



# **Use of Photographic and Video Images Policy**

**Policy approved by Full Governing Body: March 2017**

**Policy to be reviewed: March 2019**

## Use of Photographic and Video Images

Date	Review Date	Faculty	Nominated Governor
<b>Mar 17</b>	<b>Mar 19</b>	<b>Technology &amp; Exploration</b>	

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Children Act 1989
- Education Act 2011
- General Data Protection Register Act 2018
- Human Rights Act 1998
- Education Act 2002
- Children Act 2004
- Safeguarding Children: Working Together Under the Children Act 2004 (2006) (Wales)
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Children and Young Persons Act 2008
- Equality Act 2010
- Protection of Freedoms Act 2012
- Special Educational Needs and Disability (Detained Persons) Regulations 2015

The following documentation is also related to this policy:

- Equality Act 2010: Advice for Schools (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)
- Dealing with Allegations of Abuse against Teachers and other Staff: Guidance for Local Authorities, Headteachers, School Staff, Governing Bodies and Proprietors of Independent Schools (DfE)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children

We believe there is no law stopping parents from taking photographs of their children at school events as photographs taken purely for personal use are exempt from the GDPR Act 2018.

We understand that photographs taken for official school use and stored electronically with other personal data may be covered by the GDPR Act. We will take a common sense approach by informing and seeking the permission of pupils and their parents before any form of publication.

We will obtain permission from parents for any official press photographer to take photographs during a school event which will then appear in the local press or in some other publication or to appear in any form of professional video.

We believe this policy complies with the requirements of the GDPR Act 2018 and also allows parents/carers to capture those precious moments when their children are taking part in school events.

We will ensure that photographs taken in school or off-site by school personnel of pupils working or taking part in school events will only be taken by using a school camera. Under no circumstance will a member of the school personnel use their mobile phone to photograph pupils or to send the image to parents.

We believe we have a duty to prevent the unauthorised taking and publication of images of school personnel.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## **Aims**

- To provide a common sense approach to the taking of photographic and video images of children during school events.
- To comply with the requirements of the DDPR Act 2018 and Human Rights Act 1998.
- To work with other schools and the local authority to share good practice in order to improve this policy.

## **Responsibility for the Policy and Procedure**

### **Role of the Governing Body**

The Governing Body:

- has delegated powers and responsibilities to the Headteacher to ensure all school personnel and stakeholders are aware of and comply with this policy;
- will decide the conditions that apply to the taking of photographs at all school events in order that children are kept safe and that the performance is not disrupted and children and staff are not distracted;
- has a duty to prevent unauthorised taking and publication of images of school personnel;
- will protect the rights of school personnel by:
  - ☐ banning the use of mobile photographic phones by pupils in school;
  - ☐ where a parent takes a photograph of a member of the school personnel without that person's permission then we will request that the image is destroyed;
  - ☐ obtaining their permission to use their photographic image on the school website or in a school publication
- has responsibility for ensuring that the school complies with all equalities legislation;
- has responsibility for ensuring funding is in place to support this policy;
- has responsibility for ensuring this policy and all policies are maintained and updated regularly;
- make effective use of relevant research and information to improve this policy;

- has responsibility for ensuring all policies are made available to parents;
- has nominated a Steering Group to:
  - ☐ visit the school regularly;
  - ☐ work closely with the Headteacher;
  - ☐ ensure this policy and other linked policies are up to date;
  - ☐ ensure that everyone connected with the school is aware of this policy;
  - ☐ attend training related to this policy;
  - ☐ annually report to the Governing Body on the success and development of this policy.
- has responsibility for the effective implementation, monitoring and evaluation of this policy.

### **Role of the Headteacher**

The Headteacher will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- protect the rights of all children in the school;
- protect the rights of school personnel;
- work closely with the link governor;
- provide leadership and vision in respect of equality;
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by speaking with pupils, school personnel, parents and governors;
- annually report to the Governing Body on the success and development of this policy.

### **Role of School Personnel**

School personnel will:

- be aware that the Governing Body acknowledges that:
  - ☐ school personnel have the right not to have their photograph taken without their express consent;
  - ☐ under Article 8 of the Convention – Human Rights Act 1998 that individuals have the ‘right to respect for private and family life.’ This right is infringed where images of employees are taken without their consent, and especially where these images are manipulated or published without their consent.
- not photograph pupils using their mobile phone;
- comply with all aspects of this policy;
- inform the Headteacher if photographic images have been taken of them without their consent;
- under no circumstance use their mobile phone to photograph pupils or to send the image to parents;
- be aware of all other linked policies;

- maintain high standards of ethics and behaviour within and outside school and not to undermine fundamental British values;
- work in partnership parents and carers keeping them up to date with their child's progress and behaviour at school;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- report any concerns they have on any aspect of the school community.

## **Role of Pupils**

Pupils will:

- be aware of and comply with this policy;
- not take photographs of any member of the school personnel without their consent;
- not post photographic images of any member of the school personnel without their consent on social media;
- listen carefully to all instructions given by the teacher;
- ask for further help if they do not understand;
- treat others, their work and equipment with respect;
- support the school Values and guidance necessary to ensure the smooth running of the school;
- take part in questionnaires and surveys.

## **Role of Parents**

Parents/carers will:

- be aware of and comply with this policy;
- be asked to complete the consent form so that images of their children may be used:
  - ☐ in the school prospectus;
  - ☐ on the school website;
  - ☐ on video or webcam;
  - ☐ in the media;
  - ☐ appear in any printed educational publication;
  - ☐ appear on a professional video that will later be sold to raise money for the school.
- not take photographic images of children when they are changing for any school event;
- not to post any photographic or video images of children (other than their own) on social media
- not take photographs of any member of the school personnel without their consent;
- not post photographic images of any member of the school personnel without their consent on social media;
- be asked to take part in periodic surveys conducted by the school;
- support the school Values and guidance necessary to ensure smooth running of the school.

## **Raising Awareness of this Policy**

We will raise awareness of this policy via:

- the School Handbook/Prospectus
- the school website
- the Staff Handbook
- meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops
- school events
- meetings with school personnel
- communications with home such as newsletters
- reports such annual report to parents and Headteacher reports to the Governing Body

## **Training**

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:
  - ☐ All aspects of this policy
  - ☐ Safeguarding and Child Protection
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

## **Equality Impact Assessment**

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

We believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

## **Monitoring the Implementation and Effectiveness of the Policy**

The practical application of this policy will be reviewed annually or when the need arises by the Faculty, the Headteacher and the nominated governor.

A statement of the policy's effectiveness and the necessary recommendations for improvement will be presented to the Governing Body for further discussion and endorsement.

## **Linked Policies**

- Safeguarding and Child Protection
- Mobile Phone Safety & Acceptable Use
- E-Safety
- School Security
- Visitors and Contractors

Signed

Headteacher:		Date:	
Chair of Governing Body:		Date:	



**William Stukeley Church of England Primary School**

Spalding Road, Holbeach, Lincs PE12 7HG

Tel: 01406 422102

Email: [enquiries@williamstukeley.lincs.sch.uk](mailto:enquiries@williamstukeley.lincs.sch.uk)

Head Teacher: Mr T W Emery

Dear Parent or Carer

### **Consent for Photography and Images of Children**

During your child's life at William Stukeley CE Primary School we may wish to take photographs or videos of activities that involve your child. They may be used for displays, student portfolios, publications and on a web-site, by us, by the Local Education Authority or by local newspapers.

Photography or filming will only take place with the permission of the head teacher, and under appropriate supervision. When filming or photography is carried out by the news media, children will only be named with your permission, and if there is a particular reason to do so (e.g. they have won a prize), home addresses will never be given out. Images will not intentionally be used to cause embarrassment or distress, nor will we use images associated with issues that are sensitive. The school has a detailed policy on the use of photographs and video in school, copies are available from the school office on request.

School Plays, Sports day and such are public events. If you wish to attend school functions and take photographs or videos of your and other people's children, permission from the Head Teacher will normally be given, however a record of all photographers will need to be kept and designated areas may be set up. Please take appropriate images, be sensitive to other people and try not to interrupt or disrupt concerts, performances and events. Our advice is that any manipulation or distribution of images of children by you, without parents permission, could result in prosecution.

Before taking any photographs or videos of your child, we need your permission, for the following:

- the local media may take images of activities that show the school and children in a positive light e.g. Reception Year pictures of new starters, drama and musical performances, sports and prize giving;
- photographers acting on behalf of the school or Lincolnshire County Council may take images for use in displays, in publications or on a website;
- embarrassing or distressing images will not intentionally be used;
- the images will not be associated with distressing or sensitive issues;
- the school will regularly review and delete unwanted material.
- Some photographs will be kept as a historical record of the school, e.g. the School Scrap Book.
- Permission will remain in place for as long as your child is enrolled at the school, or you amend or withdraw your permission by writing to the Head Teacher.

**Please answer the questions on the attached form, sign and date the form and return it to the school.**

Yours sincerely

Mr T W Emery  
Head Teacher





**William Stukeley Church of England Primary School**  
**Consent Form for Photography and Images of Children**

Name of Child: \_\_\_\_\_

Name of person responsible for the child: \_\_\_\_\_

I understand that:

- the local media may take images of activities that show the school and children in a positive light e.g. Reception Year pictures of new starters, drama and musical performances, sports and prize giving;
- photographers acting on behalf of the school or Lincolnshire County Council may take images for use in displays, in publications or on a website/social media;
- embarrassing or distressing images will not intentionally be used;
- the images will not be associated with distressing or sensitive issues;
- the school will regularly review and delete unwanted material.
- Some photographs will be kept as a historical record of the school, e.g. the School Scrap Book.
- My permission will remain in place for as long as my child is enrolled at the school, or I amend or withdraw my permission by writing to the Head Teacher.

Having read the above statement, do you give your consent for photographs and other images to be taken and used?

**Please tick the appropriate box.**

- ☐ I give my consent for pictures and other images to be taken and used
- ☐ I do not give my permission for pictures or other images to be taken and used

Do you give your consent for your child to be named alongside their photograph?

**Please tick the appropriate box**

- ☐ I give permission for my child's full name to be used alongside the photograph.
- ☐ I give permission for my child's first name to be used alongside the photograph.
- ☐ I do not give permission for my child's name to be used alongside the photograph.

Signature of person responsible for the child: \_\_\_\_\_

Relationship to the child: \_\_\_\_\_

Date: \_\_\_\_\_