

Cottenham Primary School



Policy relating to the use of Photographs, Videos and Images

Date:	November 2022
Reviewed by:	Personnel
Next Review date	June 2023
Equality Review Checklist	<p>In reviewing this policy due consideration must be given to the impact that changes may have on issues of equality for the protected groups:</p> <p>Age Disability Religion or belief Race Pregnancy and Maternity Sex Sexual orientation Gender reassignment Marriage/civil partnerships</p> <p>If the equality of a protected group is likely to be compromised by changes to the policy then please complete an equality risk assessment and tick here: <input type="checkbox"/></p>

Introduction

Photographs and video for school and family use are a source of innocent pleasure and pride, which can enhance the self-esteem of children and their families. However we must always be mindful of the need to safeguard the welfare of children in our school. This policy outlines the safety guidelines for the use of photography and other images of children, and adults at Cottenham Primary School and is predicated on the responsible adherence and cooperation of all stakeholders.

This policy will apply to all images, including: cameras, mobile phones, print, film, video, DVD, on websites, display screens and in the professional media and has been written using Cambridgeshire County Council guidance.

The use of images can be divided into four categories

- Images taken for official school use
- Images taken by parents at school events
- Images taken by the media
- Images taken by third parties

Images taken by school

The General Data Protection Regulations (GDPR) and Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Regulations and Act that consent is obtained from the parent of a child for any images made such as those used for school web sites, productions or other purposes. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

A signed consent form should be obtained from the child's parent/carer, and should be kept on the child's file, covering all cases where images of children are to be used.

A copy of the school's consent form and conditions for use can be found in **Appendix A**. Parents may withdraw consent at any stage, but they would need to do so in writing.

Images must be maintained securely for authorised school use only, and disposed of either by return to the child, parents, or destroying as appropriate.

Care should be taken in relation to particularly vulnerable children such as those who are in public care, recently adopted or those resettled following on from domestic violence.

All adults working in the school, paid or voluntary, will need to complete the relevant consent form (Appendix C). This will be available at the Parent Helpers Induction meeting.

Examples:

*Photographs of pupils or students are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Data Protection Act **will** apply.*

*A small group of pupils are photographed during a science lesson and the photo is to be used in the school prospectus. This will be personal data but **will not** breach the Act as long as the children and/or their parents/carers are aware this is happening and the context in which the photo will be used.*

Parents wishing to take images at school events

Increasingly, technology is making it easier for images to be misused and it is therefore important that schools take practical steps to ensure that images of children, taken by parents and carers and by members of the media, are done so in a way that is in accordance with the protective ethos of the school.

The Data Protection Act does **not** prevent parents from taking images at school events, but these must be **for their own personal use**. Any other use would require the consent of the parents of other children in the image.

Examples:

*A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the GDPR/ Data Protection Act **does not** apply.*

*Grandparents are invited to the school nativity play and wish to film it. These images are for personal use and the GDPR / Data Protection Act **does not** apply. **However**, if the grandparents published the film on their family website, they must receive permission from the parents of the other children involved.*

For the majority of events, consent will be required using the relevant forms (see Appendices). However, for certain events, e.g. Sports Day, Summer and Winter Fairs, the school will assume that all children and adults present have permission to be photographed. At these events, parents will be provided with a copy of **Appendix D**.

Parents should be required to give an undertaking on how the images will be used – see **Appendix B**. Parents should also be advised that they may only take images in designated circumstances and areas such as in the school hall and not backstage or in changing rooms. It is important that parents understand their responsibilities for the safe keeping of any images they may take.

Consideration will always be given to a special photo call session at the end of the event – this avoids distraction and disturbance and also allows for the withdrawal of children whose parents/carers have not consented.

This policy recommends that, wherever possible, the school take their own ‘official’ photos or films in order to retain control over the images produced.

It is also important to ensure that people with no connection with our school do not have any opportunity to produce images covertly. At events, staff should question anyone they do not recognise who is using a camera, phone or other hand-held device.

Images taken by the press

Example:

A photograph is taken by a local newspaper of a school awards ceremony. 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.

If a child is photographed by a newspaper, the photo becomes the property of the newspaper and the newspaper has the final say as to how it is used. (N.B. images can be placed by editors on the newspaper's website). Generally, newspaper photos of groups of 12+ children do not have the names of the children attached. However, photos of groups of less than 12 children are likely to include the full name of the child in the accompanying caption. Parents need to be aware when they give consent that this is the position. It is important that they are also reminded of the benefits of publicly celebrating achievement to build esteem in the child and pride in their school. If the school is asked directly for the names of children, they will not be provided unless parental consent has been given to do so.

Further advice is available from The Press Complaints Commission, who publish a Code of Conduct

Publishing or displaying photographs or other images of children

The school adheres to the following;

- **If the pupil is named, avoid using the photograph.**
- **If the photograph is used, avoid naming the pupil.**

Whatever the purpose of displaying or publishing images of children, care should always be taken to avoid the possibility that people outside the school could identify and then attempt to contact pupils directly. Most abused children are abused by someone they know, but there is still a concern that children might be identified from pictures appearing in the press or other media and targeted for abuse.

- Where possible, general shots of classrooms or group activities rather than close up pictures of individual children should be used. The camera angles should be considered. Photographs taken over the shoulder, or from behind are less identifiable.
- Children should be in suitable dress, and images of PE or swimming events should maintain modesty, for example wearing team tracksuits if appropriate
- Children from different ethnic backgrounds should be included in your communications wherever possible, as well as positive images of children with disabilities to promote the school as an inclusive community, and to comply with the Disability Discrimination Act
- Children can be identified by logos or emblems on sweatshirts etc. Depending on the use to which the photograph will be put, airbrushing logos should be considered.
- An article could be illustrated by the children's work as an alternative to using an image of the child

It is essential that when considering inviting an official photographer schools establish the validity of the organisation and what checks/vetting has been undertaken. Procedures should also ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present on the school site.

There may be occasions where the media take photographs of pupils at your school. It is important that parents and carers are aware of the potential risks and benefits so they can make an informed decision about consent.

Using photographs of children supplied by a third party

Copyright of an image including those downloaded from the internet usually rests with the person who produced it

Before using an image supplied by a third party the school will check that the third party owns the copyright of that image and will obtain their written permission to use it

The school will ask a third party to guarantee to you that all relevant consents have been given and that they are entitled to provide us with the image.

Websites and Web cams

Consent gained from parents/carers for the use of photographs or film may not extend to website or web cam use, so it is important to check, when introducing such technology, the status of existing consent for pupils.

It is important to take care with identification, and to respect parental views on the use of any photography of children on a website.

The regulations for using web cams are similar to those for CCTV (closed-circuit television). Children, their parents and other adults appearing on the web cam all need to be consulted and their consent obtained. In gaining consent, the school must tell the person why the web cam is there, what the images will be used for, who might want to look at the pictures and what security measures are in place to protect access. In addition, the area in which the web cam is being used must be well signposted, so that people must know that the web cam is there before they enter the area.

Use of film and audio clips by the School:

When film or audio clips (whether from an online source, or other format (eg. DVD, CD, etc.) are used to support children's learning, staff should ensure the following safeguards are followed:

- Check if there is a video or film clip available for the intended outcome, which comes from an approved educational source (eg. PSHCE Service) and is appropriate for age and ability.
- If an approved resource is available, then it must be used in preference to any other clips available.
- Clips taken from original sources which when viewed in their entirety are not suitable or appropriate for age and ability, must not be used.
- If the film clip is to be used by a group of teachers (e.g. a whole year team), it must be viewed and listened to, by the whole team together, before it is screened. The team will then need to discuss any potential issues, and take any questions to the Headteacher before using with children.
- Any clip or resource which has been accessed through an on-line search (e.g. through 'Youtube'), will need to be downloaded in order to remove any content other than the film itself (eg. pop-ups, adverts, links and web-addresses).
- If the clip is to be used by a teacher in isolation, then it will need to be viewed by the relevant Team Leader prior to its initial use with children.

Useful sources of information

The Information Commission website at www.ico.gov.uk

Press Complaints Commission Code of Practice at

www.pcc.org.uk/cop/practice.html

Internet Watch Foundation at www.internetwatch.org.uk

Child Exploitation and Online Protection at www.ceop.gov.uk

Appendix A(page 1 of 2)

Consent form for use of images of children at Cottenham Primary School

Occasionally, we may take photographs, or make video or web cam recordings, of the pupils at the school. We may use these images on displays around the school, in the school prospectus, or in other printed publications that we produce, as well as on the school website.

Sometimes the media (papers, radio or television) may visit the school and interview and/or take photographs, videos, or sound recordings of children. These images may then be published in the local or national press.

At certain events (e.g. sports day) parents will be taking photographs of their own children. These images may include other children.

Please answer questions 1 to 5 below, then sign and date the form and return to the school as soon as possible.

- | | | |
|----|--|----------------------|
| | | <i>Please circle</i> |
| 1. | Are you happy for your child to be photographed when taking part in school events? | Yes/ No |
| 2. | Are you happy for your child to appear in the media? | Yes / No |
| 3. | Recorded on video? | Yes / No |
| 4. | On the school website and display screen? | Yes / No |
| 5. | I agree to adhere to Cottenham Primary School's photograph policy when taking photographs in school. | Yes/No |

Please note that websites can be seen throughout the world, and not just in the United Kingdom, where UK law applies. Please also note that the guidelines and conditions for use are attached.

Name (in block capitals please) _____

Signature _____

Date _____

Child/Children's name(s) and Class:

This consent form applies whilst your child/children attend Cottenham Primary School. If your personal circumstances change please notify the school.

Conditions of use

1. We will not use the personal details or full names (which means first name and surname) of any child or adult in a photograph on the school website, in the school prospectus or in any other printed publications.
2. We will not include personal e-mail or postal addresses, or telephone or fax numbers on the school website, in the school prospectus or in other printed publications.
3. If we use photographs of individual pupils, we will not use the name of that child in the accompanying text or photo caption.
4. If we name a pupil in the text, we will not use a photograph of that child to accompany the article.
5. We may include pictures of pupils and teachers that have been drawn by the pupils.
6. We may use group or class photographs or footage with very general labels, such as “a science lesson” or “making Christmas decorations”.
7. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

Request for Parents Wishing to Take Their Own Photos/Films

I agree to ensure that all images I take will be for my personal use, will be kept securely and be used appropriately

I agree not to distract or obscure the view of others whilst taking images

Print Name.....

Signed

Relationship
to child

Date

Thank you for your co-operation. The safe use of images can be a source of pleasure and pride and a valuable record of the achievements of your child.

Appendix C (page 1 of 2)

Consent form for use of images of adults working and helping at Cottenham Primary School (e.g. staff, parent helpers, Governors).

Occasionally, we may take photographs, or make video or webcam recordings, of the pupils and adults at the school. We may use these images on displays around the school, in the school prospectus, or in other printed publications that we produce, as well as on the school website.

Sometimes the media (papers, radio or television) may visit the school and interview or take photographs, videos or sound recordings. These images may then be published in the local or national press.

Please answer questions 1 to 4 below, then sign and date the form and return to the school as soon as possible.

Please circle

- 1 Are you happy for your photograph to be taken when you are taking part in school events? This may include by parents for their own private use. Yes / No
- 2 Are you happy to appear in the media? Yes / No
- 3 Recorded on video? Yes / No
- 4 On the school website and display screen? Yes / No

Please note that websites can be seen throughout the world, and not just in the United Kingdom, where UK law applies. Please also note that the conditions for use of these photographs are attached.

Name (in block capitals please) _____

Signature _____

Date _____

Appendix C *(page 2 of 2)*

Conditions of use

1. This form is valid for the time you are working/volunteering at this school plus one year after you have left, to enable us to publicise the work of the school effectively.
2. All reasonable attempts will be made to not re-use any images after this time without your express permission.
3. We will not include personal e-mail, postal addresses, telephone or fax numbers on video, on our website or in printed publications.

A guide for parents who wish to use photography and/or video at a school event

- Remember that parents/carers and others, attend school events at the invitation of the head and governors.
- The head and governors have the responsibility to decide if photography and videoing of school performances is permitted.
- The head and governors will decide the conditions that apply so that children are kept safe. Also, this will ensure the performance is not disrupted and children are not distracted.
- Parents and carers can use photographs and videos taken at a school event for their own personal use only. Such photos and videos must not be sold and must not be put on the web/internet. To do so would likely break Data Protection legislation.
- Recording or photographing other than for your own 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 minimise disruption to the activity.
- Parents and carers must not photograph or video children changing for performances or events.
- If you are accompanied or represented by people that school staff do not recognise they may need to check who they are, if they are using a camera or video recorder.
- Remember that for images taken on mobiles phones the same rules apply as for other photography, you should recognise that any pictures taken are for personal use only.