

BRIDGE ACADEMY TRUST

PHOTOGRAPHY IN SCHOOL

September 2017



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Consultation with Staff Required	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Period of Consultation (if required)	From N/A	To
Trustees Committee Reviewing Document:	Board of Trustees	
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Please note that the policy indicates clearly that it is the responsibility of the parents to inform the school in writing (or by ticking the relevant box on the data collection sheet) if they do not wish their child to be photographed.

In this document 'parents' is understood to mean parents and carers; 'photographed' and 'photography' covers any form of visual imaging, whether on film or digital format; 'curriculum' covers photography in lessons (whether in class or outside) and use of images for curriculum and assessment purposes – this may include individual progress records and class books.

PURPOSE

- 1.1. The Trusts policy on photography aims to:
 - 1.1.1. protect the right of parents to consent (or not) to their child being photographed for particular purposes at school and on school-led visits;
 - 1.1.2. manage photography at school events and productions in order to avoid distraction to participants and audience;
 - 1.1.3. ensure that there is no inappropriate use of any images.
- 1.2. In maintaining this policy, the Trust seeks to comply with the spirit of the Data Protection Act 1998 and with the principles of child protection.
- 1.3. The vast majority of people who take or view photographs or videos of children do so for entirely innocent, understandable and acceptable reasons. Sadly, some people abuse children through taking or using images, so we must ensure that we have some safeguards in place.
- 1.4. To protect students we will:
 - 1.4.1. seek their consent for photographs to be taken or published (for example, on our website or in newspapers or publications)
 - 1.4.2. seek parental consent
 - 1.4.3. use only the student's first name with an image
 - 1.4.4. ensure students are appropriately dressed

CONSENT

- 2.1. The Trust is not required to obtain general consent from parents to their child being photographed at school events, but parents do have the right to ask, in writing, for their own child not to be photographed. In such cases it may be necessary to withdraw the child from all or part of an activity in which he or she might be photographed. Parents are asked to consider very carefully the impact of such a decision as the school would not wish any student to feel that he or she was being punished as a result of parental concern.
- 2.2. When the school intends images to be published where there is general public access, for example on a website, in the school prospectus, or in the media, the explicit written consent of parents will always have been sought before doing so.
- 2.3. If parents disagree over consent for their child, it will be assumed that consent has not been given.
- 2.4. Students' wishes and views will be respected as far as possible. They are encouraged to tell us if they are worried about any photographs that are taken of them. In the event that any student is unhappy to have their photograph taken or used, staff will normally comply.

Occasionally, however, the interests of the larger group may take precedence and, in such instances, parents will be consulted.

- 2.5. The above commitments apply to occasions where the Trust can exercise reasonable control of the situation. It is clearly not always possible to stipulate conditions for photography, for example in public places during school visits. Although staff will exercise due vigilance, the Trust cannot guarantee that students engaged in school activities outside the grounds of any school within the Trust will not feature in images taken by a member of the public visiting the same locations.

NAMING OF STUDENTS

- 3.1. The Trust will endeavour to avoid naming students where their pictures appear in a publication, though there are clearly instances where the students, parents and the school would wish to celebrate achievement and include the details of the contributing individuals.
- 3.2. The Trust will not use the personal details or full names (i.e. first name and surname) of any student on its website or in its school prospectus. If a photograph of an individual student is used, the Trust will not use the name of that student in the accompanying text or photo caption. If a student is named in the text, the Trust will not use a photograph of that student to accompany the article. The Trust may use group of class photographs or footage with very general labels.
- 3.3. The media generally follow their own codes of practice to comply with data protection legislation and the naming of photographed individuals is acceptable providing the Trust authorities (the CEO, Headteacher/Head of School and Trustees) have no objections.

PHOTOGRAPHY AT SCHOOL EVENTS

- 4.1. In fulfilling the above commitments, the Trust:
 - 4.1.1. may ask parents and others to refrain from photography at events where an official photographer has been appointed and make arrangements to supply copies of pictures to parents. Notice of this will be given in invitations to the event.
 - 4.1.2. may ask parents and others who wish to take photographs, where this is permitted, to do so from the rear of the audience, so that they do not impair the view of others. Notice of this will be given in invitations.
 - 4.1.3. will respect the views of parents who ask for their child not to be photographed, whilst aiming to avoid giving the impression that the child is being punished.
 - 4.1.4. People with no connection to the Trust will not be allowed to take photographs. Staff will question anyone they do not recognise who is using a camera and/or video recorder at events and productions.
 - 4.1.5. The Trust will only use images of students who are suitably dressed, to reduce the risk of such images being used inappropriately.

CURRICULUM USE

- 5.1. Photographs taken for curriculum and assessment purposes may be used to illustrate and exemplify individual progress records or used within displays of students' work and achievement around the school.
- 5.2. Some curriculum photographs may also be used on the website to celebrate individual achievement and the work of the school. The Trusts policy on identification and use of

names is detailed under the section above 'Naming of Students'. It is not always practical to notify parents of a student's image featuring on the website, particularly in the case of larger groups, and parents are, therefore, advised to review the site and alert the school to any concerns.

STORAGE OF IMAGES

- 6.1. Where photographs form part of a student's record/file they will be retained in line with the agreed Data Protection Policy. Where photographs have been used as part of the school's website, for display or for publication they will not normally be retained for more than 5 years after the student has left the school.
- 6.2. Where pictures are of historical interest, the school may retain them in its own archive or make them available to the Essex Record Office.
- 6.3. If parents wish to see any visual images of their child held by the Trust, a request should be made to the appropriate School office manager. At busy times, 10 working days may be needed to action such a request.

SCHOOL PHOTOGRAPHER

- 7.1. Individual or group photographs are regular school events. Parental permission is assumed unless the school is notified in advance. Individual photographs are not re-sold to anyone other than the student's parents. Reputable commercial photographers are used and the law allows them to retain copyright of the photographs.

MEDIA PHOTOGRAPHY AND FILMING

- 8.1. If the media are invited into school for publicity purposes or have requested to interview/film students in relation to a current news issue, parents of those students likely to appear will be informed and consent will be sought for the student to be involved.
- 8.2. The media operate under their own code of practice. Photographs taken by the media are usually exempt from the Data Protection Act.

MOBILE PHONES

- 9.1. Multi-media messaging (MMS)/video phones can take and transmit images and the same rules apply as for other photography. The user needs to recognise that any pictures taken are for personal use only.
- 9.2. Where such equipment is allowed, students will be advised on appropriate usage and possible consequences of misuse and made aware that taking and distributing inappropriate photographs may constitute a criminal offence.

CCTV

- 10.1. CCTV will be operated in accordance with the principles of data protection.

WEBCAMS

- 11.1. The regulations for using webcams are similar to those for CCTV, i.e. the area in which the webcam is 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.
- 11.2. In gaining consent, the Trust must tell the person why the webcam is there, what the images will be used for, who might want to look at the pictures and what security measures are in place to protect access.

DATA PROTECTION

RECOMMENDED GOOD PRACTICE

- 12.1. 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.
- 12.2. 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.
 - 12.2.1. Photos taken for official Trust use may be covered by the Act and students should be advised why they are being taken.
 - 12.2.2. Photos taken purely for personal use are exempt from the Act.

EXAMPLES

Personal Use:

- 12.3. A parent takes a photograph of their child and some friends taking part in the school's sports day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.
- 12.4. Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the Data Protection Act does not apply.

Official Trust Use:

- 12.5. Photographs of students or students are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- 12.6. A small group of students is photographed during a science lesson and the photo is to be used in the school prospectus. This will be personal data, but will not breach the Act as long as the child and/or their parents are aware this is happening and the context in which the photo will be used.

Media Use:

- 12.7. A photograph is taken by a local newspaper of a school awards ceremony. As long as the Trust has agreed to this, and the child and/or their parents are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the Act.

FURTHER INFORMATION

For further information about this or any aspect of data protection, please contact the Information Commissioner's Office (ICO):

Phone: 08456 30 60 60
 01625 54 57 45

E-mail: Use the online enquiry form on the website below

Website: www.ico.gov.uk