

## **A POLICY FOR THE USE OF PHOTOGRAPHIC AND VIDEO IMAGES OF CHILDREN**

### ***Introduction***

*Whilst acknowledging that digital photography has vastly increased the use, and potential misuse, of photography, the staff and governors recognise that photographs for school and family use, together with those that appear in the press, bring pleasure and pride to children and their families. We believe that the practice of capturing images of children by means of photography or in video recordings should continue within safe guidelines, which ensure appropriate images and the publication of limited personal details of those concerned.*

*The following policy has been drawn up in accordance with guidelines issued by KCC*

### **1. Issues of consent**

- The Data Protection Act 1998 affects the use of photography because an image of a child is personal data for the purposes of the Act. Consent must, therefore, be obtained from the parent of a child or young person under the age of 18 years for any photographs or video recordings for purposes beyond the school's core educational function, such as productions, sporting events, school prospectus or websites.
- As there will be a number of occasions during a pupil's school life when parents or legal guardians may wish to record a school event on camera or video they will be asked to sign a consent form when the pupil starts school. This consent form, covering all cases where images of children are to be published beyond the parameters of school use, will be kept on file and last for the duration of their time in school.
- In the case of 'Looked After Children' consent must be obtained from the relevant party with overall responsibility for the child. Extra care needs to be taken in situations, such as adoption placements or following resettlement from domestic violence.
- Consent must be obtained for all forms of technology in school that apply to recording images on children.
- Parents retain the right to withdraw their consent at any stage, but they need to do so in writing.

### **2. Planning photographs of children**

The following should help minimise the risk of unsolicited attention from people outside the school who might identify and attempt to contact pupils whose images and details have been published together:

- Close-up shots of individual children are to be avoided: general shots of a classroom or group activity and the taking of photographs from unusual angles make individual identifications more difficult are recommended.
- Use images of children in suitable dress and take care when photographing sporting activities to ensure modesty.
- Images of children from broad range of backgrounds (ethnic, religious etc) and also positive images of children with disabilities should be included wherever possible, to promote the school as an inclusive community.

- Depending on the future use of images, consideration should be given to airbrushing out identifiers, such as logos on sweatshirts and other emblems prior to publication of the image.
- Consideration should be given as to whether or not a photograph is necessary or would an article be equally or better illustrated by an example of a pupil's work.

### **3. Identifying pupils**

The following rules will apply:

- Where parental consent is unclear a pupil's name and their photograph will not appear together: names should appear without photographs and, conversely, photographs without names.
- Minimum information - and no unnecessary details - will accompany any photographs of children.
- No photographs of pupils accompanied by their full names will appear in any published text - school prospectus, website or local press - unless specific parental consent has been given.

### **4. Using photographs of children supplied by a third party**

- Copyright does not apply to images for private family use but does exist in commercial photographs. Before using a photograph supplied by a third party members of staff should be aware of the copyright issues concerning such photographs and the need to obtain the prior written or verbally recorded consent of the owners before any of these photographs are used.
- Images downloaded from the Internet are also subject to copyright.
- Third parties are under the same obligations as the school to obtain parental consent to the use and distribution of photographs and staff should always ensure that relevant consents have been obtained before accepting such images.

### **5. School prospectuses and other literature**

Although most school literature is sent to a specific audience no personal details or full names of children will accompany any photograph used.

### **6. Videos**

Parental permission must be obtained before any child can appear in a video. Parents and guardians are only allowed to make video recordings of school events if they have signed a form (available at each event) confirming that the recording is for their own personal use.

### **7. Websites**

With digital photography there is a small possibility that images of children could be reproduced, manipulated and circulated without the children's or their parents' knowledge.

Care will be taken with identification of children in photographs on the school website (see section 3) and also the wishes of parents must be respected.

### **8. Webcams**

The regulations for using webcams are similar to those of CCTV in that the area in which they are being used must be well signposted and people must know that the webcam is there before they enter the area, in order to consent to being viewed in this way. Children and adults who are likely to

be viewed in this way must be consulted beforehand and parental agreement gained for the children concerned.

Consent given should involve knowing the purpose, use and audience of the pictures and the security measures to protect access.

Careful consideration must be given to the issues surrounding use of webcams and any decisions as to their usage taken only after full parental, staff and legal consultation.

## **9. Parental right to take photographs**

Parents are not covered by the Data Protection Act 1998 if they are taking photographs or making a video for their own private use. However, they are not permitted to take photographs or to make a video recording for anything other than their own personal use, such as selling, hiring out or lending copies of a video of a school event, without the consent of the other parents whose children might be captured on film. The consent forms remind parents of this.

The videoing of school events requires separate permission to protect any copyrights the school may have.

During school events members of staff and School Governors should be vigilant so that people with no apparent connection with school do not have the opportunity to film covertly.

## **10. Use of images of children by the Press**

The school's activities and events are regularly featured in the local press in order to promote the public image of the school within the local community. However, parents need to be made aware of potential risks attached, these are highlighted in the accompanying form, so they can make informed decisions as to whether to agree to their children being featured in the press and whether their full names should accompany their photographs.

Care should be taken when broadcasters and press photographers visit the school. The event organiser must ensure that such visitors are aware of the sensitivity involved in detailed captioning, one to one interviews and close or sports photography.

## **11. The storage of photographs**

Photographs and other images taken by the school will be maintained securely for authorised school use only and disposed of by returning to the child or parents; by shredding or electronic erasure, as appropriate.

## **12. Official school photographs**

The credentials of official photographers visiting school to take photographs/portraits of individual children will be checked to ensure their validity and previous checks of vetting. Procedures during their time in school should also ensure appropriate levels of supervision to safeguard the welfare of children at all times when visitors are present on the school site.

All policies are screened to ensure that the Federation of Sibertswold Church of England and Eythorne Elvington Primary Schools gives 'due consideration' to equality of opportunity for all, irrespective of race, gender and disability.