

Keir Hardie Primary School & Children's Centre



Use of Photographic Images of Children

Reviewed:	Autumn 2017
Date of Next Review:	Autumn 2018

Use of Photographic Images of Children

This policy was reviewed by the co-ordinator

Print Name

Signature

Date

This policy was reviewed by the Head Teacher

Print Name

Signature

Date

This policy was reviewed and agreed by the Chair of Governors

Print Name

Signature

Date

Use of Photographic Images of Children

Introduction

Keir Hardie Primary School¹ welcomes positive publicity. Children's photographs add colour, life and interest to articles promoting the school activities and initiatives. Making use of photographs for the school in publicity materials (in all forms) increases pupil motivation and staff morale and helps parents and the local community identify and celebrate the school's achievements.

The Governors and staff of the school recognise that photographs have to be used in a responsible way. We respect the children's and parents' rights of privacy and we are, as a community, very aware of any potential safeguarding and child protection issues. The aim of the school's policy is to minimise the risks in relation to the use of photographs in school publicity materials, on its website and in local newspapers. To this end, all parents will receive a copy of the policy and parental consent (Appendix 1) will be secured for the use of photographs and filming for all new children who join the school. Existing pupils have previously signed a basic consent form when admission interviews took place.

Data Protection Act

Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1988. Therefore, using such images for publicity purposes will require the consent of either the individual concerned or, in the case of pupils, their legal guardians. This means that without the consent images of pupils or staff on websites, in publication or in a public place may not be displayed. The definition of a public place includes areas where visitors to the school have access.

Typical Uses of Photographs/Videos/Filming

- For assessment purposes.
- Learning skills and feedback
- Performing arts including dance and movement, concerts, drama performances, parent evenings, community events, assemblies.
- Sports days and sports fixtures and the use of photographic equipment by parents and carers and children from other schools.
- Media including newspapers and television, especially when some editors require children's names when publishing photographs.
- Displays in the school of children's activities.
- Publications by the school and by Newham Council, including prospectus, website.
- School and Newham Council websites.
- Staff training and professional development activities.
- Publicity material for contractors.
- Recording events such as projects or grounds development.
- Video-based learning.
- School signage
- Site security/CCTV

¹ 'School' refers to KH Primary School and KH Children's Centre

Good Practice In Using Photographic Images

- Images are used only for their intended purpose
- If the full names of a child are used, no photograph will be used.
- Only images of children suitably dressed will be used
- In activities such as dance and gymnastics, the content of the photograph will focus on the activity and not on a particular child.
- No image of a child subject to a court order, or a vulnerable child, will be used.
- Images will be stored securely and used only by those authorised to do so
- Photographs of children who have left the school will not be used without additional consent and prior agreement.
- Ensure file names given to electronic images of children do not identify the child e.g. not Mary Jones.jpg
- Avoid images that only show a single child with no surrounding context of what they are learning or doing
- Photographs of three or four children are more likely to also include their learning context.
- Avoid naming young people. If one name is required then use the first name only where possible.
- Use photographs that represent the diversity of the young people participating
- Report any concerns relating to any inappropriate or intrusive photography to the headteacher.
- Remember the duty of care and challenge any inappropriate behaviour or language
- Do not use images that are likely to cause distress, upset or embarrassment.
- No use of mobile phones to take photos of children.
- No images of the children will be used on social networking sites.

Implementation

The implementation of the policy is the responsibility of all staff. The office administration team will manage the data regarding pupils without consent. The Art co-ordinator will be responsible for updating photographs of staff around school. The School Administrative Officer is responsible for updating the website photographs. The School Administrative Officer is responsible for updating the publicity materials. The school office will maintain a 'Photo Consent Folder' in the office to be updated annually.

Websites

Web use can be of particular concern to parents and staff because of the potential misuse of images by paedophiles. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated without parents' or children's knowledge. The dual concern which follows such a risk is that children might be exploited and the school might be criticised or face legal action. Images on website can be made more difficult to copy by several measures – copy-protection, overlaying with a watermark or published in low definition.

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

Increasingly users are generating content for websites e.g. children and adults placing pictures on Bebo, Myspace or Facebook websites. It is therefore important that the school ensures that children, staff and parents understand the risks involved

and are encouraged to adopt safe practice when generating content for school-related websites.

Newspapers

- For all photographs, names will only be supplied if prior permission has been obtained on the consent form.
- Please note that some newspapers will refuse to publish photographs without a name and as such children may need to be omitted from these photographs (if permission not given).
- Pupils must not be approached or photographed whilst at school (or engaged in school activities outside school) without the permission of a member of staff.

Official School Photographs

Periodically the school invites an official photographer into school to take portrait photographs of individual children and/or class groups. It is essential that when considering such an activity the school undertakes a risk assessment in terms of the validity of the photographer/agency involved and establish what checks/vetting has been undertaken (e.g. DBS). School 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.

Parental Right to Take Photographs Etc.

Parents are not covered by the Data Protection Act 1998 if they are taking photographs or making a video recording for their own private use. The Act does not therefore stop parents from taking photographs or making video recordings at school events, such as concerts. However, the school reserves the right to refuse parents this opportunity for health and safety reasons, such as the excessive use of flashlight, bulky or noisy equipment.

Parents are not permitted, however, to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of a school event). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film. Without this consent the Data Protection Act 1998 would be breached. Parents will be reminded not to put images that involve children other than their own on Facebook or other socialising websites.

The important thing is to be sure that people with no connection with the school do not have any opportunity to film covertly. Staff need to be vigilant at events and productions and quiz anyone they do not recognise who is using a camera or video recorder.

Parents Evenings, Concerts, Presentations, Sport Events, Community Events

As these events take place in controlled, safe environments we recognise that parents, carers and family members wish to record events such as school plays, sports days etc. to celebrate their child's achievements. However, it is important that such records remain private and for their own personal use. Upon a child's admission to the school, parents will be asked to sign a photography consent form that acknowledges this.

To allow the appropriate recording of children's images by parents/carers:

- ensure that children are appropriately dressed;

- obtain parental permission;
- be aware of any child who should not be photographed; and
- monitor the use of cameras and anyone behaving inappropriately
- Encourage parents/carers with video cameras to sit towards the back of the room during assemblies/performances to prevent obscuring other people's view.

If a commercial photographer is used:

- a clear brief on appropriate content and behaviour will be provided
- identification will be worn at all times
- parents will be informed that a photographer will be in attendance
- there will be no unsupervised access to children in one-to-one filming sessions
- no photography or filming will be allowed outside the realms of the event

Parental Consent

On admission of a pupil to the school, parents/carers will be asked to sign a photography consent form in relation to their child being photographed at school or during school events and if the school could use the images after the pupil has left.

Responses to the photography consent form are collated and all staff are made aware of the results. It is important that staff familiarise themselves with this information. If parents withhold consent for certain aspects of photography in relation to their child, this must be respected.

Teacher Training and Portfolios

During teacher training and with newly qualified staff, colleagues need to compile portfolios with photographs of children during lessons. Staff should act responsibly in compiling these images. The School-Based Technician may wish to oversee the compiled images as part of the management process and consider their appropriateness.

Displays in Schools

Still photographs shown on displays and video clips available during events and for teaching purposes children should depict children in an appropriate way. They should not display images of children in inappropriate or revealing clothing so appropriate levels of integrity and decency are maintained. Do not use photographs or images likely to cause embarrassment.

Children Photographing Each Other

This practice can occur during offsite activities. Staff should maintain the supervision and management control. There may be incidents where children take inappropriate photographs, perhaps showing friends and other children inappropriately dressed. Staff should endeavour to discourage this practice, but ultimately parents are responsible for monitoring their child's use of cameras and subsequent use of their images involved.

Camera Phones

Camera phones may be used at school events as outlined above. It is not acceptable for camera phones to be used under any other circumstances, nor should children bring them into school.

Storing and destroying media/images

Images will be kept securely and held by the school for the duration of the pupil's time at Keir Hardie, and then it will be either archived or destroyed depending on the parents' consent. The photography consent forms will be annually monitored by the Office Manager.

Images might also be kept to record a specific school event or memory.

When destroying media images, the school will ensure that the device used is either restored to factory settings, physically destroyed or uses software to overwrite the data. This will be actioned by the School Based Technician

Closed Circuit Television (CCTV)

At Keir Hardie CCTV is used:

- to monitor site security and safety
- for the personal safety of all staff, pupils, parents and visitors
- as a means of crime reduction and discovering trespass
- as an effective deterrent for crime

We ensure that the following conditions apply:

- Digital images stored on the computer hard drive for the designated periods only then erased
- The cameras in use are fixed wide angle lens
- Cameras are sighted to ensure no inappropriate use is possible.
- During school hours and out of school hours some recordings may show criminal or inappropriate activities taking place on the school site without the school's knowledge. If they are of a criminal nature the head teacher or member of the Senior Leadership Team may refer the information to the police

Visitors

All visitors to the school including those running events e.g. theatre performances, musicians, workshops will be informed of the policy.

Governing Body

The Governing Body should formally adopt these guidelines as policy and good practice.

Ensure that the child protection and/or health and safety governor are aware of and support the policies and procedures.



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Using Photographic Images of Children – Seeking Your Consent

Dear Parent or Guardian

This letter explains why we need to ask for your consent to any photographs that may be taken of your child while he or she is at school. When you have read it, please complete and return the form overleaf to let us know your wishes. (If you want a copy to keep, please write a note on the form and one will be sent to you.) Generally, photographs of children for school and family use, and occasionally for publication in the local Press and the school website, are a source of pleasure and pride and so are to be welcomed. However, we live in an age in which technology has vastly increased the use, and potential misuse, of photographs. The Governors at Keir Hardie Primary School believe that photography of children at the school should continue, in line with the policy set out below.

The School's Policy

All children are photographed as part of day to day teaching and learning. For all other photographs, our policy is to follow the Department for Education and Skills (DfES) advice: "If the pupil is named, avoid using the photograph. If the photograph is used, avoid naming the pupil." So we will **not** use children's full names alongside their photographs in the school's own printed publications or in video films. However, pupils' first names may be used, and their full names may be given in group situations where they cannot be linked to individuals in the photograph.

With regard to the Press, the school **will** allow local newspapers to take photographs of children, when appropriate, provided that parental consent has been given. Some newspapers insist that children's names must be published with their photographs. If not, they may decline to cover school events. Therefore we will normally give the children's full names (but not addresses) to newspapers. It is important for you to tell us your views. The school will not allow your child to be photographed by the Press if you do not wish this. (Please note that the school will seek an undertaking that a child's name will not be used if their image is put on the newspaper's own website.) Although it is fairly rare for television companies to visit the school, your consent for newspaper photographs would also apply to television images. Please complete and return the attached form. If you would like to discuss these matters in more detail, please talk to your child's teacher or another member of staff. If in the future you should wish to change your decision on whether to give consent, you can do so at any time. This form will be completed once in your child's time at Keir Hardie Primary School.

A full copy of the school policy on the safe use of children's photographs may be obtained on request from the school office.

Ms V Otieno
Headteacher

KEIR HARDIE PRIMARY SCHOOL

'Use Your Camera and Video Courteously'

A guide for parents who wish to photograph and/or video a school event

- Generally photographs and videos for school and family use are a source of innocent pleasure and pride which can enhance self-esteem for children and young people and their families. By following some simple guidelines we can proceed safely and with regard to the Law.
- Remember that parents and carers 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/events is permitted.
- The head and governors have the responsibility to decide the conditions that will apply in order that children are kept safe and that the performance is not disrupted and children and staff not distracted.
- Parents and carers can use photographs and videos taken at a school event for their own personal use only. This is a requirement in Law. The Data Protection Act 1998 considers an image of a child to be personal data for the purposes of the Act and does not permit such photos or videos to be sold, put on public display or to be put on the web/internet. (Recording or photographing other than for 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.
- When permitted, family and carers are the appropriate people to use a camera or video recorder at school events. To avoid embarrassment, please do not ask anyone else to take photographs or make recordings on your behalf and please identify to staff in advance any family member whom staff may not recognise.
- People that school staff do not recognise using a camera or video recorder, may need to have their identity verified.

Using Photographic Images of Children – Consent Form

Child's Name.....

Sometimes we take photographs of children either at school or when they are involved in organised activities away from the school site. This will always be done using approved school equipment. We may use the pictures in school publications such as the prospectus or on the school's website. We may also make video or webcam recordings for use by the school.

To comply with the Data Protection Act 1998, we need your permission to photograph or make any recordings of your child.

Occasionally, the school may be visited by the local newspaper to take photographs or film of an event at the school. Pupils will sometimes appear in these images, which may be published in the local newspaper.

Please answer questions 1 and 2 below (please circle your answers), then sign and date the form where shown and return it to the school as soon as possible.

1. May we take photographs, videos or webcams of your child and use them (unidentified by their full name)

In school publications?**YES/NO**

After your child has left Keir Hardie Primary School?.....**YES/NO**

2. Do you consent to your child being photographed by the local newspaper and other news media?**YES/NO**

Please note that:

- a) *Newspapers will be asked to avoid using the child's name if their image is put on the newspaper's own website.*
- b) *This consent will also be taken to apply to television images, provided that your child is not named except with your specific agreement.*

DECLARATION

I have read and understood the school's policy. My decision on whether to give consent will remain valid throughout my child's time at the school and thereafter, unless I notify the school to the contrary in writing.

I also agree that if I or members of my family take photographs or video recordings at a school event, they will be kept for private family use only, and will not be used for commercial purposes or put on public display including websites and social networks such as Facebook.

Signed.....(Parent/Guardian)

Please print name.....

Date.....