



## Safe use of Images Policy

### Introduction

This policy applies to digital photographs and other media stored in digital format, such as video. Throughout the document, photographs (both digital and film) and video are referred to as images.

Increasingly, technology is making it easier to use pictures and images in printed materials or on the web. Along with these advances in digital technology comes the responsibility to protect vulnerable individuals. This policy is based on the Hertfordshire guidance "Safe use of images in Hertfordshire schools".

### 1998 Data Protection Act

The Data Protection Act 1998 lists the following eight principles which require that data is:

1. Processed fairly and lawfully
2. Obtained only for one or more specified purposes, and not processed incompatibly with them
3. Adequate, relevant and not excessive in relation to the purpose/s
4. Accurate and kept up to date
5. Not kept for longer than necessary for the purpose/s
6. Processed in accordance with the rights of the data subjects
7. Kept secure
8. Not transferred to a country outside the European Economic Area which does not have adequate data protection rules.

### The taking of images

Staff should only use school equipment (camera or ipad) for taking images of pupils.

Staff should not use their own camera, including mobile phone to take images of pupils.

Parents may take photographs or video of their own children with the proviso that they are not uploaded onto any web based programme that is not 'private'.

Parents may take photographs or video of school events at the discretion of the Headteacher.

Professional photographers may be appointed to take photographs of individuals, groups or school events. Only photographers who have a valid criminal background check may be engaged to take photographs of pupils.

Images may be recorded during off-site activities, taking account of the procedures outlined in 'Camera / I pad / memory card security'.

## **Use of Images**

Parents and carers are informed that the school will take photo and video images of their child as part of the school's assessment of progress process (Evidence for Learning tool), but that these images will not be shared without their written consent.

Images may only be used with the consent of the subject (in the case of adults who are able to give consent) or parent/carer (in all other cases). Parents will be asked sign a form to give blanket consent for the use of images of their child whilst they are at the school. They may choose to exclude some of the above use categories (e.g. photographs in the press, or on the internet).

Images of pupils may not be taken off site, except for current work, as outlined below:

- Teachers and other staff with a valid purpose may take home sufficient images in an appropriate format for the production of current resources or the completion of a particular project. The following *important* points must be observed.
- The person's line manager must be made aware of the fact that images are being taken offsite.
- Only those images required for the particular task may be taken.
- Images may only be taken off site when required to work on the particular resource or project.
- Images may not be stored on any other storage medium
- Images must not be used on a computer whilst it is connected to the internet
- Images may only be used on a school laptop computer which has been taken home for the purpose.
- Images may not be left at home or elsewhere.
- Due diligence must be observed to prevent the images falling into the hands of another person, e.g. by observing all reasonable security procedures.

## **Camera / I pad / Memory card security**

Images may only be created for the following purposes.

- To illustrate or record pupils engaged in educational activities for educational purpose such as reporting to parents curriculum monitoring and assessment.
- For school records.
- To record school, department and class events, including drama productions.
- To create educational resources, including pictorial timetables and photographs of staff teams to aid identification.
- To provide parents with photographs of their own children.
- For school publicity purposes (e.g. publication in the press, on the school website and in in-house publications such as newsletters, with the express permission of parents).

Staff should be aware that images stored on a camera are vulnerable to theft and misuse. Memory cards should be downloaded from cameras and processed as soon as possible after the photographs have been taken. Images on video cameras must be downloaded as soon as reasonably possible, following the procedures below, and deleted from the camera. All reasonable security measures must be observed to avoid the theft of cameras.

## **Downloading images from a camera or other device**

Images may only be downloaded to the download area of the 'f' drive on the school network. Images must be downloaded into a new folder named appropriately for what is in it. Any images which do not meet all the criteria above, and any which are unusable should be deleted at this stage.

## **Storage of images**

The following guidance must be followed regarding the storage of Images:

- Images are only stored on the school server for one year
- Images must be stored on the designated drives of the school server.
- No images may be stored on the hard drives of classroom machines.
- Images may not be stored on the hard drives of any laptop computer which is taken off-site.
- Storage devices containing images must be kept secure and not be taken off-site, except as outlined in the Current Work section.
- Where laptop computers are taken off-site, images should not be saved on the hard drive of the computer.
- Laptop computers may only be taken off-site by the class teacher to whom they are allocated. Any other member of staff must check with the Deputy Head or ICT coordinator before taking a laptop computer home.

## **Medium and Long-term storage**

Folders of downloaded images will be stored on the server for one year. Images that maybe required for evidence of pupil achievement must be added to the 'achievement form' and added to the pupil's folder.

Photographs and digital images may only be stored if they meet the following criteria:

- Images must be retained for educational purposes, (e.g. evidence of achievement, records of activities and events, resource collections).
- Images stored must be up to date, except as outlined below.
- Images of adults and pupils who are able to give their agreement may only be stored with the knowledge and consent of the subject.
- Images of pupils must be such that they can be freely shown to parents.
- No images should be stored which are likely to cause embarrassment, distress or offence to the subject.
- Images of partly clothed pupils are may only be stored if they are integral to the activity (e.g. swimming, P.E., Drama) and agreed with the Headteacher.

I pads are used to record pupil progress using the "Evidence for Learning" app. Only school / class I pads should be used for this purpose.

## **Other Images.**

Images that maybe required for teaching (e.g. language resources / social stories) may be stored for as long as required. They should be stored in appropriate folders in the T drive. Resource images will be subject to periodic review to ensure that it is appropriate to keep them.

### **Use of external storage media (e.g. pen drives)**

Images may only be stored on external storage media (including 'pen' drives and CD-ROMS) under the following circumstances:

- a. To store images to be used on laptop computers (e.g. for display on interactive whiteboards), in line with the storage of images protocol outlined above.
- b. To take images off-site to prepare resource materials and pupil records, in accordance with the procedures outlined under 'Current work', above.
- c. To transfer images from one electronic device to another (including cameras and computers). Transfers should take place within the guidelines outlined above, and images should be deleted from the storage media within 24 hours of being transferred.

Personal pen drives must not be used in school.

### **Publication of Images**

The following procedures must be observed when publishing photographs. This includes use of images on websites or in school publications such as newsletters.

- Names of pupils should not be published
- Checks should be made to ensure that the parent or carer of any pupil who is identifiable in a photograph has given permission for images of the pupil to be published.
- No images may be published of pupils who are not fully clothed. Publication of pupils in sports kit (e.g. for team photographs) is acceptable in appropriate contexts.

### **Planning**

It is important that staff plan what they want to use the image for and to ensure that you give themselves enough time to communicate with parents/carers and external agencies where necessary.

### **Equalities issues**

All schools, have a duty to: tackle racial discrimination, promote equality of opportunity and to promote good race relations. It is important that images used on the school's website, and classroom displays, prospectus etc. represent diversity in the community, reflecting gender, race and disability.

### **Consent**

#### **Forms**

A consent form is to send out to the parents/carers of all children when they first start attending Greenside School. This form is a blanket consent form which asks parents/carers to give their consent for the use of their child's image in the following ways:

- In the school prospectus and other printed publications that the school may produce for promotional purposes;
- On the school's website;
- In display material that may be used in the media or externally, e.g. at an exhibition promoting the school;

Consent to last for the entire period that the child attends the school.

### **Consent of adults who work at the school**

Adults who work at the school and whose image may be included in photographs or video recordings should also have their consent sought before these images are published. The adult consent form is attached in the appendix and assumes that consent will be gained on an image by image basis.

### **Press attendance - informing parents and carers and dealing with concerns**

If the press is likely to attend an event that you are running, it's important to inform parents/carers and give them the opportunity to let you know if they do not want images of their child appearing in the press/media.

The press is exempt from the Data Protection Act. You should keep in mind that when a press image has been captured the data controller for that image is the media organisation concerned and not the school. Any objections/representations about that image will therefore need to be made to that organisation rather than the school.

### **Publishing images**

The following guidance must be followed...

- Do not publish the full names or addresses of pupils.
- Do not publish e-mail addresses of pupils.
- Do not publish individual close-up portraits of pupils
- When publishing pupils' work simply label it as by "*John in Year 3*".
- Give staff the opportunity to request that their contact information is not included in any material published.

### **CCTV.**

There must be clear signage to notify people that they are entering an area that is filmed by CCTV.

If an incident occurred within view of a CCTV camera, as the police or other authorities may request images from the CCTV in legal proceedings.

### **Video recording of school performances and events by parents and carers**

The Headteacher must ensure that parents and carers are informed that pictures must be for family or private use. They must not be shared on any form of social media.

The Headteacher may decide whether or not to allow videos or photographs to be taken by parents during the event. For instance, if the headteacher is aware of any children who may be at risk and who are participating in the event, they may wish to restrict photography.

When hosting an event where parents are permitted to take photographs or videos, make it clear from the start that any images taken must be for private use only and ask for them not to be put on the Internet. This is to avoid breaching Data Protection legislation (particularly if a parent posts a picture on the web that shows children other than just their own child). Written guidance to parents may be presented prior to an event as well as an announcement at the start of the event.

### **Filming and photography by external agencies to the school**

If a third party is asked to take photographs or film a specific event, consent is still required from parents and carers. They are acting on the school's behalf and as such they are considered to be a "data controller" under the terms of the Data Protection Act.

This means that the photographer will need to agree to take appropriate measures to ensure that they have followed the eight principles of the Data Protection Act (q.v.). Furthermore, the school will need to inform parents of the identity of the Data Controller and any representatives appointed by them - e.g. the photographer/filmmaker. DBS (Disclosures and Barring Service) checks should have been carried out on anyone who is on the school premises and is filming performances or taking photographs of children and who has "regular contact" with children.<sup>10</sup> Always ensure that a member of staff is present when using a photographer rather than leaving children alone with him/her.

### **Sharing and Reviewing of the Safe use of Images Policy**

The Safe use of Images Policy is published on the school's website under both school's policies section. It is to be referred to in safeguarding training. The policy is reviewed every 3 years, or following a revision of the Herts CC guidance.

Policy first published:2005.

Reviewed:2007; 2009; 2013; 2017

Next review: 2020.