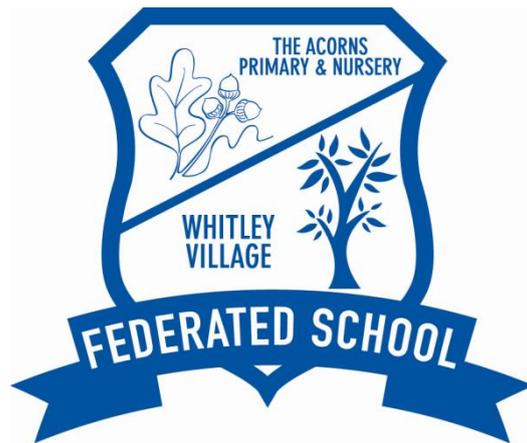


THE ACORNS PRIMARY and NURSERY and WHITLEY VILLAGE FEDERATED  
SCHOOL



# **School Photo Use Policy (LA Adopted)**

November 2021

## **1. This Policy**

This Policy is intended to provide information to pupils and their parents, carers or guardians (referred to in this Policy as “parents”) about how images of pupils are normally used by The Acorns and Whitley Village Federated School (“the School”). It also covers the School’s approach to the use of cameras and filming equipment at school events and on the premises by parents and pupils themselves, and the media.

It applies in addition to the School’s terms and conditions, and any other information the School may provide about a particular use of pupil images, e.g. signage about the use of CCTV; and more general information about the use of pupils’ personal data, (e.g. in the School’s Privacy Notice(s)).

This Policy reflects the School’s legal obligation to protect the privacy, and in some cases, personal safety of all our pupils and in recognition of the fact that not all pupils and their parents wish to have the pupil’s image published.

## **2. General Points to be aware of**

Photographic and video images of pupils and staff are classed as ‘personal data’ under the terms of the General Data Protection Regulation.

Certain uses of images are necessary for the ordinary running of the School; other uses are in the legitimate interests of the School and its community and are unlikely to have a negative impact on children. The School is entitled to lawfully process such images and take decisions about how to use them, subject to reasonable objections raised.

On joining the School, (i.e. by accepting a place), parents and pupils, are invited to indicate whether they consent or object to the use of images by the School or various different purposes via a written consent form.

Parents should be aware of the fact that certain uses of their child’s image may be necessary such as for identification and security purposes or unavoidable, for example if they are included incidentally in CCTV or a photograph or film.

We hope parents will feel able to support the School in using pupil images to celebrate the achievements of pupils, promote the work of the School and pupils, and for important administrative purposes such as identification and security.

The School will always respect the wishes of parents (and indeed pupils themselves) where reasonably possible, and in accordance with this policy. Any parent who wishes to limit or amend their consent preferences for the use of images of a pupil for whom they are responsible should contact the School’ Data Protection Lead who will hold a record of your consent.

Parents should be aware that, from around the age of 13 and upwards, the law recognises a pupil’s own rights to have a say in how their personal information is used – including images. This means that there may be times where the pupil’s decision may override yours except in exceptional circumstances.

## **3. Use of Pupil Images in School Publications**

Unless the relevant pupil or his or her parents have requested otherwise, the School will use images of its pupils to keep the School community updated on the activities of the School, and for marketing and promotional purposes including:

- On internal displays (including clips of moving images) on digital and conventional notice boards within the School premises;
- In communications with the School community (parents, pupils, staff and Governors) including by email, and by post;
- On the School's website and, where appropriate, via the School's social media channels, e.g. Twitter, Instagram and Facebook. Such images would not normally be accompanied by the pupil's full name and;
- In any School prospectus, and in online, press and other external advertisements for the School. Such external advertising would not normally include pupils' names.

The source of these images is predominantly the School's staff in relation to school events, sports and trips (who are subject to this policy), or a professional photographer used for marketing or promotional purposes, or occasionally pupils.

The School will only use images of pupils in suitable dress and images will be stored securely and centrally.

Pupils' full names will not be included with their image in School publications or on the School website or other publicity connected with the School without the consent of the parent and/or pupil.

#### **4. Use of Pupil Images for Identification and Security**

CCTV is in use on the School premises and will sometimes capture images of pupils. Images captured on the School's CCTV system are used in accordance with the School's Data Protection – CCTV Code of Conduct and any other information or policies concerning CCTV which may be published from time to time.

#### **5. Use of Pupil Images in the Media**

The School will notify parents in advance when the media is expected to attend an event or school activity in which school pupils are participating, in order to obtain their consent to take part, if this is necessary. The School will make every reasonable effort to ensure that any pupil whose parent has refused permission, or where the child has refused permission, is not photographed or filmed by the media, nor such images provided for media purposes.

The media often asks for the names of the relevant pupils to go alongside the images, and these will only be provided where the parent/pupil has been informed about the media's visit and have consented to such use.

#### **6. Security of Pupil Images**

Professional photographers and the media are accompanied at all times by a member of staff when on School premises. The School uses only reputable professional photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the School's instructions.

The School takes appropriate technical and organisational security measures to ensure that images of pupils held by the School are kept securely, and protected from loss or misuse, and in particular will take reasonable steps to ensure that members of staff take images and/or have access to images of pupils held by the School only where it is necessary for them to do so.

## **7. Use of Cameras and Filming Equipment (including mobile phones and body devices) by Parents - including visiting parents from other schools.**

Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in school events, subject to the following guidelines which the School expects all parents to follow:

- When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others. In particular, flash photography can disturb others in the audience or even cause distress for those who have medical conditions; the School asks that cameras or any other devices which can take images including film are not used at indoor events.
- Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil or their parents.
- Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be accessible to others via the internet (for example Facebook), or published in any other way.
- Parents may not film or take photographs in changing rooms, private areas, nor in any other circumstances in which photography or filming may embarrass or upset pupils.
- The School reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally) from any parent who does not follow these guidelines, or otherwise is reasonably felt to be taking inappropriate images.

## **8. Use of Cameras and Filming Equipment (including mobile phones and body devices) by Staff (Teaching and Support)**

Photographs or video will only be taken by staff member(s) to give evidence of pupils' progress, or to record a trip or sporting event. Such images can only be taken on school-owned equipment. Staff must not use their own camera, mobile phone or tablet or any other such device (bring your own device) capable of taking images unless in exceptional circumstances. Photographs or video cannot be used or passed on outside the School.

When taking photographs or filming in school, staff must:

- Note that a list of pupils/parents who have not given consent for their child's image to be used is kept by the Data Protection Lead and held in the main office. It is each member of staff's responsibility to check this list if they intend to take any images of pupils.
- Be clear about the purpose of the activity and what will happen to the photographs when the lesson/activity is concluded. It is not generally acceptable to use a photograph to illustrate sensitive or negative issues.
- Ensure that photographs are taken for valid educational purposes.
- Ensure that all images are available for scrutiny in order to screen for acceptability;
- Be able to justify images of children in their possession;

- Avoid making images in one-to-one situations;
- Not to take/film or store images of pupils on personal cameras, devices or home computers;
- Not make images of pupils available on the internet, other than through official School network/website.
- Report any concerns relating to any inappropriate or intrusive photography to the Designated Safeguarding Lead.
- Not use images of a pupil who is considered vulnerable or subject to a relevant court order, unless parents have given specific consent;
- Regularly review stored images and ensure that unwanted images are permanently deleted or securely destroyed when no longer needed in accordance with the School's Records Management Policy.

Copyright and the use of photographs is carefully controlled by and retained by the School.

## **9. Use of Cameras and Filming Equipment by Pupils**

All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.

The use of cameras or filming equipment (including on mobile phones) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils in a manner that may offend, or cause upset.

Pupils should not film or take photographs of other members of the School community (pupils and staff), other than where there is a justifiable or educational reason.

Using photographic or film material of any kind to bully, harass or intimidate others will not be tolerated and will constitute a serious breach of discipline.

Where there is an allegation about a pupil taking inappropriate images, the Designated Safeguarding Lead or Deputy Safeguarding Lead may request access to the image(s) stored and ask the pupil to delete the images in question if they are deemed to be inappropriate in the circumstances.

Images of any member of the School community are not permitted to be displayed publicly around the School unless in accordance with this Policy.

The misuse of images, cameras or filming equipment by pupils in a way that breaches this Policy, is taken seriously, and may be the subject of disciplinary procedures or dealt with under the Safeguarding Policy and Child Protection Procedures as appropriate.

## **10. Inter-School Fixtures and other Events**

This Policy applies to inter-school events. From time to time other schools will wish to photograph or film inter-school sports fixtures or other events in which images of participating pupils will be captured as a record of the event. If a Pupil, for whom consent has not been given or has subsequently been withdrawn, is involved in one of these events, we will inform the other school to ensure, as far as reasonably practicable, that the particular pupil is not photographed or filmed.

Where the other school (or third party on behalf of the other school) wishes to use the image(s) for a purpose

other than as a record of the event, and which is not covered by the parents/pupils' original consent, then further specific consent will be sought ahead of the event.

## **11. Filming and Photography by External Suppliers to the School**

Where a commercial photographer is used by the School they will be considered to be a "data processor" under the General Data Protection Regulation and therefore the School will enter into a Data Processing Agreement with them which confirms both parties' compliance with the requirements of the General Data Protection Regulation (GDPR).

## **12. Filming and photography by visitors to the school**

Visitors to the school, (who are not staff or parents) are not permitted to take images of children on the school site without the necessary permissions and consent.

## **13. Naming of Pupils in Images for the School's Use**

Pupils will not be identified by full name in photographs unless either parent or pupil has consented to this, except where it is required for internal identification purposes. The School may however refer to the pupil by first name only or alternatively first name and the first initial of the surname. Group images, for example team sports, may be referred to collectively by year or team.

The misuse of cameras or filming equipment in a way that breaches this Policy, or any of the School's other policies is always taken seriously and may be the subject of disciplinary procedures.

## **14. Related Policies**

- Data Protection Policy for Staff
- Privacy Notice(s)
- Code of Conduct for Staff
- Safeguarding Policy and Child Protection Procedures

## **15. Queries and Complaints**

Any comments or queries on this policy should be directed to the Data Protection Lead, Mrs C Catherall.

If an individual believes that the School has not complied with this policy, they should utilise the School grievance or complaints procedure.