

Policy Title	School Use of Photographs/Video/Other Images
Reference	WPS/08.03.2016/Version 1
Approving Committee	Safeguarding
Chair of Governors	Headteacher
Date of Next Review	March 2019

Mission Statement:

Woodborough School is about

Christian caring
Happiness
Inspiring
Learning together
Diversity
Rewarding
Enabling
Nurturing

1. Introduction

- 1.1 Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs for publicity materials and to promote the school in the press can increase pupil motivation and staff morale, and help parents and the local community identify and celebrate the school's achievements.
- 1.2 However, photographs must be used in a responsible way. Schools need to respect children's and parents' rights to privacy and be aware of potential child protection issues.
- 1.3 At Woodborough CE Primary School every reasonable effort will be made to minimise risk by following the guidelines detailed in this document and by securing parental consent for the use of photographs.
- 1.4 This policy applies to the use of photographs and film and reflects the consensus of opinion of the staff and governing body of Woodborough CE Primary School. Its implementation is the responsibility of all staff. Parents and visitors will be made aware of this policy.

2. Child Protection

- 2.1 There may be a risk when individual pupils can be identified in photographs. For that reason the governing body of Woodborough CE Primary School have developed this policy to make every effort to minimise risk.
- 2.2 Where taking of inappropriate photographs or recorded images of children occurs or inappropriate use, adaptation or copying of images takes place, the school will contact the local Safeguarding Unit and/or the Police.

3. Data Protection Act (DPA)

- 3.1 Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act.

PHOTOGRAPHS TAKEN AT SCHOOL EVENTS PURELY FOR PERSONAL OR RECREATIONAL USE, WITH MOBILE PHONES, DIGITAL CAMERAS OR CAMCORDERS ARE EXEMPT FROM THE DPA (section 36).

Examples:

- *A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in a family photo album. These images are for personal use and the DPA does not apply.*
- *Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the DPA does not apply.*

HOWEVER, IF THESE IMAGES WERE TO APPEAR ON SOCIAL MEDIA SUCH AS FACEBOOK, TWITTER, INSTAGRAM, SNAPSHOT, ETC., THEY WILL NOT BE UNDER THE DPA (SECTION 36) EXEMPTION AND MAY BE BREACHES OF THE DATA PROTECTION ACT.

BREACHES OF THE DATA PROTECTION ACT ARE TAKEN SERIOUSLY AND CAN RESULT IN PENALTY NOTICE AND PROSECUTIONS.

The Children Act 1989 states that:

No person shall publish [to the public at large or any section of the public] any material which is intended, or likely, to identify –

- (a) Any child as being involved in any proceedings before [the High Court, a county court or a magistrates' court in which any power under this Act [or the Adoption and Children Act 2002] may be exercised by the court with respect to that or any other child; or
- (b) An address or school as being that of a child involved in any such proceedings.

**ANY PERSON WHO CONTRAVENES THIS SECTION SHALL
BE GUILTY OF AN OFFENCE AND LIABLE**

At all school events where parents/carers could take photographs these conditions will be made clear through verbal or printed notices.

4. Appropriate Use of Images in School Publicity Materials

- 4.1 Woodborough CE Primary School will not display images of pupils or staff on websites, in publications or in a public place without such consent of either the individual concerned or in the case of pupils, their legal guardians. The definition of a public place includes areas where visitors to the school have access.
- 4.2 Where photographs are taken at an event attended by large crowds, this is regarded as a public area so it is not necessary to get permission of everyone in a crowd shot.
- 4.3 The staff and governors of Woodborough CE Primary School will:
 - 4.3.1 ensure that images are stored securely and used only by those authorised to do so;
 - 4.3.2 ensure that electronic images are stored on a secure network to which members of the public have no access;
 - 4.3.3 not use an image of any child who is subject to a court order;
 - 4.3.4 secure parental consent for the use of children's photographs;
 - 4.3.5 not use photographs of children or staff who have left the school without their consent; and
 - 4.3.6 ensure that children are appropriately dressed – a minimum of a vest/shirt and shorts.

5. School Website

- 5.1 The advice for using photographs on a website is no different from their use in any other kind of publication or publicity material. However, the staff and governors of Woodborough CE Primary School are aware of the potential risk of inappropriate use of images because of the lack of control over who might see the image and the wide extent of the misuse of the Internet by certain people. The governors will seek the consent of parents regarding the use of images on the Internet. Children's surnames will not be included in photographs of children published on the school website.

6. The Press

- 6.1 The use of photographs in newspapers and magazines is already subject to strict guidelines. The Press Complaints Commission's Code of Practices states that:

- 6.1.1 Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child in the absence of or without the consent of a parent or other adult who is responsible for the children.
- 6.1.2 Pupils must not be approached or photographed while at school without the permission of the school authorities.
- 6.1.3 There is no breach of the Data Protection Act in passing on a child's name to a journalist as long as parental consent has been secured.
- 6.1.4 Woodborough CE Primary School will provide names of children to accompany photographs published in newspapers and magazines only where the parent or guardian has provided their consent.

7. Filming Events

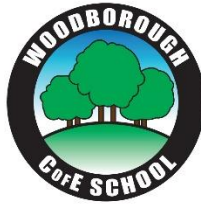
- 7.1 It is usual for parents to take photographs and videos of children at school events such as the annual Nativity Play and Sports Day. Any objections to this policy should be addressed to the Headteacher.
- 7.2 On occasions, commercial video films may be made of children on educational visits and performing in school productions. The school will inform parents where arrangements have been made for a commercial photographer to film such an event. Where a commercial photographer is used, the school will follow the NSPCC guidelines which are as follows:
 - 7.2.1 Schools should provide a clear brief about what is considered appropriate in terms of content and behaviour;
 - 7.2.2 Schools should issue the photographer with identification which must be worn at all times;
 - 7.2.3 Schools should let parents and children know that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films and photographs;
 - 7.2.4 Schools should not allow unsupervised access to children or one-to-one photo sessions at home;
 - 7.2.5 Schools should not approve/allow photo sessions outside the event or at a child's home.
- 7.3 If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the Headteacher who would report them in the same manner as any other child protection concern.
- 7.4 If schools or parents have concerns regarding the use of filmed images by television companies they should contact the Office of Communication (Ofcom). Any objections to this policy should be addressed to the Headteacher.

8. Camera Phones in Schools

- 8.1 Concerns have been expressed about the risks posed directly and indirectly to children through the use of camera phones on school premises.
- 8.2 Children who bring a mobile phone on to the school premises hand their phone in at the school office at the beginning of the school day and collect it at the end of the school day.
- 8.3 In order to minimise risk at Woodborough CE Primary School, staff will only use mobile phones in office areas, the staff room or areas away from the children while school is in session.
- 8.4 Visitors will be advised of the ban on the use of camera phones in school and, wherever possible, will be accompanied by a member of staff during the duration of the visit.

9. Parental Consent

- 9.1 Woodborough CE Primary School will seek the consent of parents/guardians regarding the use of photographs of children. This is contained in Appendix A. The consent will include agreement on how and where the photographs will be used and the period of consent.



Appendix A: Consent Form for the use of Photographic Images

Name of Child: _____

Occasionally, we may take photographs of the children at our school. These images may be used in our school prospectus, in other printed publications that we produce, on our school website, or on project display boards in school.

Sometimes our school may be visited by the media who will take photographs or film footage of a high profile event, or to celebrate a particular achievement. Pupils will often appear in these images, which may appear in local or national newspapers or on televised news programmes. We will always inform children and /or parents this may be a possibility.

In order that we can protect your child's interests, and to comply with the Data Protection Act, **please read the Conditions of Use on the back of this form before answering questions 1-4 below and signing and dating this form. Please return the completed form (one for each child) to school as soon as possible.**

1.	May we use your child's photograph in the school prospectus and other printed publications that we produce for promotional purposes?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
2.	May we use your child's image on school display boards, etc.?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
3.	May we use your child's image on our school Website and class blogs?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
We <u>will allow</u> the media to take photos of school celebration events such as Sports Day, or assemblies as long as we inform children and/or parents that there is a possibility these may appear in the media.			
4.	May we also send photographs of learning in school which may include your child to the media?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

I have read and understood the conditions of use attached to this form

Parent or Carer's signature: _____

Name (block capitals please): _____

Date: _____

Conditions of Use

1. This form is valid for the period of time your child attends this school. Your consent will automatically expire after this time.
2. The school will not re-use any photographs or recording after your child leaves this school without further consent being sought.
3. The school will not use the personal details or full names (which means first name **and** surname) of any child or adult in a photographic image, on video, on our website, in the school prospectus or in any of our other printed publications.
4. The school 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.
5. If we use photographs of individual pupils, we will not use the full name of that child in any accompanying text or caption.
6. If we use the full name of a pupil in text, we will not use a photograph of that child to accompany the article.
7. We may include pictures of pupils and teachers that have been drawn by pupils. We may use group or class photographs or footage with very general labels, such as 'a science lesson'.
8. We will only use images of pupils who are suitably dressed.
9. Parents should not that websites can be viewed throughout the world and not just in the United Kingdom, where UK law applies.

Notes on Use of Images by the Media

If you give permission for a child's image to be used by the media then you should be aware that:

- The media will want to use any printed or broadcast media pictures that they take alongside the relevant story;
- It is likely that they will wish to publish the child's name, ages and the school name in the caption for the picture (possible exceptions to this are large group or team photographs). We will not give this information without parental consent;
- It is likely that they will wish to publish the school name;
- It is possible that the newspaper will re-publish the story on their website, or distribute it more widely to other newspapers or media organisations.