

SOUTH DARLEY C.E.
PRIMARY SCHOOL



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SOUTH DARLEY C of E PRIMARY SCHOOL

IMAGE USE POLICY

Person/Committee responsible for reviewing/updating this plan	Full Governing Body
Policy Number	PN404
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South Darley CE Primary School Image Use Policy

Official use of Images/Videos of Children

Scope and aims of the policy

This policy seeks to ensure that images and videos taken within and by South Darley CE Primary School are taken and held legally and the required thought is given to safeguarding all members of the community.

This policy applies to all staff including the governing body, teachers, support staff, external contractors, visitors, volunteers and other individuals who work for or provide services on behalf of the school (collectively referred to as 'staff' in this policy) as well as children and parents/carers.

This policy must be read in conjunction with other relevant school policies including, but not limited to; safeguarding and child protection, anti-bullying, behaviour, data security, image use, Acceptable Use Policies, confidentiality, screening, searching and confiscation and relevant curriculum policies including computing, Personal Social and Health Education (PSHE), Citizenship and Sex and Relationships Education (SRE).

This policy applies to all images, including still and video content taken by South Darley CE Primary School.

All images taken by South Darley CE Primary School will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:

- fairly, lawfully and in a transparent manner
- for specified, explicit and legitimate purposes
- in a way that is adequate, relevant limited to what is necessary
- to ensure it is accurate and up to date
- for no longer than is necessary
- in a manner that ensures appropriate security

The Data Protection Officer (DPO) within the setting supported by the DSL and management team are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the Image Use Policy.

Parental consent

Written permission from parents or carers will always be obtained before images and/or videos of children are taken, used or published.

Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.

Written consent from parents will be kept by the setting where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.

Parental permission will be sought on an agreed basis specifically on admission to the school and thereafter annually whilst the child is attending the school. Further permission will be sought when a child permanently leaves the school which will enable the school to keep photographs indefinitely for historical purposes should the parent consent. These consents can be withdrawn or reviewed by the parent throughout the school year and onwards by written request to the school office.

A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.

Safety of images and videos

All images taken and processed by South Darley CE Primary School will take place using school provided equipment and devices with the exception of when an external photography company is employed by the school for a specific purpose, which will be communicated to parents in advance of photographs being taken.

Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training.

All members of staff, including volunteers, will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

Images will not be kept for longer than is to be considered necessary. A designated member of staff (DPO or DSL) will ensure that all photographs are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.

All images will remain on site, unless prior explicit consent has been given by both DPO and DSL and the parent or carer of any child or young person captured in any photograph. Should permission be given to take any images off site then all relevant details will to be recorded, for example who, what, when and why and data will be kept securely for example with appropriate protection.

Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.

The DPO and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.

Only official setting owned equipment and cameras will be used by staff to capture images of children for official purposes unless the school has employed the use of an external photography company. Use of personal equipment and cameras by staff is prohibited.

Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.

The school will ensure that images always are held in accordance with the General Data Protection Regulations (GDPR) and Data Protection Act, and suitable child protection requirements, if necessary, are in place.

Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the DPO and/or DSL and the parent/carer.

Publication and sharing of images and videos

Images or videos that include children will be selected carefully for use, for example only using images of children who are suitably dressed.

Images or videos that include children will not provide material which could be reused.

Children's' full names will not be used on the website or other publication, for example newsletters, social media channels, in association with photographs or videos.

The school will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

Usage of apps/systems to share images with parents

The school uses 'Eazmag' to upload and share images of children with parents.

The use of the system has been appropriately risk assessed and the headteacher has taken steps to ensure all data stored is held in accordance with GDPR and the Data Protection Act.

Images uploaded to 'Eazmag' will only be taken on school devices.

All users of 'Eazmag' are advised on safety measures to protect all members of the community e.g. using strong passwords, logging out of systems after use etc.

Parents/carers will be informed of the expectations regarding safe and appropriate use (e.g. not sharing passwords or copying and sharing images) prior to being given access. Failure to comply with this may result in access being removed.

Safe Practice when taking images and videos

Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.

The school will discuss the use of images with children and young people in an age appropriate way.

A child or young person's right not to be photographed is to be respected. Images will not be taken of any child or young person against their wishes.

Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

Use of photos and videos of children by others

Use of photos and videos by parents/carers

Parents/carers are permitted to take photographs or video footage of events for private use only.

Parents/carers who are using photographic equipment must be mindful of others, including health and safety concerns, when making and taking images.

The opportunity for parents/carers to take photographs and make videos can be reserved by the school on health and safety grounds.

Parents/carers are only permitted to take or make recording within designated areas of the school. Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.

Parents may contact the school DPO/DSL to discuss any concerns regarding the use of images.

Photos or parts of photos and videos taken by the school and shared with parents should not be shared elsewhere, for example posted onto social networking sites. To do so may breach intellectual property rights, data protection legislation and importantly may place members of the community at risk of harm.

Use of photos/videos by children

The school will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children cannot take the camera, for example unsupervised areas, toilets etc.

Children are not allowed to bring photograph enabled or web sharing enabled devices e.g. mobile phones, tablets, digital cameras etc. to school and the use of personal devices e.g. mobile phones, tablets, children's own digital cameras by children is strictly prohibited unless authorised by a teacher as part of a taught lesson.

All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.

Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.

Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with GDPR and the Data Protection Act.

Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed. For example, they will be for internal use by the setting only and will not be shared online or via any website or social media tool.

Photos taken by children for official use will be carefully controlled by the school/setting and will be checked carefully before sharing online or via digital screens.

Images taken by children will not be removed from the setting.

Use of images of children by the media

Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's, or other relevant media, requirements can be met.

A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (such as first names only) will be published along with images and videos.

The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.

Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

Use of external photographers (this may include volunteers such as staff or parents)

External photographers who are engaged to record any events will be prepared to work according to the terms of the settings online safety policy.

Photographers will sign an agreement which ensures compliance with GDPR and the Data Protection Act.

Images taken by external photographers will only be used for a specific purpose, subject to parental consent.

Photographers will not have unsupervised access to children and young people.

Children's Images: Frequently Asked Questions for Parents/Carers

Why do we need a policy?

Schools, playgroups, nurseries and youth groups have always used photographs as a way of celebrating achievement or seeking publicity for fundraising etc. Families and children often enjoy seeing their loved ones in print or on a website. We want to ensure that everyone can continue to enjoy these activities safely. However, parents/carers need to be aware that placing any identifying information in the public domain has risks and will need to understand these issues to give properly considered consent. It is important that parents/carers and educational settings can fully consider the issues before any problems can arise.

So, what are the risks?

The most highly publicised and worrying risk is that a child who appears in the paper or on a web site may become of interest to a predatory sex offender. Locating people through the internet has become extremely easy, using widely available software, so if there is a picture and the name of a school/setting together with the name of the child then it could be quite easy to find out the child's address and even work out their likely route to school/setting. There are also other specific groups of children and families whose safety could be put at risk if identified e.g. families fleeing domestic abuse. To limit these potential risks, we will take appropriate steps, to safeguard children and the wider community.

Isn't this just scaremongering?

Sadly not. There have been cases of families receiving unwelcome phone calls following appearances in the press. However, this is rare, so it is important to have a sense of proportion in these matters. Remember we want to celebrate success and achievement but parents must be aware of risks to make an informed decision.

What about school/setting websites?

The same concerns apply to school/setting controlled online sites; there is an added concern that images of children can be copied, manipulated or changed by another person. We can try to copy protect images and will use lower quality images, but this can be bypassed so cannot not be relied upon to keep images safe.

I want to do my own recording of the school/setting play/event is this okay?

Taking pictures or recordings of your own children for your own personal use is okay. The difficulty arises when other children are also be filmed. It is important that we are all aware that some members of the community may be vulnerable and must not have their image shared online as they could be put at risk from harm. You may not always know who these people and we need everyone's support to protect the whole community. It's also important for us all to role model positive behaviour for children, so it might be a sensible idea to check first before posting any images online which contain other children than your own.

Parents/carers should not copy images from the school website without appropriate permission from the school.

The school will use the attached template at annex a for school productions.

The School will use an annual consent for events where parents/members of the public have the opportunity to take photographs of our pupils for personal use.

Annex A

Dear Parent/Carer

We are staging a **production/special event of <insert as appropriate>** on xxxxxx. We are sure some parents/carers would like to take photographs/videos of the production. As you know we have a policy in place with regards to the taking, making and use of images and you will have previously signed a consent stating whether or not your child could be photographed. In circumstances, such as productions or special events, we request specific consent before photographs can be taken by a third party or other parent. If you wish to take photos at the production there is a strong possibility that other children will also be included within the picture. We therefore need to ensure all parents/carers who have children in the production are happy for photographs to be taken, and hence need to request their permission.

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks. This means that we can easily share our photos and video with family and friends. Whilst this can be very useful to all of us we must ensure we protect and safeguard all children and staff, including those who do not want to have their images stored online.

Some children are at risk and **MUST NOT** have their image put online. Not all members of the community will know who they are.

- Once posted and shared online any image or video can be copied and will stay online forever.
- Some people do not want their images online for personal or religious reasons.
- Some children and staff may have a complex family background which means that sharing their image online can have unforeseen consequences.

Therefore in order to keep all members of the community safe we must all **‘Think Before We Post’** online.

At South Darley CE Primary School we are happy for parents and carers to take photos and video of events for personal use but we request that these images are not distributed or put online. This is to protect all members of the community. Please be aware that parents are not permitted 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 an event).

Should any parent/carers not agree with their child being photographed, we will consider alternative options including:

- restricting who is involved in the production/special event
- staging specific photograph opportunities

Photographs of setting productions are ones which parent/carers tend to treasure. We will therefore only prohibit the use of cameras and videos as a last resort. We hope you will support us in this.

We would, therefore, be very grateful if you would complete the slip attached at the bottom of this letter and return it to me by **(date)**.

Yours sincerely,

Headteacher/Manager

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Parental Consent for Images as part of Group Activity

Child's Name:

Date:

I am / am not (*please delete as appropriate*) happy for photographs to be taken of **the production/special** event in which my child is due to appear on **(date)**

Parent/Carer Name:

Parent/Carer's Signature:

Child's Signature (if appropriate):

Useful contacts and Links

Derbyshire County Council's Data Security webpage:

<https://www.derbyshire.gov.uk/data-security>

Derbyshire SchoolsNet Information Governance webpage:

<https://schoolsnet.derbyshire.gov.uk/performance-information/data-protection-and-foi/information-governance.aspx>

Derbyshire Safeguarding Children Board – Online safety information for parents and carers:

<http://www.derbyshirescb.org.uk/parents-and-carers/online-safety/default.asp>

Derbyshire Safeguarding Children Board – Online safety information for professionals:

<http://www.derbyshirescb.org.uk/professionals/online-safety/default.asp>

Derbyshire Safeguarding Children Board – Online safety information for Children and Young People:

<http://www.derbyshirescb.org.uk/children-and-young-people/online-safety/default.asp>

ATL Help and Advice on CCTV and other surveillance:

www.atl.org.uk/help-and-advice/school-and-college/CCTV.asp

ICO Code of Practise for CCTV:

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

ICO Sector Guide for Education:

www.ico.gov.uk/for_organisations/sector_guides/education.aspx

ICO Information on Data Protection Act for Organisations:

www.ico.gov.uk/for_organisations/data_protection.aspx

United Kingdom's Copyright Licensing Agency:

<http://www.cla.co.uk/>

International Federation of Reproduction Rights Organisation: <http://www.ifrro.org/>

Acknowledgement

This template policy is based on a document originally created by Kent County Council