

Photography and Images Policy

Date	Review Date	Head Teacher	Chair of Governors
Jan 24	Jan 25	Mrs Sally Reay	Ms Laura Winton

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Statement of intent

At Clipstone Brook Lower School, we use images and videos for various purposes, including prospectuses, display boards, educational purposes, conferences, and the school website. Parents may also wish to take photos of their children only for personal use when participating in school events. They must ensure that they do not take photographs of other pupils and put on social media.

While we recognise the benefits of photography to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the UK GDPR and the Data Protection Act (DPA) 2018, the school has specific responsibilities regarding how photos and videos are taken, stored, and retained.

The school has implemented a policy on safe cameras and recording equipment by staff, pupils, and parents to reflect the protective ethos of the school about pupils' safety.

To ensure that, as far as possible, the use of photography and video is safe at all times, the policy provided below should be followed. This policy applies to all forms of visual media, including film, print, video, DVD, and websites.

1. Legal framework

This policy has due regard to all relevant legislation and guidance, including, but not limited to, the following:

- The Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR) The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- DfE (2023) 'Keeping children safe in education 2023'

This policy operates in conjunction with the following school policies:

- Data Protection Policy
- Records Management Procedures
- Anti-bullying policy
- Social Media Policy
- Acceptable User Policy
- Social Media Code of Conduct for Parents and Carers

2. Roles and responsibilities

The school is responsible for:

- At the beginning of the academic year, the office manager will organise updating consent forms to parents and pupils where appropriate about photos and videos being taken while at school. This will be sent out with a request for updated information.
- Ensuring all photos and videos are stored and disposed of correctly, in line with the UK GDPR and the DPA 2018.

- Deciding whether parents are permitted to take photos and videos during school events.
- Communicating this policy to all the relevant staff members and the wider school community, such as parents.

The DSL is responsible for:

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

Parents and pupils are responsible for:

- Completing a photography consent form on an annual basis.
- Informing the school in writing if they wish to make any changes to their consent.
- Acting by this policy.

3. Definitions

“Camera” refers to mobile phones, tablets, webcams, portable gaming devices, and other equipment or devices used to take photos.

“Personal use” of photography and videos is defined as using 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 picture and are not intended to be passed on to unknown sources. The principles of the UK GDPR and the DPA 2018 do not apply to images and videos taken for personal use, but consent must always be sought from other parents/ carers.

“Official school use” is defined as photography and videos used for school purposes, e.g., building passes and identity cards. These images are likely to be stored electronically alongside other personal data. The principles of the UK GDPR and the DPA 2018 apply to pictures and videos taken for official school use.

“Media use” is photography and videos intended for a broad audience, e.g., photos of children taken for a local newspaper. The principles of the UK GDPR and the DPA 2018 apply to images and videos taken for media use.

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 various reasons, such as school displays, special events, assessments, and workbooks. The principles of the UK GDPR and the DPA 2018 apply to images and videos taken for educational purposes.

4. Consent

All photos and video content are classified as personal data under the UK GDPR and the DPA 2018; images or video content may be used for publicity or other purposes only once informed consent has been provided and it has not been withdrawn.

Staff and parents will be encouraged to read the Data Protection Policy for more information on the school's approach to data protection.

Parents must consent on their child's behalf, except where the processing concerns preventative or counselling services offered directly to children.

Parents and pupils will be aware that their child/they may be photographed at school, and they have the right to withdraw consent for:

- Photos or videos taken by staff members for school-based publicity and promotional purposes or anonymous use on the school website/ social media account.
- Photos or videos taken by parents and other family members of children at the school during school concerts, performances, sports events, and other similar events organised by the school.
- Photos or videos taken by press members who are on the school premises by invitation to celebrate individual, group, or school success.

Where consent is given, a record will be kept documenting how and when consent was given and last updated.

The school will ensure that consent mechanisms meet the standards of the UK GDPR and the DPA 2018. Where the consent standard cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.

Parents and pupils, as applicable, will be asked to complete the photography consent form annually, which will determine whether or not they allow their child/themselves to participate in photos and videos.

The photography consent form will be valid for the entire academic year unless the pupil's circumstances change, e.g., if their parents separate or consent is withdrawn. Additional consent forms will be required if the pupil's circumstances change.

If there is a disagreement over consent, or if a parent/pupil does not respond to a consent request, it will be treated as if consent has not been given. Photos and videos of the pupil will not be taken or published without permission.

All parents and pupils will be entitled to withdraw or change their consent anytime during the school year. Parents or pupils who wish to withdraw their consent must notify the school in writing.

If any parent or pupil 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.

For any pupils who are LAC, PLAC, or 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 LAC, PLAC, or adopted pupils 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 photos and videos of any

pupils would put their security at further risk, more excellent care will be taken towards protecting their identity.

A list of all the names of pupils for whom consent was not given will be created by the DPO (office manager) and will be circulated to all staff members. This list will be updated annually when new consent forms are provided.

5. General procedures

Photos and videos of pupils will be carefully planned before any activity, and the DPO will oversee the planning of any events where pictures and videos will be taken. Where photos and videos will involve LAC, PLAC, or adopted pupils, or pupils for whom there are security concerns, the headteacher will liaise with the DSL Team to determine the steps involved.

The list of all pupils who have not consented to be photographed or recorded will be checked before the activity. Only pupils for whom consent has been given will be able to participate.

The staff members involved, alongside the headteacher and DPO, will liaise with the DSL if any pupil is LAC, PLAC, adopted, or for whom there are security concerns.

A school-owned digital camera will take photos and videos of pupils.

Staff will ensure that all pupils dress suitably before taking photos or videos.

Staff will avoid identifying pupils by name or any other identifiable data where possible. If names are required, only first names will be used.

The school will not use photos or videos of:

- Any pupil who is subject to a court order.
- Staff members who have left the school without their consent.

Photos and videos that may cause distress or embarrassment will not be used.

Any concern relating to inappropriate or intrusive photography or content publication will be reported to the DPO.

6. Additional safeguarding procedures

The school will consider certain circumstances that may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.

The DSL and/or Designated Teacher (DT) will liaise with the pupil's social worker, carers, or adoptive parents in known cases of LAC, PLAC, or adopted pupils to assess the needs and risks associated with the pupil.

Any measures required will be determined between the DT, DSL, DPO, social worker, carer, and/or adoptive parent to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:

- Photos and videos can be taken as per usual school procedures
- Photos and videos can be taken within the school for educational purposes and official school use, e.g., on registers, but cannot be published online or in external media

- No photos or videos can be taken at any time for any purposes

Any outcomes will be communicated to all staff members via a staff meeting. The list outlining which pupils will not be involved in any videos or photos held in the school office will be updated accordingly.

7. Use of digital cameras

Staff members may be provided with a camera to record and maintain pictorial evidence of the lessons, behaviour, activities, and events related to their pupils. Photos and videos may only be taken for educational purposes and in “school or educational provision settings,” as mentioned above.

Personal cameras, mobile phone cameras, or other recording equipment will always be prohibited on school premises.

The school-owned cameras will be located and stored securely. Staff members will ensure that the camera is locked away after use. Staff members need help to take school cameras or memory cards home.

Staff members will only be allowed to bring in personal cameras with prior permission. If personal cameras can be brought in due to a specialist requirement or defective equipment, the memory card should be shown empty, and images downloaded to the school's server.

Staff or other adults will not be permitted to take photos of pupils in vulnerable circumstances, such as upset or inappropriately dressed. Staff members and the school community must report inappropriate use of digital cameras and images to the headteacher. If it is found that any incidents raise child protection concerns, immediate action will be taken in consultation with the DSL Team.

The school will not take responsibility for lost, stolen, or damaged camera equipment. This remains the responsibility and obligation of the individual who has borrowed the equipment.

8. Other school-owned devices

Staff will only be permitted to take photos and videos of pupils using the school's digital cameras; however, they may use other school-owned devices, such as mobile phones and tablets. Staff will not use their mobile phones or any other personal device to take images and videos of pupils.

Where school-owned devices other than digital cameras are used, images and videos will be provided to the school immediately and removed from the devices.

9. Storage and retention

As per the UK GDPR and the DPA 2018, images obtained by the school will only be kept for the necessary time.

Hard copies of photos and video recordings held by the school will be annotated with the date on which they were taken and will be stored in the school office. They will only be used for their original purpose if permission is sought from the headteacher and parents of the pupils involved and the DPO has been consulted.

Digital photos and videos held on the school's drive are accessible to staff only. Pictures and videos are stored in labelled files, annotated with the date, and are only identifiable by year group or class number – no names are associated with images

and videos. Files are password-protected, and only staff members have access to these passwords.

Paper documents will be shredded or pulped, and electronic memories will be scrubbed clean or destroyed once the retention period has ended. The DPO will review stored images and videos annually to ensure that all unwanted material has been deleted.

When a parent withdraws consent, it will not affect the use of any images or videos for which permission had already been obtained. Withdrawal of consent will only affect further processing.

Where a pupil's security risk has changed, any related imagery and videos involving the pupil will be removed from the school drive. Hard copies will be removed by returning them to the parent/pupil or shredding, as appropriate.

Official school photos will be held on SIMS alongside other personal information and retained for the length of the pupil's attendance at the school, or longer if necessary, e.g., due to a police investigation.

Images taken on school cameras will be downloaded on a school computer or laptop as soon as possible, ideally once a week.

Staff members will ensure that images are safely stored, particularly on memory sticks and hard drives. They will take reasonable measures to ensure they come into the possession of only authorised persons.

No digital image will be altered or enhanced in any way by any staff member unless the headteacher is given prior permission. The school may require photos to be deleted or edited as appropriate and may choose to use pictures taken by members of staff or volunteers for other purposes, provided the processing conditions and consent requirements of this policy are met. Staff members are responsible for ensuring that edited images do not mislead or misrepresent. They must not edit pictures that make their subject vulnerable to embarrassment, teasing, bullying, or abuse.

If the memory card for individual school cameras needs to be replaced, then the replaced memory card will be destroyed to ensure that no images can be recovered. Staff members must remember that, even when images are physically deleted from a camera or memory card, the camera or the memory card must be appropriately disposed of to ensure that no imprint remains.

10. Appropriate use of images under UK GDPR and the DPA 2018

Photos will be used in school for many reasons. The different uses for the same image should be considered separately, as each photograph and use will potentially have other conditions for processing.

The school will use privacy notices with declarations attached to inform staff, pupils, and parents about how their data may be collected and as one method of gaining consent.

Photos used in identity management

These are likely to be essential for performing the public task of the school, but they will be deleted once the child is no longer in attendance – as they are no longer needed for the purpose for which they were held.

Photos used for marketing purposes

Photos will not be used for marketing purposes unless the school has specific, informed consent for the images and the photos are only used in line with the consent provided.

The school will recognise that when images are posted on the school website, anyone may view the images, and consequently, this may result in a greater risk of misuse of images. The school will, therefore, give specific consideration to the suitability of photos for use on the school's website.

11. Use of cameras and filming equipment by parents

Parents or family members will be welcome to take photos only of their children participating in school events, subject to the following guidelines, which the schools expect all parents to follow. Parents will:

- Remain seated while taking photos 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 photos of their children.
- Avoid disturbing others in the audience or distracting pupils when taking photos or recording videos.
- Ensure that any images and recordings taken at school events are exclusively for personal use and are not uploaded to the internet, posted on social networking sites, or openly shared in other ways.
- Refrain from taking further photos and/or videos if and when requested to do so by staff.

12. Use of cameras and filming equipment by pupils

All pupils will be encouraged to look after each other and to report any concerns about the misuse of technology or any worrying issues to a pastoral staff member. Misuse of images, cameras, or filming equipment in a way that breaches this policy will always be taken seriously and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

13. Sharing of images

All images taken by members of staff or volunteers at school or during school activities remain the property of the school, and pictures must not be shared with anyone outside the school or held for private use.

Unless specific prior consent has been obtained, staff members and volunteers will not post school images on personal pages of social networking sites or other websites.

Images will not be emailed or shared via private email accounts unless a parent has asked for a photo of their child to be sent to them.

14. Use of a professional photographer

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

- Provide a clear brief for the photographer about what is considered appropriate in terms of both content and behaviour.
- Issue the photographer with an identification lanyard, which must always be worn.
- Let pupils and parents know that a photographer will attend an event and ensure they have previously consented to the taking and publishing of videos and/or photos.
- 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 purposes. That permission has not been given to use the photos for any other purpose.
- Ensure that the photographer complies with the requirements in the UK GDPR and the DPA 2018.
- Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images and/or videos are not used for anything other than the purpose indicated by the school.

15. Monitoring and review

This policy will be reviewed annually by the headteacher and the DPO.

Any changes to this policy will be communicated to all staff, parents, and, where appropriate, pupils.