

Guidelines for the Safer Use of Digital Images of Children



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1. Strategy

- 1.1 At Blakedown CE Primary School we aim to ensure that every child remains safe, including the use of digital technologies and covers still, video and electronic photographic images wherever they are used.
- 1.2 The school wishes to make full and proper use of photographic images while meeting the law and preserving the safety of all children.
- 1.3 We fully appreciate that there are legitimate concerns that focus on issues around rights of privacy, child protection and copyright ownership. These guidelines address these issues and give advice on expected good practice.

2. Policy

- 2.1 Our Guidelines for the Safer Use of Digital Images of Children should be used alongside Worcestershire County Council's Guidance on the Appropriate Use of Images in Schools and [General Data Protection Regulation \(GDPR\)](#) and the expected provisions of the Data Protection Act 2018 (DPA 2018) as set out in the [Data Protection Bill](#).
- 2.2 School guidance has been introduced by the school in response to developing technologies and their impact on children as well as relevant acts.

3. Procedure

3.1 Typical Uses of Photographs

- 3.1.1 assessment evidence for Early Years Foundation Profile via Evidence Me;
- 3.1.2 recording practical activities in floor books e.g. scientific experiments, group maths work, practical computing;
- 3.1.3 recording key events e.g. school opening, curriculum days and parent workshops;
- 3.1.4 performing arts including dance and movement, concerts, drama performances, parent evenings, plays, sports days and sports fixtures
- 3.1.5 the use of photographic equipment by parents and carers;
- 3.1.6 the use of photographic equipment by children from our partner schools;
- 3.1.7 media including newspapers and television;
- 3.1.8 in-school displays of children's activities/work;
- 3.1.9 publications by Blakedown CE Primary School;
- 3.1.10 Blakedown CE Primary School web-site;
- 3.1.11 staff training and professional development activities;
- 3.1.12 publicity material for contractors;
- 3.1.13 time lapse photography for recording on-going activities e.g. building of new school;

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3.1.14 Site security / CCTV videos

3.2 Storage

3.2.1 Digital images of children are stored in the Photos area on the school's network.

3.2.2 Annually, photographs of pupils leaving school (or who have left in year lower down in the school) are removed and permanently deleted after the class/cohort exits Year Six.

3.3 Ownership

3.3.1 Human Rights legislation and the Data Protection Act 2018 give people new rights and it is the right to 'privacy' that is the issue when using photographs.

3.3.2 Blakedown CE Primary School must take steps that respect the rights of people in photographs.

3.3.3 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. It will be assumed that any photographs or digital images taken on school premises, by a member of staff, will be wholly owned by Blakedown CE Primary School and must not leave the premises either physically or digitally without the written consent of the School and the parents of the child or children concerned.

3.4 Good Practice

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

3.4.1 Only use the school's digital cameras, iPads, camcorders etc and not personal equipment;

3.4.2 The use of mobile phones, in school, to digitally record sound or images of pupils is strictly prohibited;

3.4.3 When taking a picture Blakedown CE Primary School must obtain the consent of the person in the picture or if the person is a child - from their parent or carer;

3.4.4 If using a photo from the media or commissioning a photograph, have a signed consent from the owner of the image;

3.4.5 Use the image in its intended context. An example of this not happening is:

3.4.5.1 when a photo of children launching a 'walking bus' initiative is used to illustrate a story attacking rural transport shortages

3.4.6 Follow the commitment made in the consent forms:

3.4.6.1 not to name the child

3.4.6.2 not to use the photograph out of context

3.4.6.3 not to use the photograph to illustrate sensitive or negative issues

3.4.7 When photographing children:

3.4.7.1 Ensure that parents and carers of young people have submitted the Blakedown CE Primary School consent form;

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- 3.4.6.1 Any images within the school's control and going beyond the school will require consent;
- 3.4.7.3 Ensure all children are appropriately dressed;
- 3.4.7.4 Avoid images that only show a single child with no surrounding context of what they are learning or doing;
- 3.4.7.5 Photographs of three or four children are more likely to also include their learning context;
- 3.4.7.6 Do not use images of a child who is considered very vulnerable, unless parents / carers have given specific written permission;
- 3.4.7.7 Avoid naming young people. If one name is required then use the first name only where possible;
- 3.4.7.8 Use photographs that represent the diversity of the young people participating;
- 3.4.7.9 Report any concerns relating to any inappropriate or intrusive photography to the Headteacher;
- 3.4.7.10 Remember the duty of care and challenge any inappropriate behaviour or language;
- 3.4.7.11 Do not use images that are likely to cause distress, upset or embarrassment;
- 3.4.7.12 Regularly review stored images and delete unwanted material.

3.5 Parental Permission

- 3.5.1 Use of images of children requires the consent of the parent / carer. Permission should always be obtained by using the schools general consent form, when a child joins Blakedown CE Primary School.
- 3.5.2 Each year as part of our standard communication, parents are asked if they wish to change their permission. If they do, the parents are encouraged to contact the Headteacher.
- 3.5.3 When a parent does not agree to their child being photographed, the Headteacher must inform staff and make every effort to comply sensitively. For example, if a child whose parents 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.
- 3.5.4 Careful liaison with parents is therefore essential. 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.
- 3.5.5 When photographic images are transmitted or shared beyond Blakedown CE Primary School e.g. television broadcasts, images on intranet/internet sites, permission should be obtained.

3.6 Inter-School Fixtures

If a vulnerable child is involved, in inter-school events e.g. sports tournaments, exchange visits or trips with partner schools, 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 or carer of the child and seek the co-operation of the parents of the partner school.

3.7 Teacher Training and Portfolios

During teacher training and with newly qualified staff, colleagues may need to compile portfolios with photographs of children during lessons. Staff should act responsibly in compiling these images. The School's Student Teacher Mentor will oversee the compiled images as part of the management process and consider their appropriateness. Where evidence of pupils work is required, a separate consent form should be sent from parents to inform them of this work and to gain their consent.

3.8 Displays in School

Still photographs shown on displays and video clips available during open / parents' evenings should depict children in an appropriate way. They should not display images of children in inappropriate or revealing clothing so appropriate levels of integrity and decency are maintained. Do not use photographs or images likely to cause embarrassment.

3.9 Parents' Evenings, Concerts & Presentations

To allow the appropriate recording of children's images by parents / carers:

- 3.9.1 ensure that children are appropriately dressed;
- 3.9.2 obtain parental permission using the general consent form;
- 3.9.3 be aware of any child who should not be photographed;
- 3.9.4 monitor the use of cameras and anyone behaving inappropriately;
- 3.9.5 inform parents that images of children (other than their own) must not be posted on social networking sites.

3.10 Children Photographing Each Other

- 3.10.1 This practice can occur extensively during offsite activities particularly during residential periods.
- 3.10.2 Staff should maintain the supervision and management control specified in the Worcestershire County Council Offsite Visits, Field Studies and Outdoor Education Guidelines.
- 3.10.3 There may be incidents where children take inappropriate photographs, perhaps showing friends and other children inappropriately dressed. Staff should endeavour to discourage this practice, but ultimately parents are responsible for monitoring their child's use of cameras and subsequent use of their images involved.

3.11 The Media

Several scenarios can occur:

Team photographs:

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

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- 3.11.2 If a parent is not happy to have a child's name printed on a photograph then consideration could be given to publishing the photograph with no names. The Headteacher should make every effort to ensure, in conjunction with the newspaper editors, that this occurs
- 3.11.3 If parents of a child have indicated that the child is vulnerable and should not have a photograph printed then a team photograph may not be appropriate

Photo opportunities:

- 3.11.4 When school or a member of staff invites a newspaper to celebrate an event, the head teacher should make every effort IN ADVANCE to ensure that the newspaper's requirements can be met.
- 3.11.4 Newspapers usually prefer to work with smaller groups of children - e.g.: three or four - and for this number names would normally be required
- 3.11.5 It is not acceptable to invite a newspaper to take photographs and then refuse to provide any names.
- 3.11.6 Newspapers will not usually print anonymous photographs. Staff should give careful thought to this beforehand - and parental permission / opinion must be their key guidance.
- 3.11.7 This might mean offering only those children whose parents are happy for publication of photographs and names for inclusion in any photo opportunities.
- 3.11.8 Staff should check carefully beforehand and in some cases be prepared to forego newspaper publicity

3.12 Use of Internet/Intranet (shared server)

Blakedown CE Primary uses its Website to celebrate children's successes. The website manager should know good practice and ensure that he/she only publishes appropriate images that follow the guidance in this document. For example, if a child has successfully completed a gymnastics award, it would be appropriate to show the child in a tracksuit rather than leotard.

3.13 Mobile Phones/Personal Cameras, Camcorders & Laptops

The use of mobile phones which contain cameras or photographic capabilities is strictly prohibited in school. Staff should not use these in any areas of school with children present, but only in the staff room during break times.

4. Summary Guidance

- 4.1. Adults should:
 - 4.1.1 be clear about the purpose of the activity and about what will happen to the images when the activity is concluded;
 - 4.1.2 be able to justify images of children in their possession;
 - 4.1.3 avoid making images in one to one situations or which show a single child with no surrounding context;

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- 4.1.4 ensure the child/young person understands why the images are being taken and has agreed to the activity and that they are appropriately dressed;
 - 4.1.5 only use digital imaging equipment provided by Blakedown CE Primary School;
 - 4.1.6 report any concerns about any inappropriate or intrusive photographs found;
 - 4.1.7 always ensure they have parental permission to take and/or display photographs.
- 4.2 Adults should not:
- 4.2.1 display or distribute images of children unless they have consent to do so from parents/carers;
 - 4.2.2 use images which may cause distress;
 - 4.2.3 use mobile telephones or any other similar devices to take images of children;
 - 4.2.4 take images 'in secret', or take images in situations that may be construed as being secretive;
 - 4.2.5 store images on personal laptops, cameras, mobile telephones or other digital devices;
 - 4.2.6 remove digital images from Blakedown CE Primary School.

5. Monitor & Review

The monitoring of the implementation of this policy will be undertaken by the school's Senior Leadership Team. The effectiveness of the policy will be fed back to Governors through Governor Team meetings. The policy will be reviewed annually.

6. Linked Policies

IT/Computing; Online Safety; Acceptable Use; Safeguarding; Data Protection.