

# Hall Orchard Barrow CE Primary School (Academy)

## Use of Children's Images

May 2022 to September 2024

### Use of Children's Images

\*The word images is used here to include photographs, digital photographs, webcam, film and video recordings.

### Introduction

- Hall Orchard CE 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.
- We only use images that the Head Teacher and 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.
- Through this policy we aim to respect young peoples 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 under GDPR

- Photographs and video images of pupils and staff are classed as personal data under the terms of the General Data Protection Regulation May 2018 or GDPR. We will not use images of identifiable individuals for school publicity purposes without the informed consent of either the individual themselves or, in the case of pupils, their parent, guardian or carer.
- A consent form for pupils is attached.
- In seeking informed consent under GDPR we will ensure that parents are clear why we are using a child's image, what we are using it for, and who might want to look at the pictures.
- All images will be stored securely and used only by those who are authorised to do so. We will not normally re-use or retain images of children after they have left the school unless there is a legal reason under the regulation for us to do so. Our data retention procedures will work to ensure images are destroyed within a stated period after a pupil has left the school. This will normally be one (1) year.
- Please also see the schools Data Policy Incorporating General Data Protection Regulation and Freedom of Information – Draft May 2018 to May 2020 available on the schools website.

### Child protection

- We will only use images of children in suitable dress. The Head Teacher and Governing Body will decide if images of some activities – such as sports or arts – are suitable without presenting risk of potential misuse.
- Any evidence of the use of inappropriate images, or the misuse of images, will be reported to the school's child protection designated member of staff, the LA, and/or the police as appropriate.
- Individual pupils will not be named in conjunction with their image in most circumstances, some newspaper publications do make use of names for article purposes and this different approach is acknowledged elsewhere in procedures and policies. We will never use an image of a child who is subject to a court order.

### Websites

- 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.
- Images, and accompanying details, will only be used in line with available guidance ChildNet International published guidance in 2005 titled 'Putting photos of children and young people on websites' this is available as reference to the school.

### **Webcams and mobile phones and CCTV**

- Webcams, mobile phones and similar devices can be used to take images without people's knowledge. The school's policy is to identify that images may be used as part of delivering learning so that people are informed.
- Mobile phones that can take and transmit images will not be permitted in areas of the school, such as changing rooms or sports facilities, where they could be misused. Misuse will be regarded as a breach of school discipline and dealt with accordingly.
- The use of mobile phones, by all adults, to take images or record footage is not permitted during school performances or events. This is because some parents have exercised their rights, under GDPR, to restrict images taken of their children.

### **External photographers and events**

- 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 be in attendance at 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.
- The same conditions will apply to filming or video-recording of events that take place on school grounds and where parents are not on the site.
- It is noted that the school cannot control the taking of photographs or other electronic images during event that take place outside of the school.
- The current letter sent to parents before sports events states ...
  - *There may be some parents, event organisers or reporters, from local newspapers, that take photographs of the children in the competition. We cannot control the taking of photographs in these public events.*
  - This is intended to inform parents so that they can make an educated choice.
- Photographs taken by journalists have exemptions under GDPR 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.
- During school trips (including residential trips), photographs and electronic images can only be taken by school staff, using school devices. Volunteers, including parents, are not permitted to capture images of children or use personal devices in the presence of children.

Please see <https://ico.org.uk/> for further information on the GDPR and your rights.

### **Further Information**

If you have any concerns with regard to the way your personal data is being processed, please contact our Data Protection Lead (Officer).

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Our data controller registration number provided by the Information Commissioner's Office is: Z654746X