



# Hemingford Grey

## SCHOOL

### **Policy for the Safe Use of Children's Photographs**

**Date last reviewed and approved:**

**March 2019**

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### **Introduction**

Staff and parents will, on occasions, want to take photographs of children to promote positive publicity. These photographs can promote school activities, and includes everything from observation, evidence, curricular purposes in the classroom, award ceremonies, trips and sporting events. These images can support parents and the local community in celebrating the school's achievements, whilst increasing pupil motivation and staff morale.

However, photographs must be used in a responsible way, and Hemingford Grey Primary School will respect children's and parents' rights of privacy and be aware of potential child protection matters. Hemingford Grey Primary School is committed to safeguarding and promoting the welfare of the children, and expects all staff and parents to share in this commitment.

This policy does not form part of any employee's contract of employment and is not intended to have contractual effect. The School reserves the right to amend this policy at any time.

This policy sets out clear guidelines to ensure the use of photography as a source of pleasure and pride is balanced with the need to safeguard children and protect the rights of the individual. All School staff are required to comply with the provisions in this policy.

### **Data Protection Act 1998 and GDPR Legislation March 2018**

Under the terms of the Data Protection Act 1998 and GDPR Legislation 2018, Hemingford Grey Primary School will not display images of pupils in a public place without parental consent. A public place includes areas where visitors to the school have access, such as the school prospectus and website.

### **Parental Consent**

Parents/carers will be asked to complete and sign a consent form indicating their agreement or objection regarding the use of images of their child; this will be kept on the child's file. Parents/carers may change their consent at any time by instructing the school in writing, however they will need to be made aware that once images 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.

A list of children, for whom consent has been refused will be maintained by the Office Manager and every effort will be made by staff not to include these children in photographs or video footage. This list will be updated on an annual basis and when children join or leave the school.

See appendix A for the parental consent form.

Where parents/carers have refused permission for their child to be photographed or have not returned a correctly completed and signed consent form, the child must be removed from situations where their image may be recorded. Where this is not practical, no images should be recorded.

Where a parent/carer has given consent but a child declines to have an image taken, it should be treated as consent not having been given and other arrangements should be made to ensure that the child is not photographed/filmed.

## **The use of Images**

The use of images can be divided into three categories

- Images taken for school use i.e. observations
- Images taken by parents at school events
- Images taken by third parties

## **Images taken by the School**

Staff or volunteers must not use personal devices videoing equipment or mobile phones to take images of children that attend the school. See also the school's Policy for Staff, Non-Staff and Volunteers for the Use of Mobile Phones and photographic or recording devices.

The Data Protection Act 1998 and GDPR Legislation March 2018 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent/carer of a child for any images made such as those used for the School website, observations, outings and events 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.

Care should be taken in relation to particularly vulnerable children such as Looked After Children, recently adopted or those who have experienced domestic violence.

## **Display of photographs**

If specific consent is obtained from parents/carers, it is acceptable for Hemingford Grey Primary School to display images of children in the school environment for celebrating progression and achievements, with the child's first name attached. Surnames will not be included. However, the school will be mindful to display images in rooms that are available for other purposes (i.e. adult learning and rooms used by lettings).

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 children directly.

- Children should be in suitable dress
- An article could be illustrated by the children's work as an alternative to using an image of the child

### **Parents wishing to take images of school events**

Hemingford Grey Primary School recognises that parents, carers and family members will wish to take photographs and recordings at school events such as plays, sporting events and achievement awards. It is important that such records remain private and for their own personal use. Furthermore, care must be taken not to interfere with the smooth running of the event, breach commercial copyright laws or compromise health and safety.

The Data Protection Act and GDPR Legislation 2018 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 a sponsored fun walk to be put in the family photo album. These images are for personal use.*

*Grandparents are invited to a School play and wish to video it. These images are for personal use and the Data Protection Act does not apply. However, if they intend to use the video on a social networking site e.g. Facebook, Twitter, they must receive permission from the parents/carers of all the other children involved.*

### **The Media**

The media operates under their own strict Code of Practice, and parents will be informed in advance if their child is likely to appear in the press.

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 (images can be placed by editors on the newspaper's website).

The school will adopt the following approach with photographs published by The Press:

Hemingford Grey Primary School will not publish names alongside published photos. Instead, photographs will be referred to by their activity, such as Year 6 football year, Children in Need day.

Pupils will not be approached or photographed whilst at school without the permission of an appropriate member of staff. Any child whose parents have withheld permission will not be photographed by the media. The school will not use any image of any child who is subject to a court order.

## **Other third parties**

Hemingford Grey Primary School will inform parents in advance where arrangements have been made for a commercial photographer to film such an event. Copyright on all such photographs is retained by the photographer.

It is also important to ensure that people with no connection with the School do not have any opportunity to produce images covertly. Staff should question anyone who is using a camera, mobile phone or video recorder at events or on outings whom they do not recognise.

## **Use of cameras or other recording devices by children**

Children should not use personal equipment including mobile phones and video recorders under any circumstances, unless the school has given permission to use such equipment as part of curricular or extra-curricular activities. Staff should make it clear that images should be taken responsibly.

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 schools Anti-bullying Policy and may be viewed as a criminal offence.

## **Storage of images**

The school has a duty of care to safeguard images so that they cannot be used inappropriately, or outside the agreed terms under which consent has been obtained. Images can be stored digitally or electronically but this should be secure.

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

## **Complaints Procedure**

If a parent/carer wishes to make a complaint regarding the safe use of children's photographs, they should follow the school's normal parental complaints procedure, set out in the Complaints Policy.

If the concern is regarding the use of photographs by the press, they should contact the Independent Press Standards Organisation (IPSO), or the Office of Communications (OFCOM) in the case of TV companies.

## **Monitoring and Review**

This policy will be reviewed by the Resources Committee on an annual basis to keep up-to-date with the continual advances in technology and in response to significant views expressed by staff, parents and pupils of Hemingford Grey Primary School.

Reviewed and approved: March 2019



**Parental use of cameras and video cameras in school and  
consent of photographic images of my child**

**Child's name:**

I understand that all photographs and videos that I take at school are for **private use only**. Please tick.

I will not post photographs that contain images of children other than my own on any form of social media unless with prior permission of all the parents. Please tick.

I give permission for my child's photograph to be used for assessment purposes as part of a learning journey/Seesaw/Edmodo. Yes  No

I give permission for photographs/videos to be taken of my child during the school day, for example at school productions, sports day, during lessons, etc. Yes  No

I give permission for my child's photograph to appear in local newspapers and publications. In these circumstances the school will follow the DFE advice that if the child is named, the photograph will not be used. If the photograph is used, the child will not be named. Yes  No

I agree for photographs of my child to appear on the school website. Your child will not be named. Yes  No

I agree for my child's work to appear on the school website. Yes  No

I agree for my child's work to appear in the local community. Yes  No

I agree for my child's photograph to be displayed on celebratory certificates within school Yes  No

If my child has a specific medical or dietary need and in order for the school to safeguard my child effectively, I give permission for my child's photograph to be discreetly held with the kitchen, staff room, first aid room and school office Yes  No

**I agree to notify the school in writing of any changes to the above. Please tick.**

Signed: ..... (Parent/Carer) Date .....

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