



# PHOTOGRAPHY POLICY

## MAY 2021

<b>Policy Originator:</b>	School Office Administrator		
<b>Status:</b>	Non-Statutory	<b>Review Period:</b>	Three Years
<b>Date:</b>	May 2021	<b>Next review date:</b>	May 2024

### Rationale

Shalford Infant & Nursery School recognises that photography is a useful tool within school and it is employed routinely in many ways, for example for record keeping, displays, teachers' lessons and the children's own work. On occasions, photographs are also used for the press and other promotional purposes. We also recognise the wishes of parents to take photographs and/or video of their own children participating in school events. We are, however, also sensitive to the wishes and rights of parents who may not want their children to be photographed and/or who might have concerns about the use of such images. This policy will clarify the rules surrounding photography in school.

Implementation of this policy is the responsibility of all staff. **All staff, Governors, parents and other visitors to Shalford Infant & Nursery School are subject to the principles laid out in this policy.**

### Aims

- To safeguard the children in our care, and protect their privacy.
- To clarify for all parents, the ways in which images of their children may be used by the school.
- To clarify for all parents/visitors, when it is acceptable/unacceptable to capture images of pupils.
- To protect the rights of parents to consent to (or withdraw consent for) their children being photographed/filmed for specific purposes at school.
- To allow personal family photography/filming where possible.
- To comply with data protection law, namely the EU General Data Protection Regulation (GDPR).

### Scope

- 'In/at school' refers to any time that the children are in the care of Shalford Infant & Nursery School, including on school premises, trips away from the school site, and events such as Sports Day and concerts.
- All references to 'images' in this policy apply to both photographs and videos, whether on film or in digital format.
- All devices capable of **capturing** images are subject to the rules laid out in this policy, including but not limited to; cameras, video cameras, mobile phones, tablets and portable gaming devices with inbuilt camera.

- All devices capable of **storing** images are subject to the rules laid out in this policy, including but not limited to; cameras, video cameras, mobile phones, tablets, portable gaming devices with inbuilt camera, laptop computers, and USB flash drives.

## **Data Protection Law**

Photographs/videos of an individual are classed as Personal Data under the terms of GDPR. As such, the capturing and processing by Shalford Infant & Nursery School of images of pupils will require the consent of said pupil's legal guardians. This consent must be explicit, specific, in writing, and easily withdrawn at any time.

The above consent rule does not apply where an image does not focus on one individual or group of individuals, as the image is not classed as Personal Data.

The above consent rule also does not apply to staff capturing images of pupils for *legitimate* educational purposes, for example to record educational progression or for demonstration of adherence to the national curriculum.

Images captured by parents purely for personal use are exempt from data protection law, however schools and local authorities are free to decide on their own policies relating to the use/capturing of such images.

## **Consent**

Parents with a child at Shalford Infant & Nursery School must complete a consent form providing or declining permission for the school to use images of their child in a variety of ways.

Consent provided/declined is valid for the duration of the child's career at Shalford Infant & Nursery School + 1 year.

Specific consent is requested for the below uses:

- Child's work to be published in school promotional material (in paper and electronic form) This includes but is not limited to; prospectus, flyers, items on social media.
- Images processed and displayed throughout the school premises. This includes but is not limited to; displays in the classrooms and school hall, images as part of pupil curriculum work, included in newsletters distributed to the school community, administration, and any images captured on school owned devices but not distributed outside of the school. Images may be accompanied by pupil first names.
- Images shared via school-run social media; Shalford Infant & Nursery School has five private Twitter accounts (one per class and one whole-school account) which are used to share information with parents. Anyone wishing to view content published on the account must be approved by the school, and approval is limited to parents/carers. Images may be accompanied by pupil first names. (Photos from private Twitter accounts are not regularly deleted unless requested due to the time-consuming nature of doing so).
- Images uploaded to Shalford Infant & Nursery School's official website. (in which case an additional usage period, of the duration of the child's career at Shalford Infant & Nursery School + 3 years, will be applied). Images are not accompanied by pupil names or any other identifying data.
- Images and/or recordings of whole school events and performances, sold to parents by the school (i.e. a film of the Christmas performance). Images are not accompanied by pupil names.
- Images published in the public media; local newspapers etc. will sometimes capture and publish photographs of special events at school for promotional purposes as agreed by the school. Images are not accompanied by pupil names or any other identifying data.
- Images published in the Shalford Infant & Nursery School prospectus (in which case an additional usage period, of the duration of the child's career at Shalford Infant & Nursery School + 3 years, will be applied). Images are not accompanied by pupil names or any other identifying data.

Parents may withdraw consent for the school to process any and all of these categories, or withhold their consent for specific image use for any reason. This must be done in writing.

### **Storage and Retention**

All images captured or processed by Shalford Infant & Nursery School are securely stored on school-owned devices which are encrypted where appropriate. Any storage devices not encrypted are secured in other ways, such as locked cabinets and cupboards with limited and tracked access by staff only. Stored images are reviewed annually and destroyed accordingly.

Under GDPR individuals have the right to have personal data erased. This is also known as the 'right to be forgotten'. The right is not absolute; anyone wishing to have their personal data erased should make this clear in writing to the School Office, and a staff member will provide information about the process.

### **Policy Principles**

- All parents must complete a consent form regarding photography/filming of their child at school.
- A register is maintained of all pupils whose parents do or don't give permission for their image to be captured/used. This is distributed to, and adhered to by, all staff.
- Staff may capture images of pupils without parental consent, using school-owned equipment, for *legitimate* educational purposes as per data protection law, but must follow the principles laid out in this policy regarding the sharing, distribution and publication of those images. For continuity these images may be retained indefinitely, but not published or shared.
- Staff may capture and publish images of pupils, without parental consent, where the image does not focus on one individual or group of individuals, so long as the image adheres to the other relevant policy principles.
- Staff may only capture images of pupils using school-owned, and sufficiently encrypted or protected, devices. Personal devices must not be used.
- Care is taken at all times to ensure the images are only captured of pupils appropriately dressed and not participating in activities that may cause distress, upset or embarrassment.
- Pupils may photograph each other using school devices during certain activities. Staff must supervise this use of cameras/devices and ensure that all images captured are appropriate.
- No images of pupils distributed outside of the school will be accompanied by pupil names.
- All visitors to Shalford Infant & Nursery School must agree to abide by our ICT Acceptable Use Policy; the policy states the use of mobile phones and other devices is not permitted on the school site, and that images of pupils must not be captured unless permission is granted by the Headteacher.
- Staff and visitors must report any concerns relating to inappropriate or intrusive photography to one of the school's Designated Safeguarding Leads. This instruction is also included in the Shalford Infant & Nursery School ICT Acceptable Use Policy.
- The Headteacher has overall responsibility for deciding if the capturing of images by parents/visitors is permitted at any time.
- Where practical, arrangements will be made for parents and other guests to capture images of their children at school activities such as performances and sporting events. However, said photography/filming must not be allowed to upset the running of events, or effect the wellbeing of any pupil.
- Parents must not share or publish images (i.e. on social media) where the image focuses any pupil other than their own child.
- All reasonable measures will be taken to ensure that children are not photographed or filmed by a visitor to school or while on any visit outside of school, unless specifically arranged by the school and parental consent has been provided (i.e. professional commercial photographers or members of the press).

- Professional commercial photographers visiting the school must all be vetted through the Disclosure and Barring Service, and pupils are supervised at all times when in their presence.