

POLICY FOR THE USE OF IMAGES OF CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS IN EDUCATION SETTINGS

Purpose of policy

This policy sets out how Shortstown Primary and Preschool will ensure the safety and welfare of children, young people and/or vulnerable adults in our care when making photos/images of them.

Policy Application

Our policy applies to all staff, governors and volunteers working at the school and Preschool as well as visitors.

Introduction

Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs for publicity materials and to promote the school in the press can increase pupil motivation and staff morale, and help parents and the local community identify and celebrate the school's achievements. However, photographs must be used in a responsible way (Appendix 1).

In May 2004, section 45 of the Sex Offences Act 2003 amended Section 1 of the Protection of Children Act 1978 by raising the age of a 'child' from 16 to 18.

This means it is now an offence to 'take, make, allow to take, distribute, show, possess with intent to distribute, or advertise indecent photos or pseudo photographs of children under the age of 18.

Shortstown Primary and Preschool recognises the need to respect children's and parents' rights of privacy and is aware of potential child protection issues.

Image taking by parents, legal guardians or family members at a school event:

- Parents, legal guardians, family members and friends can take images of their child and friends participating in school activities for family and personal use. These should not be uploaded to public sites such as 'you tube' or social media sites, in order to respect other families rights to privacy.
- Parents and children will be asked for their permission before photography is allowed and their image used.
- Before they are allowed to take images during school activities, parents or legal guardians have to sign an agreement/generic consent form (in starter pack) that any images they take will not be used inappropriately. (Appendix 1)
- Photography and video filming will be limited to designated areas.
- The school will ensure that children are appropriately dressed.
- The school will ensure that children who should not be photographed, for example those whose parents/legal guardians have refused consent, are not included in any images.
- Use of cameras and other equipment will be monitored.

Images for school publications and use:

- The school will only take and use images that are appropriate and are considered to not be open to misuse.

- If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
- Children and their parents/legal guardians will be made aware of why their picture is being taken and how it will be used.
- The school will ensure that images of a single child with no surrounding context of what they are learning or doing will be avoided.
- Children and parents should be encouraged to recognise the value of group photographs or recordings of school events.
- The school recognises that images must not be used to cause distress, upset or embarrassment.
- The school will use photographs that represent the diversity of the children/young people participating.
- Images will be kept securely and held by the school for the duration of the pupil's time in the setting.
- Images of children from the school will not be used to illustrate controversial subjects.

Images for the school website:

- School websites and blogs are part of the internet and are more easily accessible than paper based school publications. The school will make sure that only appropriate images are used. Image filenames will avoid using children's names.
- The storage of electronic images will be regularly reviewed by a senior member of staff.

Webcams:

- Webcams are a useful tool for learning. They can allow an individual or class to interact over the internet with others and support links between pupils in different schools, countries and cultures.
- A webcam will only be used in appropriate circumstances such as a normal class setting.
- Both children and teachers will be made aware of when a webcam is in use.

Children photographing one another:

- Staff will supervise and maintain control over any photographing pupils do during on-school or off-site activities.
- If it is found that cameras or camera devices have been misused, the school will follow the disciplinary procedures as outlined in our Acceptable user policy. In some cases it may be necessary for the school to contact children's social care and/or the police.

Images used for assessment and recording

During children's learning staff may take photos as evidence of learning. These will be used during assessment processes. They will be available for parents on request. They will not be distributed outside of this process.

Please note that images taken by the media are not covered by this policy and are subject to a separate set of regulations.

APPENDIX 1

DATA PROTECTION GOOD PRACTICE NOTE TAKING PHOTOGRAPHS IN SCHOOLS

In October 2007 the Information Commissioner's Office (ICO) published Good Practice Guidance aimed at Local Authorities and those working in schools, colleges and universities. It gave advice on taking photographs in educational institutions and whether doing so must comply with the Data Protection Act 1998.

Recommended Good Practice

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 which provide many with pleasure.

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.

- Photos taken for official school use may be covered by the Act and pupils, students and parents/carers should be advised why they are being taken
- Photos taken purely for personal use are exempt from the Act

Examples

Personal Use:

- A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.

Official School Use

- Photographs of students/pupils are taken for administrative records. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- A small group of pupils are being 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 children and/or their parents/carers/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 parents/carers/guardians are aware that photographs of those attending may appear in the newspaper, this will not breach the Act.

The Data Protection Act should not be wrongly cited to stop people taking photographs or filming videos

APPENDIX 2

Parents'/Legal Guardians' Consent to Take and Use Images of Pupils

Key Policy Points:

Shortstown Primary School and Preschool recognises that a balance between the low risk of misuse and the numerous positive results of colourful, well produced school material is necessary.

- The school will only take and use images (photographs, videos and DVDs) that are appropriate and are considered to be safe from misuse.
- Children will be made aware of why their pictures are being taken and how they will be used.
- The school will take extra precautions to ensure that only appropriate images are used for the website.
- If it is found that a camera devices have been misused the school will follow its usual disciplinary procedures.
- If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
- Parents and legal guardians will be asked to sign an agreement that any images they take during school activities will not be used inappropriately.

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PARENTS

Please read our Policy for the Use of Images of Children and indicate whether you agree to your child's images being taken. You have the option to indicate whether or not you consent to your child's images being taken and used for different purposes. **You can withdraw your consent at any time by writing to the school.**

Name of child (block capitals)	
Child's date of birth	
Name of parent or legal guardian (block capitals)	
I have read the school's policy on the use of images of children and I agree to its provisions. <i>Your child's images will not be taken/used as specified, if you do not give your consent.</i>	
I agree that any photographic or video images I as a parent or legal guardian might take at school events will not be used inappropriately.	
Signature of parent or legal guardian of the child	
Relationship to the child	
Date (date/month/year)	
Child's signature of consent	

NB: There may be other circumstances, falling outside the normal day to day activities of the school, when images of children are needed. The school recognises that in such circumstances specific consent from the parent or legal guardian will be sought before any photography or filming of children starts. If you have concerns or queries about any of this information, please contact the school.

The Issue

Sadly we live in a society where not everyone has children's best interests at heart.

We have already asked for you to consent for photographs of your child to be used in the press and/ or our website.

However, we must all remember that some parents and people in temporary care of children may not be able to grant permission for photographs as to do so could endanger the child as his/her whereabouts may need to be kept secret.

You will not, nor should you, know who these children are. Although we realise that you have the right to take photographs, by asking you to think carefully and not to take photographs at school events we are trying to balance your desire as parents to be present with the need to protect our most vulnerable children.

Ensuring the safety of these, our most vulnerable children, is the responsibility of the whole community of Shortstown Primary School.

We realise that you have entrusted to us your most precious possession and so we strive to provide a setting which ensures that your child is safe, secure, valued and inspired.

Whatever we do, please be assured that we do it with the best interests of your children at heart.

Our policy is available on our website or from the office and is based on recommended principles for safeguarding and the Data protection act.



**Protecting your children and
the use of Photographs –
A guide for parents**

Why do we use photographs?

To record and capture special moments

The Early Years curriculum is based upon first hand experiences and active learning. Observations of your child's play and activities form the basis of our assessment of the progress he/she is making and the identification of next steps in learning.

Much of this is ongoing assessment recorded on 2Simple - a individual invaluable record which will be given to you as parents as a precious keepsake for your child's early learning.

Many of the special moments in your child's time with us will be captured in photographs.

This enables you to share in the experience in some way even though you could not be present at the time that it occurred.

To celebrate our school as a learning community.

We also take photographs which form part of displays for the whole school community to share. These may be of an assembly, a record of a special visitor or activity such as school trip.

To celebrate and share our work with the community of Shortstown and Bedford

The local press are keen to publish our activities and we are equally keen to share our experiences with the community of Bedford. This usually includes a photograph of children doing something exciting and worthwhile!

To liven up our website!

Our website would be very dull and boring if we could not show pictures of our children learning. We try to have pictures that represent each class and the wide variety of educational experiences they undertake in school. These are taken regularly and available on our Blog to share in real time with parents.

To show what we do as a school

When we have meetings for parents we may use a presentation to explain how we work as a school. This is an invaluable way of showing what active learning looks like in our school. We have built up a bank of photographs which are part of these fantastic presentations