



Brinsworth Whitehill Primary School **School Policy for the Safe Use of Children's Photographs**

Introduction

Children's photographs add colour, life and interest to displays and articles promoting school activities and initiatives. Photographs and films of school events also help parents, carers and children to have visual aids to celebrate special moments in school life. Schools also welcome publicity. 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 reasonable way. Schools need to be aware of potential child protection issues and parents views.

New technology provides a better, clearer and faster way to communicate than in the past. Mobile phones, digital devices and video cameras allow people to take images and circulate instantly.

For most children and young people this enables them to share their delight immediately but for some these images have unfortunate consequences and there are occasions when this is not the case. Below are some risks that could be associated with photographing children and young people:

- Identification of children when a photograph is accompanied by personal information
- Taking of inappropriate photographs or recorded images of children
- Inappropriate use, adaptation or copying of images
- Risk posed directly and indirectly to children and young people through the use of photographs on websites and other publications when they are accompanied by personal information.

Children and young people should be made aware of the dangers that can arise from people taking photos or filming them.

At Brinsworth Whitehill we are aware of the potential risks and dangers and put appropriate measures in place, to minimise risk by following the guidelines detailed by the Information Commissioner's Office and the Data Protection Act. Where taking of inappropriate photographs or recorded images of children occurs or inappropriate use, adaptation or copying of images takes place, **school will contact the Local Safeguarding Unit and /or police.**

This policy applies to the use of photographs and film and reflects the consensus of opinion of the staff and governing body of Brinsworth Whitehill Primary. Its implementation is the responsibility of all staff. Parents and visitors will be made aware of this policy.

Data Protection Act (DPA)

Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act.

PHOTOS TAKEN AT SCHOOL EVENTS BY FAMILY MEMBERS PURELY FOR PERSONAL OR RECREATIONAL USE, WITH MOBILE PHONES, DIGITAL CAMERAS, OR CAMCORDERS ARE EXEMPT FROM THE DPA (section 36).

Examples;

- *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 DPA does not apply.*
- *Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the DPA does not apply.*

HOWEVER IF THESE PHOTOS WERE TO APPEAR ON SOCIAL MEDIA SUCH AS FACEBOOK, TWITTER, INSTAGRAM, SNAPSHOT ETC THEY WILL NOT BE UNDER THE DPA (SECTION 36) EXEMPTION AND MAY BE BREACHES OF THE DATA PROTECTION ACT.

BREACHES OF THE DATA PROTECTION ACT ARE TAKEN SERIOUSLY AND CAN RESULT IN PENALTY NOTICE AND PROSECUTIONS.

The Children Act 1989 states that:

No person shall publish [to the public at large or any section of the public] any material which is intended, or likely, to identify—

- (a) any child as being involved in any proceedings before [the High Court, a county court or] a magistrates' court in which any power under this Act [or the Adoption and Children Act 2002] may be exercised by the court with respect to that or any other child; or**
- (b) an address or school as being that of a child involved in any such proceedings.**

ANY PERSON WHO CONTRAVENES THIS SECTION SHALL BE GUILTY OF AN OFFENCE AND LIABLE

At all school events where parents/carers could take photographs these conditions will be made clear through verbal or printed notices.

Official School Use

Brinsworth Whitehill Primary will not display images of pupils or staff on websites, publicity materials or in publications without consent. **We will not attach personal information to photographs without consent.**

Display

Brinsworth Whitehill Primary will not display images of pupils or staff in a public place **without consent**. The definition of a public place includes areas where visitors to the school have access.

School Website

The advice for using photographs on a website is no different from their use in any other kind of publication or publicity material. **Children's names will not be included in photographs** published on the school website.

The Press

The use of photographs in newspapers and magazines is already subject to strict guidelines. If a photograph of your child is used in the press **their name will not be used unless the parent or guardian has provided consent**. If a photograph is taken by a newspaper of school assemblies, as long as the school has agreed to this and the children and or parents/guardians are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the DPA.

Camera Phones in Schools

Concerns have been expressed about the risks posed directly and indirectly to children through the use of camera phones on school premises.

- Staff will only use mobile phones in office areas, the staff room or areas away from the children while school is in session;
- Visitors will be advised of the ban on the use of camera phones in school and, will be accompanied by a member of staff during the duration of the visit;
- Children who bring a mobile phone on the school premises hand their phone in at the school office at the beginning of the school day and collect it at the end of the school day.

Parental Consent

Under the guidelines of this policy, parents / carers **will be able** to take photographs/ films of school events **SOLELY FOR PERSONAL USE** (see above)

Under the guidelines of this policy, we **will allow** the media to take photographs of **school celebration events** such as sports day, or assemblies **as long as we inform** parents/carers that there is a possibility these may appear in the media. (see above)

The governors of Brinsworth Whitehill Primary School **will seek the consent** of parents/ carers regarding the use of photographs / films of children in displays, websites, and publications.

The governors of Brinsworth Whitehill Primary School **will seek the consent** of parents/ carers when sending photographs of learning in school to the media, which may include children

School reserves the right to adapt this policy at particular events and to ask parents/carers not to take photographs at particular events due to child protection concerns as and when they arise.

The consent form in **Appendix A** refers to the areas covered in this policy.

CONDITIONS OF USE

1. This form is valid for the period of time your child attends this school. Your consent will automatically expire after this time.
2. The school will not use the personal details of full names (which means first name **and** surname) of any child in a photographic image, on video, on our website, in the school prospectus or in any of our other printed publications.
3. The school will not include personal e-mail or postal addresses or telephone numbers on video, on our website, in our school prospectus or in other printed publications.
4. If we use the full name of a pupil in text, we will not use a photograph of that child to accompany the article.
5. We may include pictures of pupils and teachers that have been drawn by pupils. We may use group or class photographs or footage with very general labels, such as 'a science lesson'.

Notes on Use of Images by the Media

If you give permission for a child's image to be used by the media then you should be aware that:

- The media will want to use any printed or broadcast media pictures that they take alongside the relevant story.
- It is likely that they may ask to publish the child's name and age in the caption for the picture (possible exceptions to this are large group or team photographs). We will not give this information without parental consent.
- It is likely that they will wish to publish the school name.
- It is possible that the newspaper will re-publish the story on their website, or distribute it more widely to other newspapers or media organisations.

Approved by Brinsworth Whitehill Governing Body
Autumn Term 2015

APPENDIX A: CONSENT FORM for use of photographic images

Name of child.....

Name of Parent(s) or Guardian.....

Occasionally, we may take photographs of the children at our school. These images may be used in our school prospectus, in other printed publications that we produce, on our school website, or on project display boards in school.

Sometimes our school may be visited by the media who will take photographs of a high profile event, or to celebrate a particular achievement. Pupils will often appear in these images, which may appear in local or national newspapers. We will always inform children and/or guardians this may be a possibility.

In order that we can protect your child's interests, and to comply with the Data Protection Act, please sign and date this form. Please return the completed form (one for each child) to school as soon as possible.

May we use your child's photograph in the school prospectus and other printed publications that we produce for promotional purposes.

Yes No

May we use your child's photograph on school display boards, etc?

Yes No

May we use your child's image on our school Website?

Yes No

We will allow the media to take photographs of school celebration events such as sports day, or assemblies as long as we inform children and or parents/carers that there is a possibility these may appear in the media.

May we also send photographs of learning in school which may include your child to the media?

Yes No

I have read and understand the conditions of use attached to this policy

Parent/Carers signature.....

Name (block capitals please):.....Date.....