



## Holy Trinity C of E Primary Academy

### Vision Statement

**At Holy Trinity CE Primary Academy, inspired by and rooted in Christian values and teaching, we nurture children to become aspirational, courageous, compassionate and joyful young people.**

**The values of our school: Courage, Joy, Aspiration and Compassion**

POLICY DOCUMENT	Photography and Video Policy
<b>Status</b>	Recommended
<b>Legislation</b>	
<b>Lead Member of Staff</b>	Headteacher
<b>Lead Governor (Monitoring)</b>	
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<b>Governor Committee</b>	Policy & Curriculum Sub-committee
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<b>Chair of Governing Body signature</b>	
<b>Supporting documents</b>	

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## **1 Introduction**

- 1.1 Holy Trinity CE Primary Academy needs to make full and proper use of photographic images while meeting the requirements of the law and preserving the safety of children. Concerns focus on issues around rights of privacy, child protection and copyright ownership. These guidelines address these issues and give advice on good practice.
- 1.2 It applies to all forms of media; print, digital images, recordings (visual and audio) on websites and in the professional media regardless of the method of capture.
- 1.3 It is natural for parents to want to record their children's time at school, especially when they take part in activities such as sports, concerts, nativity plays or other types of show. However, we must always be mindful of the need to safeguard the welfare of children in our Academy, and issues of child protection, data protection and parental consent will be given careful attention.
- 1.4 Where the Governing Body provides services separately, using the academy premises, the Governing Body will ensure that the organization or individuals concerned has appropriate policies and procedures in place in regard to safeguarding children.

## **2 Aim**

- 2.1 To permit members of staff to use appropriate images of the children in an educational context. This document gives clear guidance on the appropriate use of images of children in the education setting.
- 2.2 All parents of pupils in the academy must notify the headteacher if they do not wish photographs/video to appear in public places (including websites). – see Appendix 1.
- 2.3 If parents/ carers disagree over consent for their child; it will be treated as if consent has not been given.

## **3 Use of images**

- 3.1 Human Rights legislation and the Data Protection Act 1998 give people the right to 'privacy', that is the issue when using photographs. We will always take steps to respect the rights of children in photographs that attend our academy.
- 3.2 The Copyright, Designs and Patent Act 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
- 3.3 Holy Trinity CE Primary Academy will decide if the event is one at which photography and videoing will be permitted. When informing parents of the event, where possible, they will also be informed of the schools decision on taking photographs/videos
- 3.4 If general shots are to take place such as at the academy fun day, visitors will be warned in the invitation. Only images of children suitably dressed will be allowed to reduce the risk of images being used inappropriately. Special consideration will be given to photographs taken during PE (sports day).
- 3.5 We stress that any photography by parents must be for private and personal use only.

## **4 Typical Uses of Photographs**

- Evidence of teaching and learning across the school curriculum

- Key Skills for PE.
  - Performing arts including dance and movement, concerts, drama performances, parent evenings.
  - Sports days and sports fixtures and the use of photographic equipment by parents and carers and children from other schools.
  - Media including newspapers especially when some editors require children's names when publishing photographs.
  - Displays in school of children's activities
  - Publications on the school website
  - Staff training and professional development activities
- 4.1 If a photograph is likely to be used again it will be stored securely and only accessed by those people authorised to do so. When photos are destroyed, the digital files or negatives will be deleted/destroyed as well.

## **5 Children who should not be identified**

5.1 This is not an absolute definition but often includes: -

- Situations where the parent is in a sensitive position and identifying the child would lead to them being identified.
- Victims of abuse including bullying.
- Where domestic violence has resulted in relocation.
- Where parents hold strong beliefs.
- Where a court order is in place preventing identification.
- Every effort will be made by the school to prevent capturing the image of any child who should not be identified but cannot be held responsible for photographs taken by furtively by others.

## **6 Media photographing and filming**

- 6.1 The media operate under their own Code of practice. Photographs taken by the media are usually exempt from the Data Protection Act.
- 6.2 If the media are invited into school for publicity purposes parents/carers of those children likely to appear will be informed.

## **7 Mobile/Smart phones**

- 7.1 (MMS Multi-media messaging service, video phones) These 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.
- 7.2 The use of mobile phones which contain cameras of photographic capabilities will not be permitted in changing rooms, toilets etc.

**8 Guidance for parents (see Appendix 2)**

- 8.1 Written guidance will be given to parents/carers to the effect that any images must be taken for personal use only and specify that images including others must not be put on the web/internet, and that if they are Data Protection legislation may be contravened.
- 8.2 Parents/carers will be prompted with a verbal announcement at the start of the event that any images must be taken for personal use only. They will be reminded that such images must not be sold or be put on the web/internet (including social networking sites) otherwise Data Protection legislation is likely to be contravened.
- 8.3 People with no connection to our school will not be allowed to photograph – staff will question anyone they do not recognise who is using a camera and or video recorder at events and productions.
- 8.4 The ultimate decision to prohibit photography or recording for an event rests with the Headteacher.

**9 Review**

- 9.1 This policy will be reviewed annually, and at any other time as may be necessary.

**10 Implementation of the policy**

- 10.1 The staff and Governors of Holy Trinity CE Primary Academy will manage implementation of this policy.

**11 Related Policies and Procedures**

- Safeguarding
- Health & Safety
- Curriculum
- eSafety
- Social Networking
- Confidentiality
- Equalities
- Complaints
- Data Protection

**12 Document History**

Date	Description
November 2012	Major alterations so regarded as a new policy. Policy adopted within the academies' revised format

**13 APPENDIX 1 PHOTOGRAPHY AND VIDEO RECORDING POLICY CONSENT**

- 13.1 We reserve the right to take photographs/video of the children/young people at our school. We may use these images in our academies prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.
- 13.2 From time to time, our school may be visited by the media who will take photographs, film footage or carry out radio interviews. Children will often appear in these images, which may appear in local or national newspapers, or on televised news programmes. Photos for the media and other publicity purposes may also be taken at events where our school is taking part.

Note:<sup>1</sup>  
**Official school use:** A small group of pupils are 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 DPA as long as the children and/or their guardians are aware this is happening and the context in which the photo will be used.  
**Media Use:** A photograph is taken by a local newspaper of a school awards ceremony. As long as the school has agreed to this, and the children and/or their guardians are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the DPA.

- 1: Use in and around school, in places that might be seen by visitors,
- 2: on the school website,
- 3: on social media,
- 4: in wider marketing materials used by the school.

You get that consent once, and as long as you make it clear to the individual that provides that consent that they can withdraw that consent at any time, that’s all you need to do.

- 13.3 We recognise that there are a multitude of reasons whereby some parents (or others with Parental Responsibility) may not want images of their child/ren appearing in media accessible to the public. We undertake to inform parents whenever this may take place. Parents are able to request that such images are not made public using this form or in writing to the headteacher.

**I do not wish any photographs or video of my child ..... to appear in any public media for the following reason:-**

  
  

**Signed;** ..... **Date;** .....  
Print Name; .....

*Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies. Please also note that the conditions for use of photographs/video are on the back of this form. The reason is required to identify any legislative implications.*

<sup>1</sup> <https://ico.org.uk/for-organisations/guidance-index/data-protection-and-privacy-and-electronic-communications.aspx>

I have read and understood the conditions of use on the back of this form.

Parent/Carer signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name of child: \_\_\_\_\_

Parent/Carer name (in block capitals): \_\_\_\_\_

<b>Address (in block capitals):</b>	<b>Telephone number:</b>
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## Appendix 1

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Holy Trinity CE Primary Academy

### PHOTOGRAPHY AND VIDEO RECORDING POLICY

#### Conditions of use

This form is valid for the period of time your child attends this school, plus one year after they leave, to enable us to publicise the work of final year pupils.

If we use photographs/video of individual pupils or small groups of pupils, we will avoid using the full name (which means first name **and** surname) of that child in the accompanying text or photo caption.

**Please note that the media are likely to use first names and surnames in their publications/broadcasts.**

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.

We may use group or class photographs or footage with very general labels, such as “a science lesson” or “making carnival costumes”.

We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.



## 14 Appendix 2

### Holy Trinity CE Primary Academy PHOTOGRAPHY AND VIDEO RECORDING POLICY

#### **'Using your camera and video courteously'**

#### **A guide for parents who wish to use photography and/or video a school event**

It is natural for parents to want to record their children's time at school, especially when they take part in activities such as sports, concerts, nativity plays or other types of show. . By following some simple guidelines we can proceed safely and with regard to the law.

Remember that parents/carers and others, attend school events at the invitation of the headteacher and governors.

The headteacher and governors have the responsibility to decide if photography and videoing of school performances is permitted.

The headteacher and governors have the responsibility to decide the conditions that will apply so that children are kept safe and that the performance is not disrupted and children and staff not distracted.

Parents and carers can use photographs and videos taken at a school event for **their own personal use only**.

**Such photos and videos must not be sold and must not be put on the web/internet. To do so would likely break Data Protection legislation.**

**Recording or/photographing other than for your own private use would require the consent of all the other parents whose children may be included in the images. It is your responsibility to obtain such consent and you will have to provide written evidence of obtaining consent to the headteacher.**

Parents and carers must follow guidance from staff as to when photography and videoing is permitted and where to stand in order to minimise disruption to the activity.

Parents and carers must not photograph or video children changing for performances or events.

If you are accompanied or represented by people that school staff do not recognize they may need to check who they are, if they are using a camera or video recorder.

Remember that for images taken on mobiles phones (including smart phones) the same rules apply as for other photography, you should recognise that any pictures taken are for personal use only.