

Gresham Primary School

Headteacher: Ms Karen Steele

Photography and Videos at School Policy

July 2024

Gresham Primary School

Headteacher: Ms Karen Steele

Contents:

Statement of intent

1. Legal framework
2. Definitions
3. Roles and responsibilities
4. Parental consent
5. General procedures
6. Additional safeguarding procedures
7. School-owned devices
8. Use of a professional photographer
9. Permissible photography and videos during school events
10. Storage and retention
11. Monitoring and review

Appendix

- a) Consent Form

Gresham Primary School

Headteacher: Ms Karen Steele

Statement of intent

At Gresham Primary School, we use imagery and videos for a variety of purposes, including display boards, educational purposes and the school website.

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 UK General Data Protection Regulation (UK GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

The school has implemented a policy on the safe use of cameras and videos by staff and parents to reflect the protective ethos of the school with regard to pupils' safety.

In order to ensure that, as far as possible, the use of photography and video is used safely at all times, the policy provided below should be followed. This policy is applicable to all forms of visual media, including film, print, video, DVD and websites.

Signed Headteacher ...KAREN STEELE.....

Chair of Governors Kim Durling.....

Date 10/07/2024

Gresham Primary School

Headteacher: Ms Karen Steele

1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- The UK General Data Protection Regulation (UK GDPR)
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

1.2. This policy has been created with regard to the following guidance:

- Information Commissioner's Office (2017) 'Overview of the UK General Data Protection Regulation (UK GDPR)'
- Information Commissioner's Office (2017) 'Preparing for the UK General Data Protection Regulation (UK GDPR) 12 steps to take now'

1.3. This policy also has due regard to the school's policies, including, but not limited to, the following:

- SEND Policy
- Behavioural Policy
- UK GDPR Data Protection Policy

2. Definitions

For the purpose of this policy:

- 2.1. **"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. It is prohibited for any parent, carer or relative to take photos, videos of their child, other people and staff at Gresham Primary School. The principles of the UK GDPR do not apply to images and videos taken for personal use.
- 2.2. **"Official school use"** is defined as photography and videos which are used for school purposes, e.g. for building passes. These images are likely to be stored electronically alongside other personal data. The principles of the UK GDPR apply to images and videos taken for official school use.
- 2.3. **"Media use"** is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the UK GDPR apply to images and videos taken for media use.
- 2.4. Staff may also take photos and videos of pupils for "Educational purposes". These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks. The principles of the UK GDPR apply to images and videos taken for educational purposes.

Gresham Primary School

Headteacher: Ms Karen Steele

3. Roles and responsibilities

3.1. The Headteacher is responsible for:

Submitting consent forms to parents at the beginning of the academic year with regards to photographs and videos being taken whilst at school.

Ensuring that all photos and videos are stored and disposed of correctly, in line with the UK GDPR.

Deciding whether parents are permitted to take photographs and videos during school events.

Communicating this policy to all the relevant staff members and the wider school community, such as parents.

3.2. The designated safeguarding lead (DSL) is responsible for:

- Liaising with social workers to gain consent for photography and videos of LAC (Looked After Children) pupils.
- Liaising with the data protection officer (DPO), to ensure there are no data protection breaches.
- Informing the Headteacher of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.

3.3. Parents are responsible for:

- Completing the Consent Form on an when the pupil first joins the school.
- Informing the school in writing where there are any changes to their consent.
- Acting in accordance with this policy.

3.4. In accordance with the school's requirements to have a DPO, the DPO together with the School office manager is responsible for:

- Informing and advising the school and its employees about their obligations to comply with the UK GDPR in relation to photographs and videos at school.
- Monitoring the school's compliance with the UK GDPR in regards to processing photographs and videos.
- Advising on data protection impact assessments in relation to photographs and videos at school
- Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and videos.

4. Parental consent

4.1. The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.

4.2. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.

4.3. Where consent is given, a record will be kept documenting how and when consent was given and last updated.

Gresham Primary School

Headteacher: Ms Karen Steele

- 4.4. The school ensures that consent mechanisms meet the standards of the UK GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.
- 4.5. All parents will be asked to complete the Consent Form when the pupil first joins the school, which will determine whether or not they allow their child to participate in photographs and videos.
- 4.6. Consent to using your child's images/videos will last throughout your child's time at the school and will continue to apply for a short time after they leave (except for images published for historical purposes which may be kept for an extended period of time to show the history of the school). unless the pupil's circumstances change in any way, e.g. if their parents separate, or consent is withdrawn. Additional consent forms will be required if the pupil's circumstances change.
- 4.7. If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented.
- 4.8. All parents are entitled to withdraw or change their consent at any time during the school year.
- 4.9. Parents will be required to confirm on the Consent Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.
- 4.10. For any LAC pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way.
- 4.11. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity
- 4.12. It is prohibited for any parent, carer or relative to take photos, videos of their child, other people and staff at Gresham Primary School.

5. General procedures

- 5.1. Photographs and videos of pupils will be carefully planned before any activity.
- 5.2. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Headteacher will liaise with the Designated Safeguard Lead to determine the steps involved.
- 5.3. When organising photography and videos of pupils, the Headteacher, as well as any other staff members involved, will consider the following:

Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?

Gresham Primary School

Headteacher: Ms Karen Steele

Could the camera angle be amended in any way to avoid pupils being identified?

Will pupils be suitably dressed to be photographed and videoed?

Will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?

Would it be appropriate to edit the photos or videos in any way? E.g. to remove logos which may identify pupils?

Are the photographs and videos of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?

- 5.4. The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.
- 5.5. The staff members involved, alongside the Headteacher and DPO, will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved. (see section 6 of this policy)
- 5.6. School equipment will be used to take photographs and videos of pupils. Exceptions to this are outlined in section 7 of this policy
- 5.7. Staff will ensure that all pupils are suitably dressed before taking any photographs or videos.
- 5.8. Where possible, staff will avoid identifying pupils. If names are required, only first names will be used.
- 5.9. The school will not use images or footage of any pupil who is subject to a court order.
- 5.10.
- 5.11. The school will only use appropriate content..
- 5.12. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO.

6. Additional safeguarding procedures

- 6.1. The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.
- 6.2. The DSL will, in known cases of a pupil who is an LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.
- 6.3. Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:

Photos and videos can be taken as per usual school procedures

Gresham Primary School

Headteacher: Ms Karen Steele

Photos and videos can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media

No photos or videos can be taken at any time, for any purposes other than official use

- 6.4. Any outcomes will be communicated to all staff members via a staff meeting and the list outlining which pupils are not to be involved in any videos or photographs, held in the school office, will be updated accordingly.

7. School-owned devices

- 7.1. Staff are encouraged to take photos and videos of pupils using school equipment; however, they may use other equipment, such as school-owned mobile devices, where the DPO has been consulted and consent has been sought from the Headteacher prior to the activity.
- 7.2. Where school-owned devices are used, images and videos will be provided to the school at the earliest opportunity, and removed from any other devices.
- 7.3. Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.
- 7.4. Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.
- 7.5. Digital photographs and videos held on the school's drive are accessible to staff only. Photographs and videos are stored in labelled files, annotated with the date, and are only identifiable by year group/class number – no names are associated with images and videos. Files are password protected, and only staff members have access to these passwords – these are updated regularly to minimise the risk of access by unauthorised individuals.

8. Use of a professional photographer

- 8.1. 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 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 UK GDPR.

Gresham Primary School

Headteacher: Ms Karen Steele

Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

9. Storage and retention

- 9.1. Parents must inform the school in writing where they wish to withdraw or change their consent. If they do so, any related imagery and videos involving their children will be removed from the school drive immediately.
- 9.2. Where a pupil's security risk has changed, the DSL will inform the Headteacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately. Hard copies will be removed by returning to their parents or by shredding, as appropriate.
- 9.3. Official school photos are held on SIMS alongside other personal information and are retained for the length of the pupil's attendance at the school, or longer, if necessary, e.g. due to a police investigation.

11. Monitoring and review

- 11.1. This policy will be reviewed every 2 years by the **Headteacher** and the **DPO**. Any changes to this policy will be communicated to all staff members and, where appropriate, parents

Withdrawing your consent

Parents have the right to withdraw their consent at any time however the school cannot prevent images from continuing to appear in publications if they're already in circulation (particularly if these are printed such as posters/flyers)

If you would like to withdraw your consent, you must submit your request in writing to the Headteacher.

Gresham Primary School

Headteacher: Ms Karen Steele

Appendix A

Consent Form Attached

PARENTAL/CARER CONSENT

For the use of PUPIL INFORMATION and PHOTOGRAPHIC IMAGES/VIDEOS

Dear Parents and Carers

The UK General Data Protection Regulation came into force from the 25th May 2018. This placed additional obligations on organisations which affects how they handle personal data. We take cyber security and data protection very seriously at Gresham Primary School and we have put steps in place within our organisation to ensure we maintain secure and compliant systems.

As a school, we regularly use photographs/videos to show how our pupils and the school as a whole develop. Images/videos can also help us illustrate and communicate with parents about upcoming events and can help advertise and market the school to prospective parents and pupils. (This form does not include any Parents Association Events.)

We are also aware that parents and pupils really enjoy being able to see their images/videos and would like to give all pupils this opportunity.

There are a number of instances when the school may take photos/videos of your child, specifically: -

- We publish photos/videos on the school's website to promote the school to current and prospective parents as well as providing updates on current events;
- Within our newsletters, we may provide photos of recent events or achievements from our pupils;
- We publish photos in and around the school building to illustrate to current pupils and parents life around the school including educational materials and images of recent trips and events. These can be seen from time to time by other parents or visitors within the school;
-
- Once a year a school photographer (Tempest). will visit the school and take individual and group photos of the children which will be made available to purchase. Reminders will be sent in good time prior to the photographer's visit.

We follow guidance as set by data protection legislation (mainly the UK General Data Protection Regulation) as well as guidance set by the Information Commissioner's Office on taking photos/videos in schools and obtaining consent.

The data protection laws give children rights over their own data where they are considered to have the required capacity to understand their data rights. Most children will reach this level of understanding from the age of 12.

Usually, pupils will not be named in the photographs unless they gain specific consent in the first instance.

Consent to using your child's images/videos will last throughout your child's time at the school and will

Reviewed date: July 2024

Next review date: July 2026

Gresham Primary School

Headteacher: Ms Karen Steele

continue to apply for a short time after they leave (except for images published for historical purposes which may be kept for an extended period of time to show the history of the school).

We would like to seek your consent to the use of your child's images/videos and will respect your decisions when publishing photos moving forward.

You can withdraw your consent at any time and can do so by making a request, in writing, to the school office asking them to stop using your child's images/videos. At that point they will not be used in future publications but we cannot prevent them from continuing to appear in publications already in circulation.

I agree to consent to images/videos of my child being used on the school's: -	Agree	Disagree
School Website		
Newsletters		
School events & clubs e.g., sporting activities		
School productions & assemblies		
In and around the school building		
To photographs being taken of my child (individual and group photos) by the school photographer (Tempest). The group photos will be made available for other parents to purchase.		

I consent to my child's images/videos being used by the school in the media formats as set out above:

Pupil	
Name	
Year	
Class	
Parent/carer	
Name	
Relationship to pupil	

Please note that your child's image will also be used on the school's Management Information System (SIMS) for identification purposes which is in line with our privacy notice.

Please sign and date the form before returning it to your child's class teacher or the school office:

Signature:

Date: