

Stoke Park Infant School

Photography & Videos in School Policy 2024-2027



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Photography & Videos in School Policy 2024-2027

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Statement of intent

At Stoke Park Infant School (the School) we use imagery and videos for a variety of purposes, including display boards, educational purposes, conferences, social media and the school website. Recently, we have added the use of iPads to record children's activities and children's work and learning in order to celebrate with the school's wider community, encouraging and promoting pupil achievements in line with our school values.

Whilst we recognise the benefits of photography and videos to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

In order to ensure that, as far as possible, the use of photography and video is used safely at all times, the policy provided below should be followed. This policy is applicable to all forms of visual media, including film, print, video, social media and websites.

Legal framework

This policy has due regard to legislation, including, but not limited to, the following:

The General Data Protection Regulation (GDPR)

The Freedom of Information Act 2000

The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

The School Standards and Framework Act 1998

The Children Act 1989

The Children Act 2004

The Equality Act 2010

This policy has been created with regard to the following guidance:

Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'

Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'

This policy also has due regard to the school's policies, including, but not limited to, the following:

Special Educational Needs & Disability Policy

School Behaviour & Regulation Policy

Data Protection Policy

Safeguarding Policy

Child Protection Policy

Definitions

For the purpose of this policy:

“Personal use” of photography and videos is defined as the use of cameras to take images and recordings of children by relatives, friends or known individuals. These photos and videos are only for personal use by the individual taking the photo, and are not intended to be passed on to unknown sources. The principles of the GDPR do not apply to images and videos taken for personal use.

“Official school use” is defined as photography and videos which are used for school purposes, e.g. for building passes. These images are likely to be stored electronically alongside other personal data. The principles of the GDPR apply to images and videos taken for official school use.

“Media use” is defined as photography and videos which are intended for a wider audience outside the school ie for written media such as for local newspapers and publications, and for social media such as the school’s website, Facebook page or other social media site. The principles of the GDPR apply to images and videos taken for media use.

Staff may also take photos and videos of pupils for “educational purposes”. These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks. The principles of the GDPR apply to images and videos taken for educational purposes.

Roles and responsibilities

The headteacher is responsible for:

Deciding whether parents are permitted to take photographs and videos during school events.

Communicating this policy to all the relevant staff members and the wider school community, such as parents.

Delegating the following tasks to the Admin Team:

Submitting Pupil Permission Forms to parents at the beginning of the academic year which includes consent to photographs and videos being taken whilst at school.

Liaising with the Data Protection Office (the DPO) to ensure there are no data protection breaches.

Ensuring that all photos and videos are stored and disposed of correctly, in line with the GDPR.

The Designated Safeguarding Lead (DSL) is responsible for:

Liaising with social workers who are designated to work with vulnerable pupils in order to establish consent or not for the use of their images

Informing the Headteacher of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.

All staff are responsible for:

Prior to taking an image, checking the consent for the child is appropriate for the image to be taken and its use

In the case of any query regarding the application of this policy, the staff member will consult with the Headteacher

Acting in accordance with this policy

Parents are responsible for:

Completing the Pupil Permission Form on an annual basis.

Informing the school in writing where there are any changes to their consent. If consent is given on an ad hoc basis for a one-off event this may be gained verbally; however it will always be confirmed by the school in writing to the parent.

Acting in accordance with this policy.

In accordance with the school's requirements to have a DPO, the DPO is responsible for:

Informing and advising the school and its employees about their obligations to comply with the GDPR in relation to photographs and videos at school.

Monitoring the school's compliance with the GDPR in regards to processing photographs and videos.

Advising on data protection impact assessments in relation to photographs and videos at school

Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and videos.

Providing the required training to staff members, in relation to how the GDPR impacts photographs and videos at school.

Parental consent

The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.

Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.

Where consent is given, a record will be kept documenting how and when consent was given and last updated.

The school ensures that consent mechanisms meet the standards of the GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.

All parents will be asked to complete the Pupil Permission Form on an annual basis, which will determine whether or not they allow their child to participate in photographs and videos.

The Pupil Permission Form will be valid for one year, unless the pupil's circumstances change in any way, e.g. if their parents separate, or consent is withdrawn. Additional consent forms will be required if the pupil's circumstances change.

If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented.

All parents are entitled to withdraw or change their consent at any time during the school year.

Parents will be required to confirm on the Pupil Permission Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.

For any CLA pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought.

Consideration will be given as to whether identification of an CLA pupil, or pupils who are adopted, would risk their security in any way.

Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.

A list of all the names of pupils for whom consent was not given will be created by the Admin Team and will be circulated to all staff members. This list will be updated annually, when new consent forms are provided.

If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

General procedures

Photographs and videos of pupils will be carefully planned and consent checked before the activity commences by the leading member of staff and in discussion with all other staff involved and supporting in accordance with this policy.

Where photographs and videos will involve CLA pupils, adopted pupils, or pupils for whom there are security concerns, the leading staff member will liaise with the DSL to determine the steps involved and will ensure that this is disseminated appropriately to the members of staff taking the images.

The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.

School equipment will be used to take photographs and videos of pupils. Exceptions to this are outlined in section 7 of this policy.

Where possible, staff will avoid identifying pupils. If names are required, only first names will be used..

Photos and videos that may cause any distress, upset or embarrassment will not be used.

Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO/DSL.

Additional safeguarding procedures

The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.

The DSL will, in known cases of a pupil who is an CLA or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.

Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:

Photos and videos can be taken as per usual school procedures, or

Photos and videos can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media, or

No photos or videos can be taken at any time, for any purposes

Any outcomes will be recorded on the school's MIS and communicated by the DSL to all necessary staff members.

School-owned devices

Staff members must only take photos and videos of pupils using school equipment.

Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.

Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.

Digital photographs and videos should be held on the school's drive, accessible by staff only. Photographs and videos should be stored by academic year and then labelled with the class or year group and date. Full names should not be associated with images and videos but first names only or initials are acceptable.

Use of a professional photographer

If the school decides to use a professional photographer for official school photos and school events, the lead member of staff will:

Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.

Issue the photographer with identification, which must be worn at all times.

Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos or photographs.

Not allow unsupervised access to pupils or one-to-one photo sessions at events.

Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.

Ensure that the photographer will comply with the requirements set out in GDPR.

Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

Permissible photography and videos during school events

It is at the discretion of the Headteacher to permit parents to take photographs during a school event, parents should be advised as follows:

That the focus of any photographs is only their own child. (Portrait mode is ideal for this as the background is blurred thus

That they should avoid disturbing others in the audience or distracting pupils when taking photographs

That any images and recordings taken at school events are exclusively for personal use and should not be shared, and no other child is visible.

That they should refrain from taking further photographs and/or videos if and when requested to do so by staff.

No photos of children, except their own child, should be placed on any social media platform

If any parents/carers do not comply with school expectations then the parent/carers could be requested to leave their phone in the school office

Could be refused entry to school events

Storage and retention

Images obtained by the school will not be kept for longer than necessary.

Hard copies of photos and video recordings held by the school will be annotated with the date on which they were taken and will be stored by the class teacher/Head of Year. They will not be used other than for their original purpose, unless permission is sought from the Headteacher and parents of the pupils involved and the DPO has been consulted.

Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.

The DPO will review stored images and videos on a regular basis to ensure that all unwanted material has been deleted.

Parents must inform the school in writing where they wish to withdraw or change their consent. If they do so, any related imagery and videos involving their children will be removed from the school drive immediately.

When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.

Where a pupil's security risk has changed, the DSL will inform the Headteacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately. Hard copies will be removed by returning to their parents or by shredding, as appropriate.

Official school photos are held on Integris alongside other personal information, and are retained for the length of the pupil's attendance at the school, or longer, if necessary, e.g. due to a police investigation.

Some educational records relating to former pupils of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

Monitoring and review

This policy will be reviewed on a regular basis, every 3 years, by the Headteacher and the DPO.

Any changes to this policy will be communicated to all staff members and, where appropriate, parents.

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