



never give up.



ACE Tiverton

Part of the ACE Schools Multi Academy Trust

School Photographic or Media Images Policy

Issue	Date	Author/Reviewer Job Role	Comments	Signed by
1	19 th June 2019	Hannah Smart Head Teacher ACE School Tiverton	Policy adopted for opening September 2019	 Kristy Gouldsmith Data Protection Officer

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ACT Tiverton School - Contact names	
Designated Safeguarding Person (DSP), School	Mrs Hannah Smart
Any other staff trained to DSP level	Mr Gustav Deysel Mr Daniel Ayling
Designated Practitioners with responsibility for safeguarding	Mrs Hannah Smart Mr Gustav Deysel
Head	Mrs Hannah Smart
Governors responsible for Safeguarding	Mrs Lousie Reah Mrs Katie Bendall

National contacts	
NSPCC 24/7 Helpline/textline	Tel: 0808 800 5000/88858 Email: help@nspcc.org.uk
National Bullying Helpline	Tel: 0845 22 55 787

Third Party contacts	
Our school follows the safeguarding protocols and procedures of our safeguarding children board (PSCB)	Devon County Council Devon Children's Safeguarding Board https://www.dcfp.org.uk/
The Designated Officer for Child Protection (LADO)	Mr Simon White 01392 384964 childsc.localauthoritydesignatedofficers@devon.gov.uk
Local Authority Children's Social Care Referral Team(s)	MASH 0345 155 1071
Local Authority's out of hours contact numbers	To be confirmed

Where there is a risk of immediate serious harm to a child a referral should be made to children's social care immediately by the DSP. If a child is in immediate danger ring 999.	
Local Police Emergency	999
Local Police non-emergency	101

1. Aims

- 1.1 Our overall aim is to provide a 'common sense' approach to the use of photographs and video within school whilst also doing our utmost to safeguard our children and staff from harm. We take our responsibility to ensure the safety of our children very seriously, but also recognize the true value of taking photos to record our children's achievements. In order to do this, Courtlands School (hereafter referred to as "The School") agrees to comply with the requirements of the GDPR and the Data Protection Act 2018 when using and/or authorizing the use of photographic and video images of children and will ensure that:
- i. Where necessary, consent has been given prior to the taking and use of images on school premises, particularly where these show pupils,

and
 - ii. Such images are used in a manner respectful of the Data Protection Principles and also of the rights conferred to individuals under the GDPR and the DPA 2018.

2. Consent

- 2.1 The School will ensure that written permission is obtained from the parent or legal guardian for all children to be photographed (including video) during school events, such as nativity plays, assemblies, sports days and all other purposes which are not core to the school's educational role.
- 2.2 Due to the number of occasions during a pupil's time at school that the School may wish to photograph or video the pupil, the School will seek the consent of parents or legal guardians when the pupil starts at the School. This policy and consent will cover the whole of the pupil's intended time at the School.
- 2.3 The School will at all times consider the need to revisit the consent in the event of a pupil's circumstances changing.
- 2.4 The School will try not use photographs or videos of children who are no longer pupils at the school, unless separate specific consent has been obtained to cover the intended use.
- 2.5 Should there be images of children in the School's possession for which consent has never been obtained, the school will not use the images.
- 2.6 The School will ensure that images are only used in circumstances described on the consent form. Further consent will be obtained should

the consent form not cover specific initiatives such as future school websites etc.

3. Considerations When Taking Images of Children

- 3.1 When considering the use of images of children, the School will ensure that:
- i. Where the subject allows for such discretion, close up pictures of individual children will be avoided and instead general shots of classroom or group activities taken.
 - ii. Where possible only images of pupils in suitable dress (e.g. school uniform) will be taken. Even in a sports context, where practical, photographic/video images of children in swimming gear will be avoided. Wearing team tracksuits is considered a good alternative.
 - iii. When a photograph or video image of a child is used, the child's name will not normally accompany the photograph/image in a caption or any accompanying text. (Please also see section entitled "Use of Images of Children by the Press").
 - iv. When a child is named (for whatever, agreed reason), in any text which is published, in perhaps a school brochure or on the School's website, a photograph/image of the child will not appear with the text.
 - v. No details of home telephone numbers, e-mail or home addresses are given.
 - vi. Where pupils/parents wish their name to be associated with an image (e.g. if the subject matter is such that it reflects well on them or their school) the School will seek additional parental/legal guardian permission for the child to be named.

4. Using Photographs and Images of Children Supplied by a Third Party

- 4.1 The School recognises that copyright exists in photographs/video images and this copyright generally rests with the photograph/video matter etc.
- 4.2 Before using any image supplied by a third party, the School will ensure that it checks that the third party owns the copyright and permission is given in writing by the individual(s) to use the photograph/image.

- 4.3 A third party who provides such photographs/images will be asked to confirm in writing that they have the express consent of the parent/legal guardian to use the said photograph/image.

5. Use of Images of Children by the Press

- 5.1 There may be occasions where the press take photographs at school of pupils. The press enjoy special rights under the Data Protection Act, which permit them to publish material for journalistic purposes.
- 5.2 Generally, parents and relatives take pride in “press cuttings” which picture and perhaps also name their children and for most, this outweighs any fears about this information being misused. This having been said, it has become apparent that some parents do object to the publication in the press of information about and images of their children. As a result the School will ensure that the consent of parents is sought prior to giving the press access to children. The standard consent form attached to this policy document covers this area.
- 5.3 The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. In this way a check is put on the potential improper use of images of children by the press. The school will ensure that it politely checks that broadcasters and press photographers who may be on the school premises are aware of the sensitivity involved in detailed captioning, one to one interviews, and close or sports photography.
- 5.4 The following are examples of the types of scenarios that can occur:
- i. When everyone is prepared to allow team photographs and full names to be published. In this situation publication can occur.
 - ii. It is not acceptable to invite a newspaper to take photographs and then refuse to provide any names. Newspapers will not print anonymous photographs. The school will give thought to this beforehand – and parental permission/opinion will be the key guidance.
 - iii. This might mean offering only those children whose parents are happy for publication of photographs and names for inclusion in any photo opportunities.
 - iv. If this is not possible – for instance because a specific group of children have achieved something, and parental permission re the publication of full names is withheld for one or more of the group – the school will endeavour to negotiate a ‘first names only’ agreement with the newspaper.

- v. Should this not be possible the school will be prepared to forego newspaper publicity.

6. Parental Right to Take Photographs

- 6.1 Parents are not covered by the Data Protection Act 2018 or the GDPR if they are taking photographs or making a video recording for their own private use. The Act does not, therefore, stop parents from taking photographs or making video recordings at school events, such as nativity plays.
- 6.2 Parents are not permitted, however, to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of a school event). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film.

7. Use of a Professional Photographer

- 7.2 The School will ensure that any professional photographer engaged to record a school event is prepared to work according to the terms of this policy document and the following guidelines:
 - i. In the context of Data Protection legislation, the photographer will be considered as a “Data Processor” and any agreement with them will be in accordance with the GDPR and the Data Protection Act 2018.
 - ii. Photographers will only be used if they guarantee to act appropriately to prevent unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, the personal data including photographs.
 - iii. Photographers will be asked to sign up to an agreement with the school which will include:
 - a) Compliance with the GDPR and the Data Protection Act 2018 (most professional photographers will be aware of these requirements).
 - b) That 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.
 - c) That the photographer may not disclose the photographs to any other party unless specifically required to do so in order to fulfil the requirements under the contract or where written permission has been given by the school.
 - d) The photographer must comply with the steps set out above.
 - e) The photographer will be responsible for keeping his own records as evidence that he has carried out the above.

8. Mobile 'phones

- 8.1 The use of mobile 'phones which contain cameras with photographic capabilities are only permitted in the staffroom, SLT office and reception office.
- 8.2 The only mobile 'phones that may be used for photographic purposes are those provided by the school to staff for the purpose of capturing evidence of pupil progress and participation.