



## **Photography, Images and Filming Policy**

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**Chair of Governors:**

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## **Introduction**

This document provides guidance on the appropriate use of images of the pupils at Causeway Green Primary School. It covers still, video and electronic photographic images wherever they are used.

The guidance is for parents, carers, visitors, volunteers, staff and other adults associated with our school, who wish to use images of our pupils. There are many occasions when staff and parents/carers, pupils, photographers will want to take photographs of pupils. Such occasions (but not exclusive to) include; observation, evidence, assessment, curricular purposes in the classroom to award ceremonies, performances, educational visits, sporting events, publicity and many more occasions.

The intention of this document 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 pupils and protect the rights of the individual.

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children and in conjunction with the NSPCC [Photographing and filming children | Images guidance | NSPCC Learning](#)

### **This guidance sets out to ensure that:**

- Images are only used for the purpose intended
- The Schools' use of images is facilitated
- Personal family photography is allowed where possible to celebrate successes and achievement of our children
- Individual rights are respected and child protection issues considered; and
- Parents/carers and pupils are given the right to opt out

## **Definition**

The term 'images' refers to photographic prints or slides, digital images, videos or moving images. Images may be distributed in a variety of way and include, but are not exclusive to print, DVDs, power-point, the internet, or other technologies.

### **Typical Uses of Images**

- For the pupil picture on the relevant school's information management system
- Performing arts including dance, concerts, and drama performances.
- Sports days and sports activities
- Media, including newspapers and television.
- Displays in school.
- The schools' websites-e.g. prospectuses and other publications
- The school's official Face Book accounts
- Staff training and professional development activities

- Site security CCTV videos

### **Safeguarding Pupils**

The welfare and protection of our pupils is paramount and consideration should always be given to whether the use of photography will place our pupils at risk. Images may be used to harm pupils, 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 pupils and additional consideration given to photographing vulnerable pupils, particularly looked-after pupils, previously looked-after pupils, or those known to be fleeing domestic violence. Consent must be sought from those with parental responsibility (this may include the Local Authority in the case of looked-after pupils).

### **Ownership**

Human Rights legislation and the General Data Protection Regulation (GDPR) give people rights and it is the right to 'privacy' that is the issue when using photographs. We will take steps that respect the rights of people in photographs.

The Copyright, Designs and Patent Acts 1988 moved the ownership of copyright to the photographer (or their employer) and away from the person commissioning and paying for the photographs, unless there is an agreement otherwise.

### **Data Protection**

The Information Commissioner's Office (ICO) maintains a public register which includes the name and address of 'data controllers' and details about the types of personal information they process. Further information can be found in the 'Data Protection' policy on our website. In October 2007, the Information Commissioner's Office issued the following advice: "The Data Protection Act is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos, which provide many with much pleasure. Where the Act 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. [Information Commissioner's Office \(ICO\)](#)

- "Photos taken for official school use may be covered by the act and pupils should be advised why they are being taken.
- Photos taken purely for personal use are exempt from the Act."

Please note that although notification is mandatory in most cases the data protection guidance within this document is 'recommended guidance' and the schools must take individual responsibility for their own data protection issues in accordance with the General Data Protection Regulation (GDPR).

### **Good Practice**

The following advice represents good practice in the use of photographic images involving pupils.

- (a) When taking a picture, we must obtain the consent of the person in the picture or from their parent/carer.
- (b) If using a photo from the media or commissioning a photograph, have a signed agreement.

(c) Use the image in its intended context.

(d) Follow the commitment made in our consent forms:

- not to name the pupil
- not to use the photograph out of context
- not to use the photograph to illustrate sensitive or negative issues.

(e) When photographing pupils:

- Ensure that parents/carers of pupils have signed and returned to the relevant school the consent form for general photography
- Ensure all pupils are appropriately dressed
- Avoid images that only show a single pupil with no surrounding context of what they are learning or doing
- Photographs of three or four pupils are more likely to also include their learning context
- Do not use images of a pupil who is considered vulnerable (especially looked-after and previously looked-after pupils) unless their parents/carers have given specific written permission
- Avoid naming pupils. If one name is required, then use the first name only where possible
- Use photographs that represent the diversity of the pupils participating
- Report any concerns relating to any inappropriate or intrusive photography to the head teacher/DSL
- Do not use images that are likely to cause distress, upset or embarrassment
- Regularly review stored images and delete unwanted material

### **Parental Consent**

On admission of a pupil to the school in the, parents/carers will be asked to complete a consent form indicating their agreement or objection regarding the use of images of their child. This consent will be sought each year.

Your consent will automatically expire when your child is no longer enrolled at a school. Parents can request that their child's image is removed from school use. Consent will be discussed with the pupils by the parent/carer.

A list of pupils for whom consent has been refused will be maintained by the school and every effort will be made by staff not to include these pupils in photographs or video footage. The list will be updated regularly. Parents/carers are asked to confirm, in writing, that they will inform the school if they no longer wish images of their child to be used for any reason.

When a parent/carer does not agree to their child being photographed, staff will be informed and make every effort to comply sensitively. For example, if a pupil whose parents/carers have refused permission for photography is involved with a sports event, e.g. a football match, it may not be appropriate to photograph the whole team.

Careful liaison with parents/carers is therefore essential. With discussion it may be possible to agree other options. The parents/carers may accept a team photograph if names are not published, or they may be prepared to relent if it affects the whole team. The child's face can be blurred within the group photograph. When photographic images are transmitted or shared beyond the establishment e.g. television broadcasts, images on intranet sites, specific permission should be obtained.

### **Mobile Phones- please refer to school mobile phone policy**

Any parent, volunteer or visitor must refer to specific guidance in our Mobile Phones Policy for using devices in school. We will not permit phoning, texting, surfing the internet, checking the time, voice recording or using it as a calculator etc in any public area. Any photography or videos are made following advice and guidance at each event.

### **Parent Consultation Evenings, Concerts, Performances, Celebrations, Presentations and Sporting Events**

In many cases, images taken at school events form an important part of family albums. Everything possible will be done to ensure that this tradition continues.

As a school we need to protect children who take part in services, events and activities where photographs and videos may be taken. We will set out the principles that guide our approach and ensure that we operate in line with our values and within the law when creating, using and sharing images of children and young people.

We will share or publish guidance about the image sharing in the event invitation letter, the programme or announce details of the photography guidance (policy) before the event starts.

Parents/carers are welcome to take images of their own child only, at award ceremonies, concerts/shows and sporting events, with the permission and guidance of the headteacher/member of the senior leadership team. However, care must be taken not to interfere with the smooth running of the event, breach commercial copyright laws or compromise health and safety. The school will explain the levels of photography permission at the start of event and guide the audience/ attendees as the rules at that particular event and if an event is one which image can be taken. If you miss an announcement of the guidance for the event, and proceed to take images, then staff will speak to you about the expectations and guidance.

### **Parents/carers attending any event will ensure that:**

- They will respect the relevant school's decision to prohibit photography of certain pupils or a particular event. They will understand that cameras or other equipment may be monitored by staff to ensure appropriate use.
- Any images taken are for personal use only – as stated in the home school agreement
- Images including children other than their own, must not be sold or put on the internet; if they are, Data Protection legislation may be contravened and they will be asked to remove them
- They will not use any images of pupils so as to cause offence or harm

### **To allow the appropriate recording of pupils' images by parents/carers:**

- ensure that pupils are appropriately dressed

- obtain parental permission
- be aware of any pupil who should not be photographed; and
- monitor the use of cameras and anyone behaving inappropriately

### **The Use of Cameras and Video Recordings by pupils**

From time to time, children may be given the opportunity to use school equipment to take photographs and/or video footage as part of a curricular or extra-curricular activity. Children should not use personal equipment for the purpose of taking photographs or video footage, unless being used as a learning resource in line with the relevant school's Acceptable Use Policy (AUP). This includes the use of personal mobile phones. The only exception to this is on a school trip, visit or event (residential, disco, prom et) where pupils may be allowed to take photographs for their own personal use. The decision to allow pupils to take photos will be made in advance of the event by senior staff.

It should be made clear that these images should be taken responsibly and not used to upset any other pupil. The use of images to bully or intimidate, including publishing photographs or video footage without permission on the internet, will be dealt with in line with the relevant school's behaviour and anti-bullying policies and may be viewed as a criminal offence.

### **Staff training**

During teacher training and with newly qualified staff, colleagues may need to compile portfolios with photographs of pupils during lessons. Staff should act responsibly in compiling these images. A member of the senior leadership team will oversee the compiled images as part of the management process and consider their appropriateness.

We recognise that our group leaders may use photography and filming as an aid in activities such as music or drama. However, this should only be done with Headteachers' permission and using our equipment.

Children, parents and carers will be made aware that photography and filming is part of the programme and give written consent. If we hire a photographer for one of our events, we will seek to keep children and young people safe by:

- providing the photographer with a clear brief about appropriate content and behaviour
- ensuring the photographer wears identification at all times
- informing children, their parents and carers that a photographer will be at the event and ensuring they give written consent to images which feature their child being taken and shared
- not allowing the photographer to have unsupervised access to children
- not allowing the photographer to carry out sessions outside the event or at a child's home
- reporting concerns regarding inappropriate or intrusive photography following our child protection procedures.

### **Displays in Schools**

It is perfectly acceptable to display images of pupils in the school environment with their names attached for the purpose of celebrating progress and achievement or assessment. However, the school must consider displays when rooms are available for other purposes. Photographs shown on

displays and video clips available during open/parents' evenings should depict pupils in an appropriate way.

**Photography Photographic and/or video images taken by staff may be used for curricular and/or extra-curricular activities, displays, on the website, in the prospectus or newsletter, as evidence of the pupil'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 school equipment for taking images.
- They will never photograph pupils 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 for Child Protection following the relevant school's safeguarding procedures.
- They have parental permission to take, store and/or display the images.

**School Photographer Class and individual or group photographs are often an annual event.**

Parents/carers will be notified in advance of the photographer's visit and will be sent copies of photographs and given the option to purchase them.

Images from the photographer will be used on our SIMS system (pupil profiles and contact details).

Copyright on all such photographs is retained by the photographer.

### **The use of CCTV equipment**

- An aid to site management in monitoring incorrect parking, manoeuvring vehicles, delivery arrivals etc.
- Pupil behaviour issues/bullying. As a behavioural tool during breaks and lunch times it can be used to identify hot spots of inappropriate behaviour. It may also be to monitor within the building, playground, corridors and car park etc.
- As an aid to members of staff with particular responsibility for behaviour management.
- To monitor personal safety for site supervisors, caretakers, cleaners etc.
- To monitor site safety and security.
- As an effective deterrent for crime.

Equipment may record inappropriate activities taking place on the schools' sites, without the schools' knowledge. If they are of a criminal nature, consideration should be given by a member of the relevant senior leadership team to referring the information to the police.

While CCTV can be an extremely effective and useful crime reduction/deterrent device, careful use of the images and control by competent responsible staff is considered crucial.

### **School Publicity Photographs**

Pupils' activities and achievements may be published in the schools' newsletters or prospectuses, posted on the school's and Trust's websites or on the schools' official Face Book account.

Names of individual pupils will not be attached to photographs and no contact details will be published. Where photographic permission has been withheld, photographs will not be published.

**Social Media** All of the schools in the Trust have official Face Book accounts that are used to keep pupils, parents/carers, and the local community up to date. These accounts can be accessed via the school's own website as well as Face Book.

Photographs may sometimes be used during the following circumstances:

- Photographs of pupils taking part in school events,
- Photographs of pupils taken during trips/educational visits
- Photographs of pupils taking part in sporting events.

Names of individual pupils will not be attached to photographs and no contact details will be published. Where photographic permission has been withheld, photographs will not be published.

Parents/carers should note that websites and face Book can be viewed throughout the world and not just in the United Kingdom, where UK law applies.

### **Newspapers and public newsletters**

On occasions, the media are asked to cover events or to highlight pupil or teacher successes. This is an important part of celebrating achievement and informing the public of educational initiatives. The media operate under their own Code of Practice.

Parents/carers will be informed by the relevant school in advance if their children are likely to appear in the press. Local newspaper titles may share their images with other titles with the same syndicate. Any pupil whose parents/carers have withheld permission, will not be photographed by the media.

### **Storage of Images**

We will store photographs and videos of children securely, in accordance with our safeguarding policy and data protection law.

We will never store images of children on unencrypted portable equipment such as laptops, memory sticks and mobile phones.

Causeway Green Primary School does not permit staff and volunteers to using any personal equipment to take photos and recordings of children. Only cameras or devices belonging to the school should be used.

We store and use photographs to identify children and adults for official purposes on our data system (school contact detail). We ensure this system complies with the legal requirements for handling personal information. Further guidance can be found from the Information Commissioner's Office - [Information Commissioner's Office \(ICO\)](#)

Photographs retained 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 area of the relevant school's server.



- Photographs should be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken.

Increasingly the images are retained on computer hard drives (digital images). They should also only be stored for designated periods and then erased from the hard drive. In both incidences it is essential that the images are retained securely and are viewed by designated, competent members of staff. Devices that contain digital images will be erased once the device becomes obsolete.

Photographs taken for publicity and promotional purposes may be retained for their original purpose and may be photographs contributing to the history of the schools, their pupils, activities, or the community, which may be retained indefinitely.

Several scenarios can occur:

Team Photographs:

- When everyone is prepared to allow team photographs and full names to be published. In this situation publication can occur.

If a parent/carer is not happy to have their child's name printed on a photograph, then consideration could be given to publishing the photograph with no names. The school will make every effort to ensure, in conjunction with the newspaper editors, that this occurs.

- If parents/carers of a pupil have indicated that the child is vulnerable and should not have a photograph printed, then a team photography may not be appropriate. The child will not be in a group picture or have their face blurred/removed.

Photo opportunities:

- When we invite a newspaper to celebrate an event, the headteacher or relevant member of the senior leadership team should make every effort in advance to ensure that the newspaper's requirements can be met.
- Without exception, this means the paper will prefer to publish the full names of anyone in a photography they print. The only exception to this might be (as above) in a larger group shot (e.g. a group of more than 10 pupils).
- However, newspapers usually prefer to work with smaller groups of pupils-e.g. three or four and for this number names would definitely be required.
- It is not acceptable to invite a newspaper to take photographs and then refuse to provide any names. Newspapers will not print anonymous photographs. Establishments must give thought to this beforehand and parental permission/opinion must be their key guidance.
- This might mean offering only those pupils whose parents/carers are happy for publication of photographs and names for inclusion in any photo opportunities.
- If this is not possible (for instance because a specific group of pupils have achieved something and parental permission re the publication of full names is withheld for one or more of the groups) it might be possible to negotiate a 'first names only' agreement with the newspaper.
- Otherwise establishments must be prepared to forego newspaper publicity.

**Monitoring**

Good practice - Auditing of the stored images should be undertaken by a senior member of the safeguarding, network manager and leadership team. This policy will be reviewed on a regular basis by our leadership and safeguarding team and only adopted once the board of governors has agreed the content.

**Related policies, guidance and procedures:**

- Safeguarding Policy including the use of mobile telephones in school
- Online Safety
- Code of conduct for staff and volunteers
- Staff Handbook
- Home-school-agreement
- Anti-Bullying Policy
- Behaviour Policy
- See website - [Causeway Green Primary School: Causeway Green Primary School Homepage](#)
- NSPCC [Photographing and filming children | Images guidance | NSPCC Learning](#)
- ICO – Information Commissioners’ Office [Information Commissioner's Office \(ICO\)](#)

**Appendix Suggested Script**