



Whole School Policy

Use of Children's Photographs

November 2021

Holly Primary School

USE OF CHILDREN'S IMAGES (including photographs, digital photographs, webcam, film and video recordings)

Introduction

1. Holly Primary School believes that the responsible use of children's images can make a valuable contribution to the life and morale of the school. The use of photographs in school publicity materials can increase pupil motivation and help parents and the local community identify and celebrate the school's achievements.
2. We only use images that the Head Teacher (Mr White) and our Governing Body consider suitable and which appropriately represent the range of activities the school provides and the values it adheres to. No images will be used which could be considered to put any child at increased risk.
3. Through this policy we aim to respect young people's and parents' rights of privacy and minimise the risks to which young people can be exposed through the misuse of images. The policy takes account of both data protection and child protection issues.

Data protection

4. Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998. We will not use images of identifiable individuals for school publicity purposes without the consent of either the individual themselves or, in the case of pupils, their parent, guardian or carer. Our consent form for pupils is attached at Appendix A.
5. We will not re-use any photographs or recordings after your child leaves this school. Historic photographs may remain on our school website, Yammer feeds and on display boards

Child protection

6. We will only use images of children in suitable dress. The Head Teacher (Mr White) and Governing Body will decide if images of some activities – such as sports or arts – are suitable without presenting risk of potential misuse.
7. Any evidence of the use of inappropriate images, or the misuse of images, will be reported to the school's child protection designated teacher, the LA, Social Services and/or the police as appropriate.
8. Individual pupils will not be named in conjunction with their image and we will never use an image of a child who is subject to a court order.

Websites

9. We will adopt the same principles as outlined above when publishing images on the internet as we would for any other kind of publication or publicity material. However, the school recognises that there is no control over who may view images, and consequently a greater risk of misuse of images, via the internet. We will therefore give specific consideration to the suitability of images for use on the school's website.
10. Images, and accompanying details, will only be used in line with government guidance.

External photographers and events

11. If the school invites or permits an external photographer to take photographs within school, we will:
 - Provide a clear brief for the photographer about what is considered appropriate in terms of content and behaviour
 - Issue the photographer with identification which must be worn at all times
 - Let children and parents know that a photographer will attend an event and ensure they consent to both the taking and publication of films or photographs
 - Not allow unsupervised access to children or one-to-one photo sessions at events.
12. The same conditions will apply to filming or video-recording of events.
13. Photographs taken by journalists are exempt from the Data Protection Act as newspapers are subject to strict guidelines governing the press. However, wherever possible and practicable, we will secure parental permission before allowing journalists to take photographs of pupils.



CHILD IMAGE CONSENT FORM

To the parent or guardian of:

Name of child _____

Nottinghamshire County Council occasionally takes photographs of children in its schools for promotional purposes. We would like to use a photograph of your child for our publications or website.

The school is registered under the General Data Protection Regulation (which replaced the Data Protection Act) for holding personal data. The school has a duty to protect this information and to keep it up to date. The school is required to share some of the data with the Local Authority and with the DfES.

I give permission for my child's image to be taken and used in publicity material for the school, including printed and electronic publications, video and webcam recordings and on websites (eg Yammer and school website) and displayed around the school	Please tick
I give permission for images of my child to be used by the news media in printed and/or electronic form and stored in their archives. This might include images sent to the news media by the school and images/footage the media may take themselves if invited to the school to cover an event (eg newspapers and television programmes)	
I do not want my child's image used in any publicity	
Parent's / Guardian's Signature	Date:

Consent may also be withdrawn at any time but completing this form.

Conditions of use

- 1 This form is valid until consent is withdrawn.
- 2 We will not re-use any photographs or recordings after your child leaves this school. Historic photographs may remain on our school website, Yammer feeds and on display boards.
- 3 We will not use the personal details or full names (which means first name and surname) of your child in a photographic image, video, on our website, in our school prospectus or in any of our printed publications.
- 4 We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
- 5 If we use photographs of individual students, we will not use the full name of that student in the accompanying text or photo caption, unless we have your agreement.
- 6 If we name a student in the text, we will not use a photograph of that student to accompany the article.
- 7 We may include pictures of students and teachers that have been drawn by the students.
- 8 We may use group or class photographs or footage with very general titles (such as Science Lesson)
- 9 We will only use images of students who are suitably dressed.
- 10 Websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.
- 11 Parents / Carers consent will be recorded on the school's Management Information System. The paper copy will be retained in your child's file which is passed to their next school.
- 12 You agree that if you take photographs or video recordings of your child which include other students, you will use these for personal and family use **only** and you will not post on any personal social media accounts. You understand that where consent has not been obtained from the other parents for any other use, you would be in breach of the Data Protection Act 2018 if you used the recordings for any wider purpose.

APPENDIX A

Pupil photographs in newspapers

1. There is not a problem in giving the names of pupils to journalists to accompany photographs that will appear in the newspaper.
2. The use of photographs in newspapers is already subject to strict guidelines. Newspaper editors must adhere to the Press Complaints Commission Code of Practice which states that:

“Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child or any other child in the absence of or without the consent of a parent or other adult who is responsible for the children.”
3. The key points here are about the welfare of the child and consent of a responsible adult. Most of the pictures newspapers print celebrate children’s achievements. It would be a great shame for the pupil, parent or school to miss out on opportunities for positive publicity like this. The child’s welfare is not at risk and there is no breach of the Data Protection Act in giving the child’s name to the newspaper.
4. There is no need for parental consent if the child’s welfare is not at risk.
5. This position is endorsed by the NSPCC though they point out that for a few children there can be child welfare issues. For example, where parents have separated or the child is subject to a court order a picture in the paper could help a former partner identify the family’s new address. However, you are very likely to know which children are in this situation and it would be sensible not to include them in any photographs that are to be published.
6. We will usually have advance warning when the media are invited to attend school. You may opt out of your child’s image being used for this occasion or at any other time by completing the Child Image Consent Form.