

# Use of Photographic Images of Pupils

Policy written by: Ed Finch

Approved by Governing Body on: to be approved by April 2016

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School Data Controller: Jane Grant

School Designated Child Protection Coordinator: Yvonne Elder

School e-Safety Coordinator: Ed Finch

Governor with lead responsibility: Richard Hadfield

## Official use of Images/Videos of Children by the School/Setting

- All images taken by the school/setting will be used in a manner respectful of the eight Data Protection Principles.

This means that images will be:

- fairly and lawfully processed
- processed for limited, specifically stated purposes only
- used in a way that is adequate, relevant and not excessive
- accurate and up to date
- kept on file for no longer than is necessary
- processed in line with an individual's legal rights
- kept securely
- adequately protected if transferred to other countries
- The Data Controller/DCPC and/or Management team is responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting/school. This includes the management, implementation, monitoring and review of the School/Settings Image Use Policy.
- Written permission from parents or carers will be obtained before images/videos of children are electronically published by the setting.
- Written parental consent will be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.
- Written consent from parents will be kept by the setting where children's images are used for publicity purposes (such as brochures or publications), until the image is no longer in use.
- Parental permission will be sought on an agreed basis (*include details e.g. annually, on admission to the setting/school*).

- A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.

- Images will not be kept for longer than is to be considered necessary. A designated member of staff (Data Controller or DCPC) will *ensure that all photographs are permanently wiped from memory cards*, computer hard and portable drives or other relevant devices once the images will no longer be of use.

- All images will remain on site at all times, unless prior explicit consent has been given by both Data Controller/DCPC and the parent or carer of any child or young person captured in any photograph. Should permission be given to take images off site, all relevant details are to be recorded, for example who, what, when and why and data will be kept securely (e.g. with appropriate encryption).

- The Data Controller and/or DCPC reserve the right to view any images taken and/or to withdraw or modify a member of staffs' authorisation to take or make images at any time.

- Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably encrypted and will be logged in and out by the Data

Controller and/or DCPC and monitored to ensure it is returned within the expected time scale.

- Images or videos that include children will be selected carefully when used online and will not provide material that could be reused.
- Children's full names will not be used on the website in association with photographs.
- The school/setting will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.
- The school/setting will only use images of children who are suitably dressed.
- Children's work will only be published with their permission or their parents' consent.
- Staff will receive information regarding the safe and appropriate use of images as part of their safeguarding training and responsibilities.
- All members of staff (including volunteers) will ensure that all images are available for scrutiny and will be able to justify any images in their possession.
- Only official setting owned equipment (e.g. work provided digital or video cameras) will be used by staff to capture images of children for official purposes. Use of personal cameras by staff is prohibited at all times.
- Any apps, websites or third party companies used to share, host or access children's images will be risk assessed prior to use. The school/setting will ensure that images are held in accordance with the Data Protection Act and suitable child protection requirements (if necessary) are in place.
- Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.
- The school/setting will discuss the use of images with children and young people in an age appropriate way.
- Images will not be taken of any child or young person against their wishes. A child or young person's right not to be photographed is to be respected.
- Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.
- Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the Data Controller and/or DCPC and the parent/carers.

### **Use of Photos/Videos by Parents/Carers**

- Parents/carers are permitted to take photographs or DVD footage of events for private use only.
- Parents/Carers are only permitted to take or make recording within designated areas of the setting. Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.
- The opportunity for parents/carers to take photographs and make videos can be reserved by the school/setting on health and safety grounds.
- Parents and carers who are using photographic equipment must be mindful of others when making and taking images.
- The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.
- Parents may contact the school/setting Data Controller/DCPC to discuss any concerns regarding the use of images.

### **Use of Photos/Videos by Children**

- The setting will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children can not take the camera (e.g. unsupervised areas, toilets etc).
- The use of non setting provided devices e.g. mobile phones, children's own digital cameras, is covered in the school/settings mobile phone and/or e-Safety policy.

- All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
- Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.
- Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with the Data Protection Act 1998.
- Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed by the setting e.g. will be for internal use by the setting only (not shared online or via any website or social media tool).
- Photos taken by children for official use will be carefully controlled by the setting and will be checked carefully before sharing online or via digital screens.
- Still and video cameras provided for use by children and the images themselves will not be removed from the setting.

### **Use of Images of Children by the Media**

- Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's (or other relevant media) requirements can be met. A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (e.g. first names only) can be published along with images and videos.
- The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
- Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith

### **Use of Professional Photographers**

- Professional photographers who are engaged to record any events will be prepared to work according to the terms of the settings e-Safety policy.
- Photographers will sign an agreement which ensures compliance with the Data Protection Act and that images will only be used for a specific purpose, subject to parental consent
- Photographers will not have unsupervised access to children and young people

### **Use of Closed-Circuit Television (CCTV)**

- All areas which are covered by CCTV will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity.
- Recordings will be retained for a limited time period only and for no longer than their intended purpose. This will generally be a maximum of 30 days. All recordings are to be erased before disposal.
- Regular auditing of any stored images will be undertaken by the Data Controller and/or DCPC or other member of staff as designated by the management team.
- If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.
- CCTV cameras will be appropriately placed within the setting.

### **Use of Webcams**

- Parental consent will be obtained before webcams will be used within the setting environment for curriculum or educational purposes.
- All areas which are covered by webcams for security or safeguarding purposes will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity.
- Recordings will be retained for a limited time period only and for no longer than their intended purpose. This will generally be a maximum of 30 days. All recordings are to be erased before disposal.