

The Croft Primary School

Use of Photography in School Policy



Introduction

At The Croft Primary School, we use photographs and videos for a variety of purposes, including school records, prospectuses, display boards, educational purposes and the school website.

Children's photographs add colour, life and interest to children's work and articles promoting school activities and initiatives. Making use of photographs to record children's work, achievements and for publicity materials to promote the school in the press can increase pupil motivation and staff morale, and help parents and the local community celebrate the school's achievements.

We also recognise that parents may also wish to take videos or photos of their children participating in school events for personal use.

However, we understand the need to ensure that photographs and videos must be used in a responsible manner - respecting children's and parents' rights of privacy. Therefore, every reasonable effort will be made to ensure that staff follow the guidelines detailed in this document. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

This policy is applicable to all forms of visual media, including film, print, video, DVD and websites.

Definitions

For the purpose of this policy:

- **"Personal use"** of photography and videos is defined as the use of cameras to take images and recordings of children by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo and are not intended to be passed on to unknown sources. The principles of the GDPR do not apply to images and videos taken for personal use.
- **"Official school use"** is defined as photography and videos which are used for school purposes, e.g. for staff passes. These images are likely to be stored electronically alongside other personal data. The principles

of the GDPR therefore apply to images and videos taken for official school use.

- **“Media use”** is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. As long as the school has agreed to this, and the children and/or their guardians are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the Act.
- Staff may also take photos and videos of pupils for **“educational purposes”**. These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks and the school archives. This will be personal data but will not breach the Act as long as the children and/or their guardians are aware this is happening and the context in which the photo will be used.

Roles & Responsibilities

The Head Teacher is responsible for:

- Ensuring that all photos and videos are stored and disposed of correctly, in line with the GDPR.
- Deciding whether parents are permitted to take photographs and videos during school events.
- Communicating this policy to all the stakeholders

The Designated Safeguarding Lead (DSL) is responsible for:

- Liaising with social workers to gain consent for photography and videos of LAC pupils.
- Liaising with the data protection officer (DPO), to ensure there are no data protection breaches.
- Informing the Co-Headteachers of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.

Parents are responsible for:

- Providing their initial consent at the start of an academic year
- Informing the school where there are any changes to their consent.
- Acting in accordance with this policy.

Parental Consent

- The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.

- Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.
- Where consent is given, a record will be kept documenting how and when consent was given and last updated.
- The school ensures that consent mechanisms meet the standards of the GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.
- All parents will be invited to review their consent on an annual basis which will determine whether or not they allow their child to participate in photographs and videos.
- If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented.
- All parents are entitled to withdraw or change their consent at any time during the school year but they need to inform the school
- For any LAC pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way.
- Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.
- A list of all the names of pupils for whom consent was not given will be included by the Data Manager on the nominal roll whenever produced and will be available to all staff members when needed.
- If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

General Procedures

- Photographs and videos of pupils will be carefully planned before any activity.
- A member of SLT will oversee the planning of any events where photographs and videos will be taken.
- Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Headteacher will liaise with the DSL to determine the steps involved.

- When organising photography and videos of pupils, staff will consider the following:
 - Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?
 - Could the camera angle be amended in any way to avoid pupils being identified?
 - Will pupils be suitably dressed to be photographed and videoed?
 - Would it be appropriate to edit the photos or videos in any way? E.g. to remove logos which may identify pupils?
 - Are the photographs and videos of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?
- Prior to any photos being taken all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate. Pupils will be asked to identify themselves if they are unable to be in a photo as consent has not been given
- The staff members involved, alongside the Headteacher will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved.
- Staff will ensure that all pupils are suitably dressed before taking any photographs or videos.
- Where possible, staff will avoid identifying pupils. If names are required, only first names will be used.
- The school will not use photographs of children or staff members who have left the school, without parental consent.
- Photos and videos that may cause any distress, upset or embarrassment will not be used.

School Owned and Staff Owned Devices

- Staff are encouraged to take photos and videos of pupils using school equipment; however, they may use their own/other equipment where consent has been sought from the Headteacher prior to the activity.
- Where staff-owned devices are used, images and videos will be provided to the school at the earliest opportunity, and removed from the staff-owned devices.

- Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.
- Digital photographs and videos held on the school's drive are accessible to staff only and photographs and videos are clearly labelled.

Use of a Professional Photographer

If the school decides to use a professional photographer for official school photos and school events, the Co-Headteachers will:

- Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
- Issue the photographer with identification, which must be worn at all times.
- Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos or photographs.
- Not allow unsupervised access to pupils or one-to-one photo sessions at events.
- Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.
- Ensure that the photographer will comply with the requirements set out in GDPR.
- Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

Permissible photography and videos during school events

If the Headteacher permits parents to take photographs or videos during a school event, parents will:

- Remain seated while taking photographs or videos during concerts, performances and other events.
- Minimise the use of flash photography during performances.
- In the case of all school events, make the focus of any photographs or videos their own children.
- Avoid disturbing others in the audience or distracting pupils when taking photographs or recording video.

- Ensure that any images and recordings taken at school events are exclusively for personal use and photographs of others children are not shared on social networking sites
- Refrain from taking further photographs and/or videos if and when requested to do so by staff.

Storage & Retention

- Images taken for '**media use**' or '**educational purposes**' will be deleted after seven years or retained for the schools archives.
- Some educational records relating to former pupils of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.
- Hard copies of photos and video recordings held by the school will be annotated with the date on which they were taken and they will not be used other than for their original purpose, unless permission is sought from Headteachers and parents of the pupils involved.
- When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.
- Where a pupil's security risk has changed, the DSL will inform the Headteacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately. Hard copies will be removed by returning to their parents or by shredding, as appropriate.

January 2020

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