



Photography Policy

(Protection of Pupils Guidance and Policy)

<u>Status of Policy</u>	<u>Date</u>
Original Policy	Autumn Term 2011
Policy Reviewed	Spring Term 2013 Spring Term 2015 Summer 2018
Agreed by Staff	Spring Term 2013 Spring Term 2015 Summer 2018
Agreed by Governors	Spring Term 2013 Spring Term 2015 Summer 2018
Next Review	Summer Term 2021

Headteacher's Signature:

Date:

Chair of Governor's Signature:

Date:

A Guidance Document

1. Introduction

- 1.1 Photography of pupils in schools and academies is subject to the Data Protection Act 1998 and the GDPR legislation May 2018 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 child protection and copyright in performances (paragraph 4.4).
- 1.2 In this guidance, '*photography*' includes photographic prints and transparencies, video, film and digital imaging and '*in the academy*' is whenever and wherever pupils and young people are the responsibility of the East Herrington Primary Academy. '*Parent*' means anyone with parental rights and responsibilities in relation to a pupil.
- 1.3 This guidance is intended to:
- facilitate photography for business purposes;
 - respect the rights of the individual;
 - safeguard child protection;
- 1.4 East Herrington Primary Academy recognises the issues of child protection and personal privacy, (see Appendix 1).
- 1.5 Sensitivity is as important in dealing with photography as it is in processing other personal data. Court cases have occurred because photographs have been used inappropriately. Objections have arisen as a result of photographs being used many years later when the subject's circumstances had significantly changed.
- 1.6 The use, specifically of mobile camera phones, during school time is not acceptable. This is in view of the risks inherent in such use, possibly but not necessarily covert, which include the existence and/or distribution of photographs contrary to the wishes, welfare and privacy of pupils, young people and staff.

2. Photography by Academy Staff

- 2.1 The business of the Academy can involve staff in the photography of pupils and young people for the following main purposes:
- a) Pupil administration
 - b) Curriculum and course work
 - c) Corporate and community
- Copyright and use of these photographs is carefully controlled by the academy, i.e. retained safely or issued to the pupil concerned.
- 2.2 Photographs held in the Academy must be annotated with the date on which they were taken and stored securely. They should not normally be used other than for their original purpose, unless permission of subject is obtained.
- 2.3 Photographs must be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken. For example, a photograph for identification purposes may endure for several years but should not be retained when replaced or expired. Photographs taken for publicity and promotional purposes should be retained for a maximum of two years. Photographs contributing to the history of the school, its pupils, activities or the community can be retained indefinitely.

3. Photographs by other Authorised Agencies

- 3.1 The involvement of other agencies may only be authorised by the Headteacher. The other agencies are:
- Commercial photographers commissioned by the Headteacher. Copyright rests with the photographer.
 - The press and other media. Copyright rests with the photographer.
- 3.2 The purpose of the pictures must be explained to the parents and written permission sought on each and every occasion. Pupils or students must not be photographed for these purposes under any circumstances unless written permission has been obtained.
- 3.3 Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains copyright. Parents must be given contact details of the agency used.

4. Parental Photography

- 4.1 Photography must not be allowed to upset the performance or smooth running of the event or affect the health and safety of pupils and others.
- 4.2 A pro-forma (Appendix 2) is issued to parents at first enrolment and renewed annually registered their permission/non-permission for parental photography.
- 4.3 Parental photography, when permitted, must not include any child whose parent has refused consent for any reason. This may mean a photograph of an event may be taken by staff before or after the event of the children who have permission to be photographed..Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for pupil participation.
- 4.4 Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the Authority or the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is strictly forbidden.

APPENDIX 1

Photography Policy Statement

East Herrington Primary Academy, has a photography policy, which is in accordance with data protection and human rights legislation.

Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose.

Publicity photography is helpful in publicising the success of the Academy and in promoting educational initiatives. From time to time members of the press and media are invited into schools to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times.

Academy Trips

Photography by staff on school trips and visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school.

Concerts/Plays/Prize-giving/Sports Days

We ask parents and guests not to take photographs for private use.

School Photographer

Class and individual or group photographs are annual school events. Parents are asked in advance whether or not they wish their children to be included in these events. Reputable commercial photographers are involved and the law allows them to retain the copyright in the photographs.

Parent Consent Form

This is attached at Appendix 2 and will be completed annually by parents.

APPENDIX 2

Pupil Consent Form

Dear Parent/Carer,

CHILD'S NAME:.....

CLASS:.....

There are a number of activities which happen in school and for which we seek parent/carer permission. To ensure that we hold the correct information for your child, could you please read and sign, whether you agree/disagree with the **six** following statements (**please tick the appropriate box**).

1. Local Outings

From time to time, we take children out of school on local visits (e.g. to the swimming baths, the Park or around the vicinity of the school). Please indicate whether you give permission for your child to go on any local outings, which may arise.

I **DO** give permission for my child to go on local outings

I **DO NOT** give permission for my child to go on local outings

2. Photographs in School

We like to keep a photographic record of what goes on in school and on the visits the children make (in portfolios, displays, pupil database etc.). Most parents/carers are happy for their child to be photographed in this way.

I **DO** wish my child to be photographed in school

I **DO NOT** wish my child to be photographed in school

3. School Website

We like to share our children's achievements, events, news and other important information on our new school website. Please indicate whether you give permission for us to use your child's image and first name on our website.

I **DO** wish my child to appear on the school website

I **DO NOT** wish my child to appear on the school website

4. Plasters (hypoallergenic)

Staff - throughout the school day, breakfast club, dinnertime, after school clubs and trips - monitor children for any first aid required. If your child needed a plaster, please indicate whether you give permission for us to use a hypoallergenic plaster on your child.

I **DO** give permission for my child to have a plaster applied

I **DO NOT** wish my child to have a plaster applied

5. DVD Recordings

During the year there will be occasions when we film DVD recordings of the children in school, performing their Christmas productions, school plays and other activities. The DVDs are then generally sold to parents and carers as a keepsake. Most parents/carers are happy for their child to participate in this way.

I **DO** wish my child to be recorded on DVD

I **DO NOT** wish my child to be recorded on DVD

6. School Nurses

We often receive requests from school nurses asking us to provide names and addresses of parents so that they can contact you to see if you want your child to participate in the **National Child Measurement Programme (NCMP)** or for **Vaccinations and Hearing tests**.

I **DO** consent to the school giving school nurses my name and address

I **DO NOT** consent to the school giving my name to school nurses

✂.....

Consent Return Form

Please complete and return this consent form to the main school office.

You have the right to withdrawn consent at any time; you can do this by ringing the school office on 0191 5535986 or by emailing your request to ehpa@balmorallearningtrust.co.uk

Consent remains valid for the time your child is in school unless it is withdrawn.

Withdrawal of consent only applies from the date it is withdrawn.

Please acknowledge you have ticked all six sections and you give us the consent to make changes as instructed:

Signed:

Parent/Carer (please print name):

Date: