



Photographs and Image Use

Introduction

The taking and use of photos is usually a very positive experience for those involved and therefore not something that should generally be discouraged. For example parents are normally more than happy for photos of their children to appear in the press as they are usually associated with a particular achievement.

However, a parent may have genuine reasons for not wanting their child to appear in a photo, therefore all parents will have the opportunity to opt out, using the form attached to this policy.

Legislative Context

A lot of the concern that surrounds the taking and use of photographs stems from a misunderstanding of when the provisions of the Data Protection Act 1998 apply. As a result of possible confusion the Information Commissioner has advised that:

- Photos taken for official school use may be covered by the Act and pupils and students should be advised why they are being taken.
- Photos taken purely for personal use are exempt from the Act
- Photos taken by the media are usually exempt from the Act.

Child Protection Context

In certain instances identifying a child in publications or on web-sites can place that child at risk. It is therefore important that we take practical steps to try to ensure that photographs of children are taken and used in a way that reflects the protective ethos of the school. In particular it is important that schools take care over the secure storage of digital images.

- We will only use photographs of children in suitable dress, in particular care will be taken with images of children at events such as swimming, sports etc;
- If it is known that a child is the subject of a Court Order then it is prudent to seek specific consent from the parent/carer of the child. Where it is known that as a result of a court order the carer of the child may have changed, consent from the new carer should be sought. Where a child is the subject of a child protection/care order, the consent of the County Council as carer should be sought"

Obtaining Consent

When a student starts the School written consent will be obtained for the taking and use of photographs. This includes the use of images on the school website. Parents/carers will be given a form on which they can consent or refuse to give consent to their child(ren) being photographed. This consent covers all the time that the pupil is at the school unless the circumstances of the pupil change e.g. where the school receives notification of a change in carer.

Where consent has been specifically refused students must not be included in photographs etc. but it is important to note the loss of opportunity to participate in certain events as a result.

Photographers And Newspaper Staff

The following points should be borne in mind when using photographers or when the Press is invited to publicise the success of the school.

- We only use reputable photographers;
- As far as possible we check identities and, in the case of public events, request that identification is worn that is readily visible;
- We advise parents and children of the arrangements for the photographer/ Press to be in attendance;
- We never allow unsupervised access to children;
- We do not provide the photographer/Press with any personal contact details about the child(ren);
- We ensure that the Press adhere to the Press Complaints Commission Code of Practice as follows:

“Journalist must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child in the absence of or without the consent of a parent or other adult who is responsible for the children. Pupils must not be approached or photographed while at school without the permission of the school authorities”.

Television Programme Code

The Office of Communications (OfCom) programme code states that programme makers must have due regard to children’s welfare at all times and that interviewing of children requires that the consent of a parent or guardian as well as the child be sought beforehand, with exceptions only for the least sensitive interview topics. Schools or parents should contact OfCom if they have any concerns about the use of filmed images by TV companies.

Events

To ensure that the event is an enjoyable experience for all:

- We will try to advise everyone that photography will be allowed at the event – this will enable those who do not wish their child(ren) or themselves to be photographed to withdraw from the event;
- If practical, we will consider allocating an area for photography – this has the advantage of making the photography less intrusive to others and it also allows closer control.

Websites

We will take care to ensure that pupils cannot be identified from the file name and will not be named with the photograph.

Curriculum Use

Digital cameras and camcorders are considered valuable teaching tools and are used regularly in lessons and to record school activities. Resulting photographs are often displayed around the school. Clearly the school has more control over the use of these images than those taken at public events.

Camera Phones

Please refer to our Mobile Devices policy regarding use of camera phones and other mobile devices

Note: Throughout this policy the reference to photography includes video, film and any other similar means of reproducing images.