

Image Use Policy and Supporting Documents for Educational Settings

Date Written: November 2020



Date Written: November 2020

Date to be reviewed: September 2021 or before

Ratified by Governors: 18th November 2020

This document is provided as guidance and as a possible template for educational settings to use and adapt to establish safe practice when taking photos and videos of children and young people. These documents will need to be adapted according to individual educational settings requirements and careful consideration will be required by leaders and managers when considering how to implement safe practice.

Kent Schools and settings can contact the Education Safeguarding Adviser (Online Protection) to discuss safe practice: esafetyofficer@kent.gov.uk and further information regarding online Safety can be found at www.kelsi.org.uk/support-for-children-and-young-people/child-protection-and-safeguarding/e-safety

Disclaimer

Kent County Council (KCC) makes every effort to ensure that the information in this document is accurate and up to date. If errors are brought to our attention, we will correct them as soon as practicable. Nevertheless, KCC and its employees cannot accept responsibility for any loss, damage or inconvenience caused as a result of reliance on any content in this publication

Image Use Policy for Educational Settings

Hollingbourne Primary School Image Use Policy

Policy written by: Helen Bradley-Wyatt- Headteacher

Approved by Governing Body on: TBC

Date to be reviewed: December 2021 if not before if necessary

School/Setting Data Controller: Local Authority

School/Setting Designated Safeguarding Lead (DSL): Helen Bradley-Wyatt

Governor with lead responsibility: Sarah Howell

Official use of Images/Videos of Children

Scope and aims of the policy

- This policy seeks to ensure that images and videos taken within and by *Hollingbourne Primary School* are taken and held legally and the required thought is given to safeguarding all members of the community.
- This policy applies to all staff including leaders, admin staff, teachers, TAs and volunteers. The governing body, teachers, support staff, external contractors, visitors, volunteers and other individuals who work for or provide services on behalf of the school (collectively referred to as 'staff' in this policy) as well as children and parents/carers.
- This policy must be read in conjunction with other relevant school policies including, but not limited to; safeguarding and child protection, anti-bullying, behaviour, data security, image use, Acceptable Use Policies,
- This policy applies to all images, including still and video content taken by Hollingbourne Primary School
- All images taken by *Hollingbourne Primary School* will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
 - fairly, lawfully and in a transparent manner
 - for specified, explicit and legitimate purposes
 - in a way that is adequate, relevant limited to what is necessary
 - to ensure it is accurate and up to date
 - for no longer than is necessary
 - in a manner that ensures appropriate security
- The Data Protection Officer (DPO) within the setting (Local authority) supported by the DSL and management team are responsible for ensuring the acceptable, safe use and storage of all camera

technology and images within the setting. This includes the management, implementation, monitoring and review of the Image Use Policy.

Parental consent

- Written permission from parents or carers will always be obtained before images and/or videos of children are taken, used or published.
- Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.
- Written consent from parents will be kept by the setting where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.
- Parental permission will be sought on an agreed basis this will be on admission to the school and remain in place until parents wish to remove permissions or until the child leaves the school.
- A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.

Safety of images and videos

- All images taken and processed by or on behalf of the Hollingbourne Primary School will take place using Hollingbourne Primary School provided equipment and devices.
- Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training.
- All members of staff, including volunteers, will ensure that all images are available for scrutiny and will be able to justify any images in their possession.
- Images will not be kept for longer than is to be considered necessary. A designated member of staff (DPO or DSL) will ensure that all photographs are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.
- All images will remain on site, unless prior explicit consent has been given by both DPO and DSL and the parent or carer of any child or young person captured in any photograph.
 - Should permission be given to take any images off site then all relevant details will to be recorded, for example who, what, when and why and data will be kept securely for example with appropriate protection.
- Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.
- The DPO and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.
- Only official setting owned equipment and cameras will be used by staff to capture images of children for official purposes. Use of personal equipment and cameras by staff is prohibited.
- Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.

- The School will ensure that images always are held in accordance with the General Data Protection Regulations (GDPR) and Data Protection Act, and suitable child protection requirements, if necessary, are in place.
- Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the DPO and/or DSL and the parent/carer.

Publication and sharing of images and videos

- Images or videos that include children will be selected carefully for use, for example only using images of children who are suitably dressed.
- Images or videos that include children will not provide material which could be reused.
- Children's' full names will not be used on the website or other publication, for example newsletters, social media channels, in association with photographs or videos.
- The School will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

Safe Practice when taking images and videos

- Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.
- The School will discuss the use of images with children and young people in an age appropriate way.
- A child or young person's right not to be photographed is to be respected. Images will not be taken of any child or young person against their wishes.
- Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc

Use of photos and videos of children by others

Use of photos and videos by parents/carers

- Parents/carers are permitted to take photographs or video footage of events for private use only.
- Parents/carers who are using photographic equipment must be mindful of others, including health and safety concerns, when making and taking images.
- The opportunity for parents/carers to take photographs and make videos can be reserved by Hollingbourne Primary School on health and safety grounds.
- Parents/carers are only permitted to take or make recording within designated areas of the school. Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.
- The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.
- Parents may contact the school DPO/DSL to discuss any concerns regarding the use of images.
- Photos and videos taken by the School and shared with parents should not be shared elsewhere, for example posted onto social networking sites. To do so may breach intellectual property rights, data protection legislation and importantly may place members of the community at risk of harm.

Use of photos/videos by children

- The School will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children cannot take the camera, for example unsupervised areas, toilets etc.
- The use of personal devices e.g. mobile phones, tablets, children's own digital cameras, is covered within the school's mobile phone and/or online safety policy.
- All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
- Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.
- Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with GDPR and the Data Protection Act.
- Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed. For example, they will be for internal use by the setting only and will not be shared online or via any website or social media tool.
- Photos taken by children for official use will be carefully controlled by the school and will be checked carefully before sharing online or via digital screens.
- Still and video cameras provided for use by children and the images themselves will not be removed from the setting.

Use of images of children by the media

- Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's, or other relevant media, requirements can be met.
- A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (such as first names only) will be published along with images and videos.
- The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
- Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

Use of external photographers (*this may include volunteers such as staff or parents*)

- External photographers who are engaged to record any events will be prepared to work according to the terms of the settings online safety policy.
- Photographers will sign an agreement which ensures compliance with GDPR and the Data Protection Act.
- Images taken by external photographers will only be used for a specific purpose, subject to parental consent.
- Photographers will not have unsupervised access to children and young people

Children's Images: Frequently Asked Questions for Parents/Carers

Why do we need a policy?

Schools, playgroups, nurseries and youth groups have always used photographs as a way of celebrating achievement or seeking publicity for fundraising etc. Families and children often enjoy seeing their loved ones in print or on a website. We want to ensure that everyone can continue to enjoy these activities safely. However, parents/carers need to be aware that placing any identifying information in the public domain has risks and will need to understand these issues to give properly considered consent. It is important that parents/carers and educational settings can fully consider the issues before any problems can arise.

So, what are the risks?

The most highly publicised and worrying risk is that a child who appears in the paper or on a web site may become of interest to a predatory sex offender. Locating people through the internet has become extremely easy, using widely available software, so if there is a picture and the name of a Hollingbourne Primary School together with the name of the child then it could be quite easy to find out the child's address and even work out their likely route to school/setting. There are also other specific groups of children and families whose safety could be put at risk if identified e.g. families fleeing domestic abuse. To limit these potential risks, we will take appropriate steps, as outlined in the attached consent form, to safeguard children and the wider community.

Isn't this just scaremongering?

Sadly not. We have had cases in Kent of families receiving unwelcome phone calls following appearances in the press. However, this is rare, so it is important to have a sense of proportion in these matters. Remember we want to celebrate success and achievement but parents must be aware of risks to make an informed decision.

What about school websites?

The same concerns apply to School controlled online sites; there is an added concern that images of children can be copied, manipulated or changed by another person. We can try to copy protect images and will use lower quality images, but this can be bypassed so cannot not be relied upon to keep images safe.

I want to do my own recording of the school play/event is this okay?

Taking pictures or recordings of your own children for your own personal use is okay. The difficulty arises when other children are also be filmed. It is important that we are all aware that some members of the community may be vulnerable and must not have their image shared online as they could be put at risk from harm. You may not always know who these people and we need everyone's support to protect the whole community. It's also important for us all to role model positive behaviour for children, so it might be a sensible idea to check first before posting any images online which contain other children than your own. Parents/carers should not copy images from the School website without appropriate permission from the school.



Use of photographs

Letter Template - Parental Consent for Images

Dear Parent/carer

This letter explains why we will need to ask for your consent before we are able to take photographs of your child during their time at Hollingbourne Primary School.

Generally photographs are a source of pleasure and pride. We believe that the taking and use of photographs can enhance the self-esteem of children and their families and therefore is something to be welcomed and appreciated.

We may take photographs for a number of reasons whilst your child is with us, including:

- documenting and recording education activities
- recording their learning and development progress
- recording and celebrating special events and achievements

We will also encourage children to be active learners, and to become involved in using cameras themselves by taking photos of their surroundings, activities and of each other.

We do however recognise that with the increase use of technologies, particularly digitally and online, the potential for misuse has become greater and we understand that this can give rise to concern. We will therefore endeavour to put effective safeguards in place to protect children and young people by minimising risk.

We are mindful of the fact that some families may have reasons why protecting a child's identity is a matter of particular anxiety. If you have special circumstances either now or at any time in the future which would affect your position regarding consent, please let us know immediately in writing.

We have a specific policy regarding the use of images and also include the safe use of mobile phones and personal devices as part of our online safety policy, which you are welcome to view or take a copy of at any time.

To comply with the General Data Protection Regulations (GDPR) and the Data Protection Act, we need your permission before we can photograph or make any recordings of your child. If your child is old enough to express their own view, you may want to consult with them about categories of consent, and we invite you to use this letter to explore their feelings about being photographed at the setting.

Please read and complete the attached forms and do not hesitate to contact me should you have any queries.

Yours sincerely,
Helen Bradley-Wyatt
Headteacher

• Child's name: _____ Child's Date of Birth: _____

• Date: _____

• **Dear Parents/Carers**

• At Hollingbourne Primary School, we take photographs and film pupils as part of our core activity of education. During your child's time here this occurs as part of normal teaching, learning, assessment and safeguarding procedures and as such we do not need your permission for these activities.

• However, we do seek your permission to take photographs of your child and use them in the ways described below. Please consider carefully the ramification of not granting permission before you decide.

• **Please tick all the relevant boxes, sign each item below and return this form to school.**

• I give consent for my child's photograph to be taken for the school photographer, (Braiswicks) for individual, group, class and whole school photographs.

• YES NO Signed.....

• I give my consent for photos and videos of my child to be used on the school website

YES NO Signed.....

• I give my consent for photos of my child with their name to be used in displays within the classroom and displays around school.

• YES NO Signed.....

• I give my consent for photos and the name of my child to appear in local newspapers and magazines. Please note that some newspapers may require the child's full name and may store photographs for online use.

• YES NO Signed.....

• I give my consent for my child to be photographed and filmed by staff and fellow parents during school productions and events as long as it is made clear each time that these must only be used for personal viewing purposes and must not be published in any format including on-line.

• YES NO Signed.....

• I give my consent for my child's image to be used for identification purposes should they have a specific educational, dietary or medical need which needs to be communicated to all staff for safeguarding purposes. (These photographs are displayed in the medical cupboard, staff room and school kitchen only).

• YES NO Signed.....

• I give my consent for my child's named image to be taken by the adult in charge on school trips or visits (The image would only be used in the event of an emergency and is shredded on return to school).

• YES NO Signed.....

- I give permission to participate in video conferencing. (Occasionally your child’s class may talk to other children or an author for example, outside of the school under the supervision of their Class Teacher).

• YES NO Signed.....

•

- I give permission for my child’s photo to be uploaded onto the school Twitter page when celebrating achievements and sharing exciting learning opportunities .

• YES NO Signed.....

•

- Please note: this form is valid for the period of time your child is on roll at Hollingbourne Primary School. Where the consent is given for a specific reason e.g. a trip, medical condition etc. once this need ends the image will be destroyed by shredding.

•

- If you wish to make any changes, please email the school office at office@hollingbourne.kent.sch.uk or call the school on 01622 880270, and we will supply you with a new form. If you have any questions, please contact the school office.

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• **Why are we asking for your consent?**

- You may be aware that there are new data protection rules in place under GDPR and it is vital that we remain compliant. To ensure Hollingbourne continues to meet the new requirements, we need to obtain your consent under the new regulations to take and use photos of your child.
- We really value using photos your child to showcase what they do in school and demonstrate what school life is like to other stakeholders and the wider community, so we really appreciate you taking the time to give consent again.
- Furthermore, it is hugely beneficial to be able to identify children with educational, dietary or medical needs to all staff, to safeguard and ensure their well-being.
- I have read and understood the conditions of use and I am also aware of the following:
 - Websites and social media sites can be viewed worldwide; not just in the United Kingdom where UK law applies.
 - The press are exempt from GDPR and Data Protection Act and may want to include the names and personal details of children and adults in the media.
- I/we will discuss the use of images with our child/ren to obtain their views, if appropriate.
- As the child’s parents/guardians, we/I agree that if we/I take photographs or video recordings of our child/ren which include other children, then we will only use these for our personal use.

Name of Child:

Date:

Parent/Carer Name:

Parent/carer’s signature:

Childs Signature (if appropriate):

Template Group Activity Letter and Form

Dear Parent/Carer

We are staging a production/special event of on **xxxxxx**. We are sure some parents/carers would like to take photographs/videos of the production. As you know we have a policy in place with regards to the taking, making and use of images and you will have previously signed a consent form stating whether or not your child could be photographed. In circumstances, such as productions or special events, we request specific consent before photographs can be taken by a third party. If you wish to take photos at the production there is a strong possibility that other children will also be included within the picture. We therefore need to ensure all parents/carers who have children in the production are happy for photographs to be taken, and hence need to request their permission.

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks. This means that we can easily share our photos and video with family and friends. Whilst this can be very useful to all of us we must ensure we protect and safeguard all children and staff, including those who do not want to have their images stored online.

- Some children are at risk and **MUST NOT** have their image put online. Not all members of the community will know who they are.
 - Once posted and shared online any image or video can be copied and will stay online forever.
 - Some people do not want their images online for personal or religious reasons.
 - Some children and staff may have a complex family background which means that sharing their image online can have unforeseen consequences.
- Therefore in order to keep all members of the community safe we must all **'Think Before We Post'** Online

At Hollingbourne Primary School we are happy for parents and carers to take photos and video of events for personal use but we request that these images are not distributed or put online. This is to protect all members of the community. Please be aware that parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of an event).

Should any parent/carers not agree with their child being photographed, we will consider alternative options including:

- restricting who is involved in the production/special event
- staging specific photograph opportunities

Photographs of setting productions are ones which parent/carers tend to treasure. We will therefore only prohibit the use of cameras and videos as a last resort. We hope you will support us in this.

We would, therefore, be very grateful if you would complete the slip at the bottom of this letter and return it to me by **(date)**.

Yours sincerely

Headteacher/Manager

Parental Consent for Images as part of Group Activity

Child's name:

Date:

I am / am not * happy for photographs to be taken of the production/special event in which my child is due to appear on **xxxxxx** (date)

(*Please delete as appropriate)

Parent/Carer Name:

Parent/carer's signature:

Childs Signature (if appropriate):



Hollingbourne Primary School Guide to the Use of Images Online

Using Images Safely and Responsibly

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks, such as Facebook, YouTube and many other websites. This means that we can easily share our photos and video with family and friends.

Whilst this can be very useful to all of us, we must ensure we protect and safeguard all children and staff, including those who do not want to have their images stored online.

What should we all think about before posting any images or video online and are there any risks?

- Once posted and shared online any image or video can be copied and will stay online forever.
- Some people do not want their images online for personal or religious reasons.
- Some children and staff may have a complex family background which means that sharing their image online can have unforeseen consequences.
- Some children are at risk and **MUST NOT** have their image put online; not all members of the community will know who they are.

Therefore in order to keep all members of the community safe we must all '**Think Before We Post**' Online

At Hollingbourne Primary School we are happy for parents and carers to take photos and video of events for personal use but request that these images are not distributed or put online. This is to protect all members of the community.

We thank you for your support

Further Information on the Use of Images and video:

- Information Commissioner's Office: <https://ico.org.uk/for-organisations/education/>
- Think U Know: www.thinkuknow.co.uk/parents
- Get Safe Online: www.getsafeonline.org



Adapted from resources developed by the Hertfordshire Schools' e-Safety Team

Respect and Care for the Whole Community when taking Photos and Videos

We are happy for parents and carers to take photos and video of their child for personal use but we request that these images are not distributed or shared online if they contain images of other children, adults or staff without consent. Sharing images of others online may put our community at risk.

Thank you for your support

Helen Bradley-Wyatt
Headteacher

Adapted from resources developed by the Hertfordshire Schools' e-Safety Team

Template consent form for using photographs of Staff

The Hollingbourne Primary School would like to use your photograph for staff recognition purposes. These images will appear on our internal intranet and/or website ([link](#)). To comply with General Data Protection Regulations (GDPR) and the Data Protection Act, we need your permission to use photographs of you. Please answer the question below, then sign and date the form where shown. We will not use the images taken, or any other information you provide, for any other purpose.

Please return the completed form, even if you have chosen not to give your consent, to (Helen Bradley-Wyatt)

Please circle
your answer

May we use your image on our

- Website/Intranet, accessible by the setting only?
- Display/notice boards, accessible by the setting only?
- Website, viewable by anyone in the world?
- Official social media channels, viewable by anyone in the world? (*list*)

Yes / No
Yes / No
Yes / No
Yes / No

Please confirm that you have read and understand the conditions for use, and the notes relating to the principles of the Data Protection Act.

- I have read and understood the conditions of use.
- I confirm that I understand publication of my picture will mean that my picture will be viewable by those with access, alongside my job title and work contact details and I consent to such processing of my personal data.
- I understand that if my picture and details are placed on the website and/or social media channels potentially this will be accessible by anyone in the world with internet access.

Name:

Signed:

Date:

Conditions of use

1. This form is valid for the time you are employed at Hollingbourne Primary School.
2. Your consent will automatically not apply to any other usage of the photos.
3. Images must only be used in circumstances where consent has been given. Signed consent must be given for images to appear on the intranet and/or website (which is viewable by potentially anyone), or they cannot be published in this way.
4. Under the GDPR and the Data Protection Act your rights include:

- a) Your consent (to the publication of your photo) can be withdrawn at any time (principle 1 of the Act)
- b) Your photo will not be used for any other purpose without your further consent (principle 2 of the Act)
- c) Your personal data will be accurately maintained and kept up to date (principle 4 of the Act)
- d) Publication of your photo will cease and all electronic copies will be deleted when you leave the setting (principle 5 of the Act)

Useful Contacts

Kent County Council's Online Safety Guidance and Information for Education Settings:
www.kelsi.org.uk/child-protection-and-safeguarding/e-safety

Kent County Council's Access to Information Content
www.kelsi.org.uk/school-management/data-and-reporting/access-to-information

Kent County Council Education Safeguards Team Content:
www.kelsi.org.uk/child-protection-and-safeguarding

ATL Help and Advice on CCTV and other surveillance:
www.atl.org.uk/help-and-advice/school-and-college/CCTV.asp

ICO Code of Practise for CCTV:
<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

ICO Sector Guide for Education:
www.ico.gov.uk/for_organisations/sector_guides/education.aspx

ICO Information on Data Protection Act for Organisations:
www.ico.gov.uk/for_organisations/data_protection.aspx

United Kingdom's Copyright Licensing Agency: <http://www.cla.co.uk/>

International Federation of Reproduction Rights Organisation: <http://www.ifrro.org/>

Acknowledgements

This document is the work of the Kent Online Safety Strategy Group and has been based on the “Policy and Guidance for Kent Schools, Settings and KCC Services on the use of photographic images of children” (2008, 2012, 2016, 2017) and the Online Safety Policy Template 2018.

This edition has been the work of:

Rebecca Avery, KCC; Michelle Hunt, KCC;

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Herefordshire Grid for Learning (Schools e-Safety Team)

Information Commissioners Office

South West Grid for Learning

Plymouth County Council (Early Years Toolkit)

Image Use Policy and Guidance for Educational Setting

Date **Written: November 2020**

Date to be reviewed: December 2019 or before

[Type a quote from the document or the summary of an interesting point. You can position the text box anywhere in the document. Use the Text Box Tools tab to change the formatting of the pull quote text box.]

Ratified by Governors: TBA January 2019