension of that situation.

12. CCTV

- 12.1 The closed circuit television (CCTV) installation, used as a security measure is operated in accordance with the principles of data protection.
(The Information Commissioner has issued guidance on the use of CCTV).

13. Storage of images

- 13.1 If the photo is likely to be used again it should be stored only on the school Network so that it is only accessed by people who are authorised to do so. Digital images such as those used for pupil passes should also be stored securely including any images stored on CD or other disks and on the school's computer network. Electronic images should be stored on media (eg laptops) which are protected by secure password. You must not re-use photos for more than a year after the pupil leaves the school.
- 13.2 When you destroy photos it is important to destroy the negatives as well, and in the case of CDs and other media which cannot be erased electronically, you should render the disk unusable..
- 13.3 If the school has photos on file that have already been taken, but does not have written permissions to use them on websites it will seek parental permission before publishing on site.

A checklist for schools when planning events at which photography and video could be used

- Decide event by event if it is one at which the school will permit photography and videoing.
- When informing parents of the event, also inform parents/carers of the decision on photography and videoing.
- Include written guidance for parents/carers to the effect that any images must be taken for personal use only and specify that the images must not be put on the web/internet otherwise Data Protection legislation will be contravened.
- Make available to all parents/carers of the 'Use your camera and video courteously code' (see below).
- Most parents will expect to be asked to turn off their mobile phones during the performance – so include camera phones in that request.
- Remind parents/carers with a verbal announcement at the start of the event that any images must be taken for personal use only and remind them that such images must not be put on the web/internet otherwise Data Protection legislation will be contravened.

- Plan and think ahead as to where and when in the performance or event photos and videos may be taken and give parents/carers attending the event appropriate guidance regarding where and when photographs may be taken. This will help to avoid disruption or distraction to the children other parents or staff.
- Be sure that parents and carers helping with children dressing or changing do not take photos or videos whilst assisting with this.
- Be sure that people with no connection with the school do not have any opportunity to film covertly – remember to ask staff to quiz anyone they do not recognize who is using a camera and or video whilst assisting with this.
- If a video is produced by the school of a production, which includes a cast list in the credits, remember to revisit the parents of the cast to seek consent for names to appear, as this will enable children to be identified and could breach the school's policy.

Something along the following lines might be offered to parents as part of the letter/newsletter promoting the event:

'Use your camera and video courteously' code – a guide for parents who wish to use photography at and/or video a school event.

Generally photographs and videos for school and family use are a source of innocent pleasure and pride which can enhance self-esteem for children and young people and their families. By following some simple guidelines we can do so safely and with regard to the law.

- Remember that parents and carers attend school events at the invitation of the head and governors.
- The head and governors have the responsibility to decide the conditions that will apply in order that children are kept safe and that the performance is not disrupted and children and staff not distracted.
- Parents and carers and their families can use photographs and videos taken at a school event for their own personal use only. (Please refer to clause 6.3 above on social networking sites)
- Recording or/photographing other than for private use would require the consent of all the other parents whose children may be included in the images.
- Parents and carers must follow guidance from staff as to when photography and videoing is permitted and where to stand in order to minimize disruption to the activity. Restrictions on photography also apply to video and camera phones.
- We ask you to turn off mobile and camera phones during the performance to prevent disrupting it.
- Parents and carers must not photograph or video children changing for performances or events or in areas not designated by the schools as being acceptable.
- If you are accompanied by people that school staff do not recognize they may need to check who they are if they are using a camera or video recorder.

This policy will be reviewed in line with our policy cycle and statutory requirements.