

# WESTOVER GREEN ICT POLICY

## PUPIL IMAGES POLICY AND GUIDANCE

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### **Taking, displaying and publishing images of pupils – recommended Good Practice**

*This summary gives guidance on data and child protection issues around the use of pupil images and recommends a common policy and letter format for schools to adopt in order to secure consent for the use of pupils images in new media, digital video, promotional materials, webcams, CCTV, mobile and camera phones and press photography.*

#### **Context**

- In the modern digital age, more images are made, displayed and published than was ever before conceivable. In November 2007, the 2 billionth image was uploaded to Flickr, a digital photo sharing website.
- The range of applications that images are being shared on is increasing, as is the purpose behind their generation.
- Schools may wish to use images of pupils for a variety of purposes. Publication of images on a school website, in promotional materials such as prospectuses, or in the media can be a good opportunity for the school to reach a wider audience and can be motivating for the pupils involved.
- Schools should have in place documentation that states their policy for the use of images. They should be clear about the types of images used, how the images are stored, what consent is required for the publication of images and what the consequences for child and data protection are.

#### **Considerations – Child Protection and Data Protection**

*The following considerations, prior to the draft policy, are taken from Becta, SWGfL and ICO guidance for schools.*

#### **Types of Images**

- Where possible, photos should be taken of groups of children rather than individuals.
- Where a photograph of an individual is used, schools should avoid naming the pupil.
- Where the pupil is named, schools should avoid using their photograph.
- Schools should ensure images are of pupils in suitable dress to avoid the risk of inappropriate use e.g. images of pupils in PE or swimming kit are to be included at the discretion of the Headteacher and Governing Body.
- Schools should ensure that personal details are not used in captions or file names.

#### **Storage of Images**

- Digital images and video of pupils should be saved on a centralised area on the school's network, with suitable security for accessing the images.
- The school should also decide a timeframe for the deletion of images,
- When a pupil leaves the school, all images should be deleted.
- Schools should ensure that image files should be clearly and appropriately named, avoiding the use of pupils' names.

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### Consent

- All Somerset schools should have in place an Internet Acceptable Use Policy (AUP). Within this, reference should be made to the use of pupil images on the school or LEA website.
- At **primary** level, the AUP requires specific consent to be sought for the display and publication of pupil images.
- At **middle** and **secondary** level, signing the AUP indicates that consent is given for images to be displayed and published.
- It is recommended that the school distribute a letter to parents at the start of the academic year or on entry to the school to secure consent for the use of pupil images for the purposes the school has identified in the policy.
- Consent is not required where either individuals cannot be identified or they form part of a large crowd at a public event.
- Parental consent can be withdrawn or changed at any time in writing.
- The school will need to consider revisiting consent arrangements in the event of a pupil's circumstances changing, or new applications for the use of pupil images.

### Data Protection

- The Data Protection Act 1998 is unlikely to apply in most cases where photographs are taken in schools. Guidance from the Information Commissioner's Office states that 'fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure'. (ICO, 2007)
- The Act may apply in the case of photos taken for official school use such as photos taken for building passes where the images are likely to be stored electronically with other personal data.
- The Act does not apply in most cases where photos are taken for personal use e.g. by parents for home use. In the cases where photos are taken for an external audience e.g. prospectuses or newspapers, the school needs to ensure that children and guardians are aware that it is happening and the context in which the photo will be used

### Misuse of images

- Any evidence of the use of inappropriate images or the misuse of images should be reported to the school's designated child protection officer, who may refer the matter to the LA, Social Services and / or the police as appropriate.

### Links

[http://www.ico.gov.uk/upload/documents/library/data\\_protection/detailed\\_specialist\\_guides/taking\\_photographs\\_in\\_schools.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/taking_photographs_in_schools.pdf)

[http://schools.becta.org.uk/index.php?section=is&catcode=ss\\_to\\_es\\_pp\\_sw\\_03&rid=9960](http://schools.becta.org.uk/index.php?section=is&catcode=ss_to_es_pp_sw_03&rid=9960)

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*The term 'images' includes photographs, digital photographs, film, webcam/video conferencing, CCTV and mobile/camera phones*

The 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.

The school will only use images that the Headteacher and Governing Body consider suitable and which appropriately represent the values of the school and the range of activities the school provides.

The policy is intended to minimise the risks that young people can be exposed to through the misuse of images. The policy takes account of data protection and child protection issues.

### **Data Protection**

- 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 either identifiable individuals for school publicity materials without the consent of the individual or, in the case of pupils, their parents/carer.
- Images will be kept securely and held by the school for the duration of the pupil's time there, after which they will be destroyed.

### **Images for school publications**

- The school will only take and use images that are appropriate and are considered not to be open to misuse.
- Pupils will be made aware of why their picture is being taken and how it will be used
- Where possible, photos will be taken of groups of children rather than individuals.
- Where a photograph of an individual is used, we will not name the pupil.
- Where the pupil is named, we will not use their photograph.
- Images will show pupils in suitable dress to avoid the risk of inappropriate use e.g. images of pupils in PE or swimming kit will only be included at the discretion of the Headteacher and Governing Body.
- We will ensure that personal details are not used in captions, tags or file names

### **Images for school / LEA website**

- We will adopt the same principle as outlines above when publishing images on the Internet. However, the school recognises that there is no control over who may view the images and consequently a greater risk of misuse of the images, via the Internet.
- We will therefore give specific consideration to the suitability of images for use on the school's website.

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### **Filming**

- Under the terms of the Data Protection Act 1998, parents, friends and family members can take images of their children and friends participating in school activities for family and personal use.
- If the recording is not for personal use e.g. with a view to selling the video, then consent of other parents whose children may be on film would be required. Without this consent, the Data Protection Act would be breached.
- Parents are allowed to film school events such as sports days, fetes and school plays so long as the performance is not disturbed.

### **Webcams/Video conferencing**

- Webcams and video conferencing facilities are useful tools for learning. They can allow individuals 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.

### **CCTV**

- The school may use CCTV in some areas as a security measure. Cameras will only be used in appropriate areas and where there is clear signage indicating where in operation.
- CCTV images that are stored on digitally will only be stored for designated periods then erased.

### **Mobile / camera phones**

- Mobile and camera phones can take images without the knowledge of others. As such, mobile phones that can take and transmit images will not be permitted in areas of the school e.g. changing rooms and sports facilities, where they may be misused.

### **Media / Local press**

- Photographs taken by journalists are exempt from the Data Protection Act as newspapers are subject to strict guidelines governing the press.
- The school will ensure that it politely checks that broadcasters and press who may be on the school premises are aware of the sensitivity involved in captioning, interviews and close or sports photography.
- Pupil names are never given to the press without prior parental consent.

### **Consent**

- Due to the number of occasions during a pupil's time at school that the school may wish to photograph or video the pupil, the school will seek consent from parents/carers when the pupil starts at the school. This policy and consent will cover the whole of the pupil's time at the school.

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- The school will, at all times, consider the need to revisit consent in the event of a pupil's circumstances changing, or new applications for the use of pupil images.

### **Misuse of images**

Any evidence of the use of inappropriate images, or the misuse of images, will be reported to the school's designated child protection officer who may involve the LA, Social Services and police as appropriate.

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### **Consent letter for the taking, displaying and publication of pupil images**

Dear Parents and Carers,

There have been rapid changes in the technology of image reproduction. Taking and publishing pictures is now easy, and schools need to be mindful of their responsibility to monitor and control images of children.

Our school has a duty of care to provide a safe environment for our pupils. While we are aware of the risks of image misuse and the right of individuals to privacy, we believe that the school needs to balance this against positive value of professional, high quality images of pupils in celebrating and promoting the school as an enjoyable, vibrant place to learn. Good pictures of the school and its children can help in putting the school at the heart of the local community and enhance its reputation.

The measures in our ICT/Pupil Images Policy are designed to ensure that the school does everything it can reasonably be expected to do to protect children from the potential harm that the misuse of images could cause.

The Policy is available on our school website – [www.westovergreen.co.uk](http://www.westovergreen.co.uk). Please read the policy carefully and fully. Sign the form attached to this letter and return it to the school to indicate that you agree with the school's policy and consent to images of your child being taken and published in school material.

If for any reason during your child's time at the school you wish to withdraw your consent, please inform us as soon as possible.

Yours sincerely,

Mrs H Good  
Headteacher

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### Consent form for the recording and use of images

School Name:

Child's Name:

Dear Parent/Guardian/Carer,

During the course of the school year, we may sometimes wish to take photographs or video of children within school or on school trips, either for our own records or for inclusion in our promotional material such the school prospectus or on our website. The school may invite an external photographer to the school each year to take official school photographs and the school may also invite the media to the school to take photographs for publication.

To comply with the Data Protection Act 1998, we need to ask your consent before the school or the media record any images of your child. Please answer the questions below and then sign and date the form below:

1. May we use your child's photograph in the school prospectus and other publications we produce for promotional purposes? YES/NO

2.  
(i) May we use your child's image on our website? YES/NO  
(ii) Are you happy for your child's name to appear with the image? YES/NO

3. May we record your child's image on video or webcam? YES/NO

4. May we retouch or edit your child's image if necessary? YES/NO

5.  
(i) Are you happy for your child's image to appear in the media? YES/NO

(ii) Are you happy for your child's name to appear with the image? YES/NO

Please ensure that you have read and understood the Conditions of Use included overleaf prior to signing this form.

Signed: .....

Relationship to child:.....

Address:.....

Telephone number: .....

Date: .....

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### Conditions of use

- This form is valid for the duration of your child's education at our school . If you change your mind about giving consent to any of the above during the course of their time in our school, please contact the school immediately.
- If we decide to take photographs or video for any other purpose than those listed here, we will ask for additional specific consent.
- Images of children will be stored securely in school. Please be aware that the school has no control over the way external photographers and the media store images.
- The school will not use or retain photographs of your child after they cease to be a pupil at this school. Please be aware that the school has no control over the way external photographers or the media retain or use photographs of your child after they leave school.
- We will not include any personal details such as home phone numbers or email addresses of pupils in our publications, without seeking specific separate permission from you in advance.
- We will only use photographs of pupils who are suitably dressed, in order to minimise any risk of misuse.
- We may use photographs of a whole class with a general label, where individual children are not identified.