

Introduction

At Bewdley Primary School, we use images and videos for a variety of purposes including assessment and curricular purposes, classroom and school displays as well as capturing and celebrating performances, trips and sporting events as part of our extended activities programme. The intention of this policy is to set out clear guidelines which will balance the use of photography as a source of pleasure and pride with the need to safeguard children and protect the rights of the individual.

We understand that parents/carers may also wish to take videos or photos of their children participating in school events for personal use.

Whilst we recognise the benefits of photography and videos to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

The photography policy sets out to ensure that:

- Photographs are only used for the purpose intended
- School use of photographs is facilitated
- Personal family photography is allowed where possible
- Individual rights are respected and child protection issues considered
- Parents/carers and children are given the right to opt out
- The school complies with GDPR, May 2018

Definitions

The term '**images**' refers to photographic prints or slides, digital images, videos or moving images. Images may be distributed via print, DVDs, email, the internet (website/Facebook) or other technologies.

“Personal use” of photography and videos is defined as the use of 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 photo and are not intended to be passed on to unknown sources.

“Official school use” is defined as photography and videos which are used for school purposes, e.g. for SIMS. These images are likely to be stored electronically alongside other personal data.

“Media use” is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for our website or social media.

“Educational purposes” used for a variety of reasons, such as school displays, assessment and workbooks.

Safeguarding Children

The welfare and protection of our children is paramount and consideration should always be given to whether the use of photography will place our children at risk. Images may be used to harm children, for example as a preliminary to 'grooming' or by displaying them inappropriately on the internet, particularly social networking sites. For this reason, consent is always sought when photographing children and additional consideration given to photographing vulnerable children, particularly Looked after Children or those in domestic abuse situations. Consent must be sought from those with parental responsibility (this may include the Local Authority in the case of Looked after Children).

Data Protection

The Data Protection Act 2018 controls how personal information is used by organisations, businesses or the government. The Data Protection Act 2018 is the UK's implementation of the General Data Protection Regulation (GDPR).

Everyone responsible for using personal data has to follow strict rules called 'data protection principles'.

They must make sure the information is:

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

The DPA is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the DPA should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure. Where the DPA does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.

Examples

- Personal use:

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 Data Protection Act does not apply.

Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the Data Protection Act does not apply.

- Official use:

Photographs of pupils or students are taken for library passes. These images are likely to be stored electronically with other personal data and the terms of the 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 guardians are aware this is happening and have given their consent for photographs to be taken and shared.

- Media use:

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

Appropriate Use of Images in School Publicity Materials

The staff and governors of Bewdley Primary School will:

- Ensure that images are stored securely and used only by those authorised to do so;
- ensure that electronic images are stored on a secure network to which members of the public have no access;
- not use an image of any child who is subject to a court order;
- secure parental consent for the use of children's photographs;
- not use photographs of children or staff who have left the school without their consent; and
- Ensure that children are appropriately dressed – a minimum of a vest/shirt and shorts.

Parental Consent

On admission of a child to our school, parents/carers will be asked to complete a data consent form indicating their 'positive' agreement (or option to opt out) regarding the use of images of their child.

Consent should be discussed with the child, once they are old enough to understand.

A data consent list will be maintained by the school and every effort will be made by staff not to include these children in photographs or video footage. The list will be updated if consent for a particular child, or group of children, changes. The parent/carer should be asked to confirm, in writing, if they no longer wish images of their child to be used for any reason. They need to be made aware that once images are in circulation or 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.

School Photography

Where parents have given permission for their child to have their photo taken, photographic and/or video images taken by staff may be used for curricular and/or extracurricular activities, displays, on the school website, Facebook page, in the newsletter, as evidence of the child's development or as part of publicity in the media.

Staff will ensure that:

- They are clear about the purpose of the activity and what will happen to the images when the activity is concluded.
- They always use setting equipment for taking images.
- They never record images using their personal camera, mobile phone or video equipment or for their own personal use.
- They will never photograph children in a state of undress, for example whilst changing for PE or a performance.
- They will report any concerns about inappropriate or intrusive photographs found to the Designated Safeguarding Lead following the school's safeguarding procedures.
- They have parental permission to take; store and/or display the images

Storage of Images

Photographs retained in school will not be used other than for their original purpose, unless permission is obtained from the subject. Images should always be stored securely on the staff ICT network – accessible to staff only. Photographs and videos are stored in labelled files and are only identifiable by year group/class number – no names are associated with images and videos (with the exception of school photography taken for parents). Ideally photographs will be deleted once the year group leaves the school however, photographs contributing to the history of the school, its children, activities or the community, may be retained indefinitely.

Photos are used for our management information systems against each pupil. This is for identification purposes.

Parental Photography

In many cases, photographs taken at school events form an important part of family albums. Everything possible will be done to ensure that this tradition continues. Parents are welcome to take photographs of their own children at award ceremonies, concerts/shows and sporting events, with the permission of the Headteacher/Senior Leader.

However, care must be taken not to interfere with the smooth running of the event, breach commercial copyright laws or compromise health and safety.

Guidance to be followed includes:

- Remain seated while taking photographs 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 photographs and/or videos their own children.
- Avoid disturbing others in the audience or distracting pupils when taking photographs 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 photographs and/or videos if and when requested to do so by staff.
- Respect the setting's decision to prohibit photography of certain children or a particular event.

Use of a professional photographer

Class and individual or group photographs are often an annual event. If we offer this contract to an external company, parents will be notified in advance of the photographer's visit and will be sent copies of photographs and given the option to purchase them.

Copyright on all such photographs is retained by the photographer.

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

- Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
- Issue the photographer with identification, which must be worn at all times.
- Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos and/or photographs.
- 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 own purposes and that permission has not been given to use the photographs for any other purpose.
- Ensure that the photographer will comply with the requirements set out in GDPR – complete a compliant agreement.
- 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

The Use of Cameras and Video Recordings by Children

The development of digital imaging technologies has created significant benefits to learning; however, pupils need to be aware of the risks associated with sharing images and with posting digital images on the internet. When using digital images, staff should inform and educate pupils about the risks associated with the taking, use, sharing, publication and distribution of

image. In particular, they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.

As part of the computing curriculum, children will be given the opportunity to use equipment to take photographs and/or video footage as part of a curricular or extra-curricular activity. Children should not use personal equipment in the setting for the purpose of taking photographs or video footage, unless being used as a learning resource in line with the Acceptable Use policy. This includes the use of personal Smartphones/tablets. The only exceptions to this are on a trip/visit or at a school photography club where children may be allowed to take photographs for their own personal use – this will be at the discretion of the class teacher/ Head teacher and it will be made clear that these images should be taken responsibly and not used to upset any other child.

The use of images to bully or intimidate, including publishing photographs without permission on the internet, will be dealt with in line with the school's behaviour and Anti-Bullying policies and may be viewed as a criminal offence.

Display of photographs

It is perfectly acceptable to display photographs of children in the school environment with their names attached for the purpose of celebrating progress and achievement or assessment purposes, providing that parents have given permission for photographs to be taken.

Setting Publicity

Our school uses the public facing website (www.bewdleyprimary.co.uk) and our school Facebook page (Bewdley Primary School) for sharing information with the community beyond our school.

This includes, from time-to-time, celebrating work and achievements of children. All users are required to consider good practice when publishing content.

Where photographic permission has been withheld, photographs will not be published.

- We will not use the personal details or full names (which means first name and surname) of any child in a photographic image on video, on our website, in our school prospectus or in any of our other printed publications.
- We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
- If we use photographs of individual pupils, we will not use the full name of that child in the accompanying text or photo caption.
- We may use group or class photographs or footage with very general labels, such as 'a science lesson' or 'making Christmas decorations'.
- We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

Early Years (Rec and Nursery)

Guidelines in Nursery and Reception

It is our policy to use photographs taken in the Nursery/Reception classes to support the children's learning and also to record children's individual progress. Photographs recorded in Nursery/Reception as part of a normal day are taken using a digital camera or iPad and are only taken by members of the staff team. Photographs/videos are taken to:

- support the learning of each child's individual record
- illustrate work on display around the Nursery/ Reception classrooms
- To inform parents via Tapestry

Parents or visitors are requested to leave mobile phones in a safe place (i.e. bag or pockets) and not to take them out during the time they spend engaging in activities with Early Years pupils. At no time are staff permitted to bring in a camera from home, nor use their mobile phones in the Nursery/Reception rooms. These should instead be stored in a safe place.

These photos, as with all photographs in school, are stored in a secure network to which members of the public have no access.

Additional photographs or images may be taken of children as part of the work of the Nursery/Reception classes and may be taken by an outside photographer or other parents (during the Christmas production or any other events the school may have). In these events, parents will be reminded that the photographs are for personal use only and not to be shared publicly (electronically or otherwise). In the case of outside agencies taking photographs for marketing purposes, the Nursery/Reception classes will seek written parental permission from families that they agree for their child to be included. Should a parent prefer their child not to take part then any images taken will be deleted. Individual children will not be included if written permission is not given by the child's family

Parent's use of cameras/videos in Nursery/Reception

Parents/carers will be invited to record their child's inclusion in group events at Christmas and other celebrations through the use of photographs or video on the understanding that they will not publish any material on the internet as the school has no control over these images once they are in the public domain.

Where parents/carers of children object to the use of photographs or video of their child, special arrangements will be put in place to facilitate.

Monitoring and Review

This policy will be reviewed on a two yearly basis or earlier in the event of a specific concern. It will be reviewed by staff and governors.