



## Digital photography and images policy

06 October 2015

**Ark Byron Primary Academy** takes seriously its responsibility to protect and promote the safety and welfare of our students. We recognise this responsibility extends to how we manage the use of still and video images of students and have put in place appropriate safeguards.

Photography and videography in schools is subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families.

As well as these statutory rights, restrictions on photography arise from issues of safeguarding and copyright in performances. **Ark Byron Primary Academy** recognises that it is difficult to balance the benefits of having photographic records of the wide variety of events that take place day to day in the academy's environment, whilst also appropriately protecting the individuals associated with the school

From time to time we may wish to capture video or photographs of the children at our school.

These images or videos may be used on our website, in printed materials such as prospectuses, or even on school social media accounts, such as Twitter and Facebook. These images may also be used by the wider Ark network on their website, social media and printed materials. There may also be times when our school is visited by members of the press or media who will take photographs or film footage. Pupils will often appear in these images which may appear in local or national newspapers or on televised news programmes.

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.

We write to all parents and carers to inform them that their child's image may be used in marketing, promotional and educational material produced by **Ark Byron Primary Academy** and the wider Ark network. Parents and carers who do not wish for their children's images to be used in this capacity, for any reason, may opt out *by informing the school in writing*.

Where parents have opted out, we take steps to ensure their child's image is not identifiable in any of our materials.

The Academy will use reasonable judgement when using images for the progression of the academy and its students whilst always respecting the wishes of the individual and their parents.



### Definitions:

- 'Photography' includes photographic prints, streaming media and transparencies, video, film and digital imaging, created using devices such as cameras, video cameras, phones, tablets, etc.
- 'The academy/school' is **Ark Byron Primary Academy**
- 'In academy' is whenever and wherever students and staff are the responsibility of or representing the academy.
- 'Parent' means anyone with parental rights and responsibilities in relation to a student, including Guardians, Carers and school House staff (if nominated to do so by the Parent/ Guardian/ Carer).

### Aims

This policy aims to:

- Facilitate photography for the business purposes of the academy
- Facilitate photography for the educational purposes of the academy
- Respect the rights of individuals
- Safeguard individuals
- Allow personal family photography where possible

### Use of Digital and Video Images

The development of digital imaging technologies has created significant benefits to learning, allowing staff and students instant use of images that they have recorded themselves or downloaded from the internet. However, staff and students need to be aware of the risks associated with sharing images and with posting digital images on the internet. Those images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term. There are many reported incidents of employers carrying out internet searches for information about potential and existing employees.

**Ark Byron Primary Academy** will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm:

- When using digital images, staff should inform and educate students about the risks associated with the taking, use, sharing, publication and distribution of images. In particular they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.
- Staff are allowed to take digital / video images, using School equipment, to support educational aims, but must follow school policies concerning the sharing, distribution and publication of those images.
- Care should be taken when taking digital / video images that students are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute.
- Students must not take, use, share, publish or distribute images of others without their permission
- Photographs published on the website, or elsewhere that include students will be selected carefully and will comply with good practice guidance on the use of such images.



- Students' full names will not be used anywhere on a website or blog, particularly in association with photographs.
- The academy will not use publically or externally images of students whose parents or carers have opted their children out.
- Academy staff must report any concerns relating to any inappropriate or intrusive photography to the Safeguarding Officer.
- Academy staff must not use any images that are likely to cause distress, upset or embarrassment.
- Photographs taken by staff on school visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school except in cases where the parent/carer has opted their child out.
- Copyright and use of photographs is carefully controlled by and retained safely by the school and by Ark.
- Photographs held by the school must be annotated with the date on which they were taken and stored securely.
- Photographs taken for internal classroom curricular, assessment, security, registration, training and development or travel reasons will not be used for other purposes.
- Cameras and mobile phones are prohibited in the toilet areas.

### **Photography by and of School Staff**

Photographs of staff members may be used by the academy in school and network-wide Ark promotional materials. Staff members also have the right to opt out of these uses, but must inform the academy's head in writing.

### **Photographs by Other Authorised Agencies**

The involvement of other agencies can only be authorised by the Headteacher or Principal.

Other agencies may include:

- Reputable commercial photographers, commissioned by the Headteacher or Principal. The law allows them to retain the copyright of photographs they take.
- The press and other media. Copyright rests with the photographer.

The purpose of the pictures must be explained to the parents or the students themselves (if over school leaving age) and written permission (through the Media Consent Form) must be sought. Students must not be photographed for these purposes under any circumstances unless written permission has been obtained.

Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains the copyright. They should be given contact details of the agency used.

### **Photography by parents**

Photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement as well as being an established social practice. Where practical, arrangements can be made to allow photographs to be taken by parents and other guests attending school events. Photography must not be allowed to upset the performance or smooth running of the event or affect the health and safety of students and others.



When a parent does not agree to their child being photographed, the Head of **Ark Byron Primary Academy** or a member of the senior management team must inform staff and make every effort to comply sensitively. Parental photography must not include any child whose parent has refused consent for any reason. This may necessitate offering photography opportunities before or after the event of those who are authorised to be involved.

Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for student participation. Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is forbidden. If parents are unsure whether or not permission has been given by staff to record a particular performance or event, they should ask the person responsible for organising it. If permission is granted it will be for private use only and not for social media sites.

### **Student Photography**

Students will photograph each other extensively during certain activities especially during offsite events and residential periods. Staff should maintain the supervision and management control expected in their “duty of care” role, they must ensure they inform all students of the expectations with regard to photographing their peers. Students should be educated about acceptable behaviour when photographing their peers. There may be incidents where students take inappropriate photographs, perhaps showing friends and other students inappropriately dressed. Staff must endeavour to discourage this practice, as it is open to abuse, but ultimately parents are responsible for monitoring their child’s use of personal cameras and subsequent use of images involved

### **Early Years Foundation Stage (EYFS)**

Children have their photographs taken to provide evidence of their achievements for their learning journey.

- Staff, visitors, volunteers and students are not permitted to use their own mobile phones to take or record any images of preschool children for their own records during session times.

### **Procedures**

- Under the Data Protection Act 1998, the pre-school must seek parental consent to take photographs and use video recorders.
- Photographs may be taken during indoor and outdoor play and displayed in albums or a child’s development records for children and parent/carers to look through.
- Often photographs may contain other children in the background.
- Events such as, Sports day, Outings, Christmas and Fundraising Events may be recorded by video and photographs by staff and parent/carers but always in full view of all attending.
- On occasion we might like to use photographs of the children taking part in an activity to advertise/promote our school via our Web site etc.; however in this instance specific parental permission for these events would be required. Cameras and mobile phones are prohibited in the toilet areas.