Photographs & Digital Images Policy

Purpose of Policy

The purpose of this policy is to provide guidance on the taking of photographs, film and digital images within the school and at school events and the appropriate use of such images. The policy covers still, video and electronic photographic images, wherever they are used, and provides guidance for parents, students and staff.

Aims

Digital and mobile technologies have vastly increased the use and potential misuse of photographic images (including printed, digital and video images) and concerns around rights of privacy, child protection and copyright ownership have highlighted the need for the school to have a clear, consistent and up-to-date policy regarding the use of photographic images. This has been further reinforced by the introduction of the General Data Protection Regulations (GDPR) in May 2018.

Generally, photographs for school and family use and those that appear in the press are a source of pleasure and pride. They usually enhance self-esteem for young people and their families, increase staff morale and help parents and the local community identify and celebrate the School's achievements. The policy aims to provide safe practice guidelines for the school community and to allow for a safer environment when introducing new technologies. This will in-turn minimise the likelihood of data misuse which could include abuse, bullying or harassment.

Data protection

The GDPR requires the school to have a “lawful basis” for using personal data, which includes the taking and displaying of photos and digital images (please refer to the School’s Data Protection Policy for the six lawful justifications, and the additional requirements relating to “special category” data).

The main lawful justification for taking photographs or digital images within the school is that of ‘public task’. This applies as the school needs to create and share data in order to run properly (for example student data needs to be stored on the school management information system). Specific consent is not required in this case.

In some cases, ‘legitimate interest’ may be used as a lawful basis for sharing data. This lawful justification applies if the data shared is outside the scope of our functions as a school, but it has been determined that the school has a legitimate reason in sharing the data anyway. Again, in these circumstances, consent would not be required.

In order to display personal information in a more public context outside the school’s official function, then specific consent will be required.
Uses of photographs/media images

Photographs, film, digital images and sound recordings may be made for a variety of purposes within the school and at school events as well as during activities outside of school. These may include images for curriculum purposes, for school publicity, for displays around the school, for the School’s website, or by parents and students at school events. Various examples of their use are listed below:

Curriculum Use

1) Images that demonstrate to an examining or professional body that a student, group of students or members of staff have acquired or are proficient in a particular skill area. These images will generally be made by school staff, students or media professionals employed by the school on an ad-hoc basis. Generally, these images will be made at a prearranged time and location. Examples include:
   • Videos of swimming, trampolining, construction, ICT and athletics events;
   • Key skills for physical education (PE);
   • Video based learning projects in PE;
   • Performing arts including dance and movement, concerts, drama performances and parent evenings;
   • Photography as an examined subject for study;
   • Staff training and professional development activities.

Provision of general information on school activities and media use

2) Images that illustrate to persons outside the immediate school community activities undertaken at the school as curricular or ex-curricular activities. These images will be made by school staff, students, media professionals employed by the school on an ad-hoc basis, parents and carers or other persons present at school or inter-school events. These images are more likely to be opportunistic than prearranged. Examples include:
   • Sports days and sports fixtures (the use of photographic equipment by parents/ carers and children and staff from the other schools);
   • Images appearing in the media including newspapers and television;
   • Displays in the school of student activities;
   • Publications by the school or other education related bodies;
   • The School’s website and other education related websites.

Security and record keeping

3) Images made for protection or record keeping purposes. These images are often produced automatically and any person entering the school site risks having their image recorded by permanently or temporarily installed systems. The use of these systems is generally publicised to those entering onto or working on the site. Examples include:
   • Time lapse photography for the recording of building development;
   • Site security/CCTV videos.

Specific protocols apply to the different areas as set out in this policy.
Curriculum use

Digital and mobile technologies (e.g. video recorders, flip cams, iPads or similar devices with cameras) are being increasingly used in the classroom for providing supporting evidence for GCSEs and for coursework. This may involve students taking images of other students. Images and recordings may also be made to provide professional development support for teaching staff.

The taking and use of digital images in these contexts is closely monitored by the teaching staff who will ensure that any recordings (whether they are carried out using the school’s equipment or by the student’s personal equipment) are suitable and appropriate, are stored securely and are only used for the purpose indicated as necessary. In order to emphasise the requirements for data security, students should be required to sign a copy of the Student ICT Acceptable Use Agreement (including personal devices for curriculum purposes) (see Appendix 2).

In some subjects, practical examination evidence may be required involving the use of video material recording students’ level of performance in examined practical aspects, that are unable to be assessed during the moderating examiner’s school visit. The protocol laid down by the major Examination Boards is that this material should be returned to the school when the examiner has completed his or her judgments. The school will then store this evidence only as long as needed and then ensure that it is disposed of appropriately.

General information and media use (Consent required)

Under the terms of the GDPR images of students or staff must not be displayed in a public place without consent. This includes publications such as the school prospectus, the school website or areas within the school where visitors have access. All parents/carers are requested to sign an authorisation form to allow such usage (see Appendix 1). This agreement is subject to the images being recorded in line with the guidance in this policy. Once consent has been given it will remain in place for as long as the student stays in school, unless consent is withdrawn in writing.

Parents/carers are not covered by the GDPR if they are taking photographs or making a video/digital recording of their child for their own private use at an organised event, such as at school plays or sports fixtures. However, parents/carers are not permitted to take photographs or digital images for anything other than for their own personal use (to do so would require the consent of the other parents whose children may also be captured on film). Parents are advised to take care with these images if considering posting on social media, particularly if they include other students.

Guidance for taking photographs and digital images

The following guidance should be followed for the taking of photographic images and in their use:

- Ensure that consent has been obtained from the person in the image or, if applicable, from their parent or carer;
- Ensure all children and adults are appropriately dressed, taking care to maintain modesty when photographing;
Where possible, use general shots of classrooms or group activities rather than close up pictures of individual children;

Do not use images of a child who is considered to be vulnerable, unless parents/carers have given specific written permission.

Avoid naming students unless appropriate; as a general rule:
- If the student is named, avoid using their photograph
- If the photograph is used, avoid naming the student (this is not always appropriate, for example, if a particular student has won a special award);

Do not use images that are likely to cause distress, upset or embarrassment.

Use photographs that represent the diversity of the students participating;

Ensure images are stored securely only on a school computer and not on other devices, and used only by those authorised to do so; in the case of students using their personal devices for curriculum purposes (e.g. in Art or Media), then at the start of the programme of study students should be asked to sign a copy of the **Student ICT Acceptable Use Agreement (including personal devices for curriculum purposes)** (see Appendix 2).

Staff are not permitted to use their own personal cameras in school to record student images;

Regularly review stored images and delete material no longer needed.

**Admission record**

Information in relation to a student on admission in the school and for school record purposes will include a visual image of the student. This does not require parental permission. This image is held in the school’s management information system and access is restricted. This image may also be included on student identification cards, which may also provide access to the gate entry system (for 6th form), for the print system and for the cashless catering system.

**Problems with group permissions**

A problem may arise in relation to groups or team photographs. For example, if a student whose parents have refused permission for photography is involved in a sports event, it may not be appropriate to photograph the whole team. Careful liaison with parents is therefore essential and with discussion it may be possible to agree other options. The parent may accept a team photograph if names are not published or they may be prepared to relent if it affects the whole team or their child would otherwise be excluded from being in the photograph.

These guidelines may also apply in relation to inter-school events, and liaison between the schools’ staff will be needed to ensure that privacy rules are maintained. For example, if a vulnerable student is involved, it will be necessary to liaise with a member of staff from the other establishment so that they are aware of the wishes of the parents/carer of the child and seek the cooperation of the parents of the opposing team.
When photographic images are transmitted or shared beyond the establishment e.g. via television broadcasts or images on intranet sites, specific permission should be obtained from the Headteacher.

It is likely that the school will want to have a photographic record of major events where many of our school community and visitors attend. In such cases where photographs are taken of large groups of people without identifying specific individuals, attendance at the event will imply consent.

Displays in school

Still photographs shown on displays and video clips available during open/parents’ evenings should depict students in an appropriate way. They should not display images of students in inappropriate or revealing clothing. Photographs or images likely to cause embarrassment or distress will not be used.

Parents evenings, concerts, presentations

To allow the appropriate recording of student’s images by parents/carers, staff will:
- Ensure that students are appropriately dressed;
- Ensure parental permission has been given for all involved;
- Be aware of any student who should not be photographed and withdraw that child;
- Use all means practical to monitor the use of cameras and anyone behaving inappropriately.

Children photographing staff or each other

The school is mindful that modern digital technology allows students to take images of one another or members of staff that could be misleading, embarrassing or damaging if taken out of context or made at inappropriate times. Parents are asked to reinforce the school’s message to students that the making or using of inappropriate images, including by manipulating a legitimate image, is against the school’s ethos and its behaviour policy and may lead to disciplinary action or in extreme circumstances, criminal proceedings.

This practice can occur extensively during offsite activities particularly during residential periods. Staff should discourage the practice and maintain a suitable degree of supervision and management. However, parents are responsible for monitoring their child’s use of cameras and subsequent use of the images taken.

Use of images of children by the press

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 with the full team. If a parent is not happy to have
a child’s name printed on a photograph, then consideration should be given to publishing the photograph without student names. The Headteacher will make every effort to ensure, in conjunction with the newspaper editors, that this occurs.

If parents of a student have indicated that their child is vulnerable, and should not have their photograph printed, then that student may not be included in a team photograph.

Photo opportunities:

When the school invites a newspaper to celebrate an event, the Headteacher will make every effort to ensure that the newspaper’s requirements can be met. Almost without exception, this means the paper will prefer to publish the full names of anyone in a photograph they print. The only exception to this might be in a larger group shot (e.g. a group of more than 10 students). It is not acceptable to invite a newspaper to take photographs and then refuse to provide any names. Newspapers will not print anonymous photographs. This might mean offering only those students whose parents are happy for the publication of their child’s photographs including their names to be included in photo opportunities. If this is not possible, for instance because a specific group of children have achieved something, and parental permission for the publication of full names is withheld for one or more of the group, it might be possible to negotiate a ‘first names only’ agreement with the newspaper.

School Website/VLE

Web use can be of particular concern to students, parents and staff because of the potential misuse of images. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated without the parents’ or student’s knowledge, and the same could apply to the images of staff.

It is for this reason that there is a risk of exploitation or bullying, and the school could be criticised for failing in its duty of care. It is therefore important that the school takes care with identification in this respect and specific consent is obtained where a name appears against a photograph on the school website.

Commercial and outside photographers

Staff may invite an external photographer into school to take portraits/photographs of individual students and/or class groups. A risk assessment must be carried out to determine what checks/vetting have been carried out (e.g. DBS checks) and to ensure that the photographer understands data protection considerations and is capable of meeting all responsibilities and obligations under GDPR. The person inviting the photographer is responsible for ensuring that they agree and comply with the school guidance for taking photographs and digital images, including the need to store the images securely and to retain them no longer than necessary. They will be required to wear visitor’s identification at all times and will not have any unsupervised access to students or one-to-one photo sessions at events.

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. In order to ensure
that the school has control over the images taken, the school will include a term in the contract to the effect that the copyright for the images is owned by the school.

Before using a photograph supplied by a third party, the school will check that the third party owns the copyright in the photograph and will obtain their written or verbally recorded permission to use it. Copyright does not apply to images for private family use.

**Mobile phones**

In accordance with the School’s Mobile Phone Policy, the use of mobile phones which contain cameras with photographic capabilities is not permitted to be used in an inappropriate context. Staff are not permitted to take images of students on personal mobile phones or personal cameras.

**Closed Circuit Television (CCTV) and Webcams**

The school has installed CCTV equipment in the interest of child protection, safety and site security, and as a tool to monitor student behaviour issues and to prevent bullying. Access to images is restricted to a limited number of senior staff and the system is operated in accordance with the School’s CCTV policy.

Webcams may be used occasionally by the school either as a security measure or for time lapse photography in order to capture building development. If a webcam is in use in the area, it will be clearly signposted so that anyone entering the area is aware of it. A webcam will only be used in public areas and the reason for its use will be made clear.

**Policy Review**

The efficacy of this policy will be reviewed at least every two years.

*Originator:* JES  
*Date of Review:* April 2021  
*Next Review:* April 2023
Bingley Grammar School

Consent form for the use of images of children

Name of Child ...........................................................................................................

Name of Parent/Carer ..............................................................................................

As part of our safeguarding responsibilities and for compliance with the General Data Protection Regulation 2018, the school has in place a Photographs and Digital Images Policy which makes clear the principles and procedures the school operates under for the taking, sharing, displaying and retention of photographs and digital images.

In most cases the reason for taking and using images will be to support the running of the school which will not require specific parental/student consent (for example, for recording details in the school’s management information system to support student identification) Similarly some images may be taken to support the curriculum (for example, recording video images for performances and exams or to demonstrate physical education skills).

We may, however, also occasionally take photographs of a general nature of students and school activities for display around the school, or to provide information to our communities, such as in our newsletter or in the media. In these cases we need consent in order to use the images. Our Photographs and Digital Images Policy makes it clear how these images are handled and secured, and students will not be identified on any image published on our website without separate specific permission.

We are therefore asking for your consent to take and use photographs and digital images of your child in line with the guidance and safe practice detailed in the school’s Photographs and Digital Images Policy.

Consent given as detailed above YES /NO (please circle as appropriate)

Parent/Carer Signature.......................................................................................... Date.............................

Print Name (in Capitals) ...........................................................................................

Address....................................................................................................................

Tel No. .....................................................................................................................

Appendix 1

Appendix 2
Bingley Grammar School

Student ICT Acceptable Use Agreement
(including personal devices for curriculum purposes)

The computer network, equipment and systems are owned by the school and may be used by students to further their education. This acceptable use agreement is in place to protect and advise students on ICT usage in school. There may be occasions where personal devices may be used by students for curriculum purposes (e.g. Art or Media) and these terms must be adhered to if this is the case. Please be aware we may change the agreement to respond to technology developments.

The use of ANY electronic device able to access data is also covered by this policy whilst on the school premises. This includes mobile phones and all other portable electronic devices.

1. The school reserves the right to examine or delete any files that may be held on its computer systems, and to monitor access to Internet sites and the use of e-mail.
2. Students must only use their own login and password details; no student should give their details to others to use.
3. All internet usage on any device in school must be appropriate to education. The school endeavours to block all inappropriate access, no student should attempt to access inappropriate material.
4. In general, students must not use any electronic device to film, record or photograph other students, incidents or any member of staff. If this is required for curriculum purposes (e.g. in Art or Media) prior written consent must be obtained, and students must take care with storage of any such data (particularly if using their own personal device) and not share it with others.
5. Students must not use the systems for financial gain, gambling or political purposes.
6. The school does not permit specific files to be downloaded over the Internet. These files include applications, music files and executable extensions/games.
7. Students must not use the internet in school to access social media (Facebook etc.) of any form. Using social media to bully or threaten other students will not be tolerated and will be treated as severely as any other form of bullying.
8. Copyright materials and intellectual property rights must be adhered to.
9. Students must follow safer internet use and not make contact or share personal details with unknown people online.
10. Students must not risk the integrity of the school system nor introduce viral programmes.
11. Students who fail to follow this agreement will lose their network and internet privileges and will be sanctioned. Some actions may result in the involvement of the police.

I have read this Acceptable Use Policy and agree to abide by its terms.

Signature …………………………………………………………………….. Date ………………………………….

Full Name …………………………………………………………………….. (Printed)