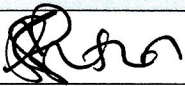




# Guidance to Support the Safe and Appropriate Use of Images in School

Approved by Orchard Primary School Governing Body:	
Head Teacher	
Chair of Governors	Approval delegated to Head Teacher
Date Adopted	30 April 2020
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Date of Next Review	AUTUMN TERM 2024



## **Introduction**

There are many occasions when staff and parents will want to take photographs of children. Such occasions include everything from observation, evidence, assessment and curricular purposes in the classroom to award ceremonies, performances, trips and sporting events as part of the extended activities programme.

The intention of this document is to set out clear guidelines which will balance the use of photography as a source of pleasure and pride with the need to safeguard children and protect the rights of the individual.

This guidance sets out to ensure that:

- Images are only used for the purpose intended.
- School's use of images is facilitated.
- Personal family photography is allowed where possible.
- Individual rights are respected and child protection issues considered.
- Parents/carers and children are given the right to opt out.

## **Definition**

The term "images" is used here to refer to photographic prints or slides, digital images, videos or moving images. Images may be distributed via print, DVDs, the internet or other technologies.

The term "Governing Body" in this policy is used to refer to the Local Governing Body.

## **Safeguarding**

The welfare and protection of our children is paramount and consideration should always be given to whether the use of photography will place our children at risk. Images may be used to harm children, for example as a preliminary to "grooming" or by displaying them inappropriately on the internet, particularly social networking sites.

For this reason, consent is always sought when photographing children and additional consideration given to photographing vulnerable children, particularly Looked After Children or those in domestic abuse situations. Consent must be sought from those with parental responsibility (this may include the Local Authority in the case of Looked After Children).

## **Data Protection**

The Information Commissioner's Office (ICO) maintains a public register which includes the name and address of "data controllers" and details about the types of personal information they process.

"Notification" is the process by which each data controller's details are added to the register. All settings need to ensure they are registered with the Information Commissioner's Office every year. Failure to notify the ICO is a criminal offence. Notification is necessary if settings are processing personal information. This includes taking photographs of the children using

a digital camera. Personal data (including photos) held by settings must be included in the setting's notification.

Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998. Using such images, therefore, requires the consent of the member of staff or, in the case of pupils, their parent, carer or legal guardian.

Further information on data protection, as well as details on how to notify, can be found at <https://ico.org.uk/for-organisations/>

### **Parental Consent**

When a child is admitted to our school, parents/carers will be asked to complete a consent form indicating their agreement or objection regarding the use of images of their child.

A list of children for whom consent has been refused will be maintained by the Admin Office and the Class Teacher will be informed. Every effort will be made by staff not to include these children in photographs or video footage and to comply with the request sensitively. For example, if a child whose parents have refused permission for photography is involved in a sports event, eg a football match, it may not be appropriate to photograph the whole team. Careful liaison with parents is therefore essential. With discussion it may be possible to agree other options; the parent may accept a team photograph if names are not published or they may be prepared to consent if it affects the whole team.

The parent/carer is asked to confirm, in writing, that they will inform the school if they no longer wish images of their child to be used for any reason. They will, however, be made aware that once images are in circulation or have been published, it may be impossible to remove them, although every effort will be made to ensure they are not used in future publications.

### **Diversity Issues**

Even though we may have the consent of the parent/carer, staff must exercise caution and common sense when using photographs as there may be valid religious or moral grounds for objecting to a particular activity. For instance, a parent/carer may object to their child's picture on a leaflet about bullying in school (it may imply their child is a bully/being bullied).

If there is any doubt whether the parent/carer would object, staff should always check with them and obtain specific consent for the activity.

### **Setting Photography**

Photographic and/or video images taken by staff may be used for curricular and/or extra-curricular activities, displays, on the school website, in the school prospectus or newsletter as evidence of the child's development or as part of publicity in the media. Staff will ensure that:

- They are clear about the purpose of the activity and what will happen to the images when the activity is concluded.
- They always use the setting equipment for taking images.
- They never record images using their personal camera, mobile phone or video equipment or for their own personal use.
- They will never photograph children in a state of undress, for example whilst changing for PE or a performance

- They will report any concerns about inappropriate or intrusive photographs found to the Designated Safeguarding Lead following school's safeguarding procedures.
- They have parental permission to take, store and/or display or publish the images.

### Storage of Images

Images retained in school will not be used other than for their original purpose, unless permission is obtained from the subject.

Images should always be stored securely and be password protected where possible.

Images should be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken. Images taken for publicity and promotional purposes should be retained for a maximum of two years. Images contributing to the history of the school, its children, activities or the community may be retained indefinitely.

### Parental Photography

In many cases images taken at school events form an important part of family albums. Everything possible will be done to ensure that this tradition continues. Parents are welcome to take images of their own children at award ceremonies, school concerts/shows and sporting events, with the permission of the Head Teacher/Senior Teacher. However, care must be taken not to interfere with the smooth running of the event, breach commercial copyright laws or compromise health and safety.

Parents/carers must ensure that:

- They respect the setting's decision to prohibit photography of certain children or a particular event.
- Any images taken are for personal use only.
- Images including children **other than their own, must not be sold or put on the internet;** if they are Data Protection legislation may be contravened and they will be asked to remove them.
- They will not use any images of children so as to cause offence or harm.

### The Use of Cameras and Video Recordings by Children

From time to time the children may be given the opportunity to use school equipment to take photographs and/or video footage as part of a curricular or extra-curricular activity.

Children should not use personal equipment in school for the purpose of taking photographs or video footage, unless being used as a learning resource in line with the school's Acceptable Use Policy (AUP). This includes the use of personal mobile phones.

**The use of images to bully or intimidate, including publishing photographs or video footage without permission on the internet, will be dealt with in line with the school's Behaviour and Anti-Bullying Policies and may be viewed as a criminal offence.**

### Display of Photographs

It is perfectly acceptable to display images of children in the school environment with their names attached for the purpose of celebrating progress and achievement or assessment. However, school must give consideration to displays when rooms are available for other purposes (eg school hall).

## Publicity

### Press

On occasions the media are asked to cover school events or to highlight children's successes. This is an important part of celebrating an achievement and informing the public of educational initiatives. The media operate under their own Code of Practice. Parents will be informed by the school if their children are likely to appear in the press. Local newspaper titles may share their images with other titles within the same syndicate. Any child whose parents have withheld permission will not be photographed by the media.

### School Publicity

Photographs of children's activities and achievements may be published in the school newsletter or prospectus and posted on the school website. Names of individual children will not be attached to photographs and no contact details will be published. Where photographic permission has been withheld, photographs will not be published.

### School Photographer

Class and individual or group photographs are an annual event. Parents will be notified in advance of the photographer's visit and will be sent copies of photographs and given the option to purchase them. Copyright on all such photographs is retained by the photographer.

## Further Guidance

Further related guidance can be found in the Becta series of documents entitled *Good Practice in information handling in schools*  
([http://www.rbwm.org.uk/information\\_handling%20Sept%2008.pdf](http://www.rbwm.org.uk/information_handling%20Sept%2008.pdf))

## Links to other Policies

- Acceptable Use and E-Safety
- Anti-Bullying
- Data Protection
- Early Years
- Positive Behaviour
- Safeguarding
- Staff Code of Conduct

## Review

This guidance will be reviewed every 2 years by the Governing Body.