



# **Safe Use of Children's Photographs Policy**

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**Eastergate C.E. Primary School**

**Adopted by the Full Governing Body  
8<sup>th</sup> July 2020  
Review Date: July 2022**



## **Introduction**

The purpose of this policy statement is to:

- protect children and young people who take part in [name of group/organisation]'s services, events and activities, specifically those where photographs and videos may be taken
- set out the overarching principles that guide our approach to photographs/videos being taken of children and young people during our events and activities
- to ensure that we operate in line with our values and within the law when creating, using and sharing images of children and young people This policy statement applies to all staff, volunteers and other adults associated with Eastergate C.E. Primary School

Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs for publicity materials and to promote the school in the press can increase pupil motivation and staff morale, and help parents and the local community identify and celebrate the school's achievements.

However, photographs must be used in a responsible way that safeguards the welfare of the children. Schools need to respect children's and parents' rights of privacy and be aware of potential child protection issues.

At Eastergate C.E. Primary School every reasonable effort will be made to minimise risk by following the guidelines detailed in this document and by securing parental consent for the use of photographs.

This policy applies to the use of photographs in school publicity materials, on its website and in the press. Its implementation is the responsibility of all staff. Parents and visitors will be made aware of this policy.

## **Legal Framework**

This policy has been drawn up on the basis of legislation, policy and guidance that seeks to protect children in England/Northern Ireland/Scotland/Wales [select the relevant nation]. Summaries of key legislation and guidance is available on:

- online abuse <https://learning.nspcc.org.uk/child-abuse-and-neglect/online-abuse>
- child protection <https://learning.nspcc.org.uk/child-protection-system>

## **Key Principles**

- children and young people should never experience abuse of any kind



- we have a responsibility to promote the welfare of all children and young people and to take, share and use images of children safely.

## **Child Protection**

There may be a risk when individual pupils can be identified in photographs. For that reason the governing body of Eastergate C.E. Primary School have developed this policy to make every effort to minimise risk.

In the event of the inappropriate use of children's photographs the Headteacher will inform the local Child Protection Officer and Social Services and / or the Police.

## **Data Protection Act 2018**

Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 2018. Therefore, using such images for school publicity purposes requires the consent of either the individual concerned or in the case of pupils, their legal guardians.

Eastergate C.E. Primary School will not display images of pupils or staff on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.

Where photographs are taken at an event attended by large crowds, this is regarded as a public area so it is not necessary to get permission of everyone in a crowd shot. The Data Protection Act does not apply to photographs or films taken for personal use by family and friends.

## **Appropriate Use of Images in School Publicity Materials**

The staff and governors of Eastergate C.E. Primary School will:

- ensure that images are stored securely and used only by those authorised to do so;
- ensure that electronic images are stored on a secure network to which members of the public have no access;
- not use in any printed material, publication or online platform an image of any child who is subject to a court order;
- secure parental consent for the use of children's photographs;
- keep hard copies of images in a locked drawer;
- store images for a maximum period of 7 years;
- never store images of children on unencrypted portable equipment such as laptops, memory sticks and mobile phones;



- not permit staff and volunteers to using any personal equipment to take photos and recordings of children. Only cameras or devices belonging to the school should be used;
- not create new publications or displays using photographs of children or staff who have left the school; and
- ensure that children are appropriately dressed – a minimum of a vest/shirt and shorts.

## **School Website**

The advice for using photographs on a website is no different from their use in any other kind of publication or publicity material. However, the staff and governors of Eastergate C.E. Primary School are aware of the potential risk of inappropriate use of images because of the lack of control over who might see the image and the wide extent of the misuse of the Internet by certain people.

The governors will seek the consent of parents regarding the use of images on the Internet. Children's names will not be included in photographs of children published on the school website.

## **Filming Events – personal use**

It is usual for parents to take photographs and videos of children at school events such as the annual Nativity Play and Sports Day.

When children themselves, parents, carers or spectators are taking photographs or filming at our events and the images are for personal use, we will publish guidance about image sharing in the event programmes and/or announce details of our photography policy before the start of the event.

This includes:

- reminding parents, carers and children that they need to give consent for Eastergate C.E. Primary School to take and use their images
- asking for photos taken during the event not to be shared on social media
- reminding children, parents and carers who they can talk to if they have any concerns about images being shared.

## **Filming Events – for Eastergate C.E. Primary School's Use**

We recognise that our group leaders may use photography and filming as an aid in activities such as music or drama. However, this should only be done with the Headteacher's permission and using our equipment. Children, young people, parents and carers must also be made aware that photography and filming is part of the programme and give written consent.



On occasions, commercial video films may be made of children on educational visits and performing in school productions. The school will inform parents where arrangements have been made for a commercial photographer to film such an event and seek written consent.

Where a commercial photographer is used, the school will follow the NSPCC guidelines which are as follows:

- providing the photographer with a clear brief about appropriate content and behaviour
- ensuring the photographer wears identification at all times
- informing children, their parents and carers that a photographer will be at the event and ensuring they give written consent to images which feature their child being taken and shared
- not allowing the photographer to have unsupervised access to children
- not allowing the photographer to carry out sessions outside the event or at a child's home
- reporting concerns regarding inappropriate or intrusive photography following our child protection procedures by informing the Designated Safeguarding Lead, Catherine Ward (Headteacher).

## **The Press**

The use of photographs in newspapers and magazines is already subject to strict guidelines. The Independent Press Standards Organisation's Editor Code of Practice<sup>1</sup> states that:

- All pupils should be free to complete their time at school without unnecessary intrusion.
- They must not be approached or photographed at school without permission of the school authorities.
- Children under 16 must not be interviewed or photographed on issues involving their own or another child's welfare unless a custodial parent or similarly responsible adult consents.
- Children under 16 must not be paid for material involving their welfare, nor parents or guardians for material about their children or wards, unless it is clearly in the child's interest.
- Editors must not use the fame, notoriety or position of a parent or guardian as sole justification for publishing details of a child's private life.

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<sup>1</sup> <https://www.ipso.co.uk/editors-code-of-practice/#Children>



If people such as local journalists, professional photographers (not hired by [name of group/organisation]) or students wish to record one of our events and share the images professionally or in the wider world, they should seek permission in advance.

They should provide:

- the name and address of the person using the camera • the names of children they wish to take images of (if possible)
- the reason for taking the images and/or what the images will be used for
- a signed declaration that the information provided is valid and that the images will only be used for the reasons given.

Eastergate C.E. Primary School will verify these details and decide whether to grant permission for photographs/films to be taken. We will seek consent from the children who are the intended subjects of the images and their parents and inform the photographer of anyone who does not give consent.

At the event we will inform children, parents and carers that an external photographer is present and ensure they are easily identifiable, for example by using them with a coloured identification badge.

If Eastergate C.E. Primary School is concerned that someone unknown to us is using their sessions for photography or filming purposes, we will ask them to leave and (depending on the nature of the concerns) follow our child protection procedures.

Eastergate C.E. Primary School should only provide names of children to accompany photographs published in newspapers and magazines where the parent or guardian have provided their explicit written consent.

If schools or parents have concerns regarding the use of filmed images by television companies they should contact the Office of Communication (Ofcom).

## **Camera Phones / Personal Devices in Schools**

Concerns have been expressed about the risks posed directly and indirectly to children through the use of camera phones on school premises. In order to minimise risk at Eastergate C.E. Primary School:

- staff will only use mobile phones in office areas, the staff room or areas away from the children while school is in session;
- visitors will be advised of the ban on the use of camera phones in school and, wherever possible, will be accompanied by a member of staff during the duration of the visit;
- volunteers accompanying children on school trips and visits will be reminded by the Trip / Visit Leader that photographs may not be taken using personal devices, and should not be published on Social Media;



- children who bring a mobile phone on to the school premises hand their phone in at the school office at the beginning of the school day and collect it at the end of the school day.

## **Parental Consent**

The governors of Eastergate C.E. Primary School will seek the consent of parents / guardians regarding the use of photographs of children. The consent will include agreement on:

- How and where the photographs will be used and
- the period of consent.



## APPENDIX A:

### Consent Form for use of photographic images

To: Name of the child's  
Parent(s) or Guardian: .....

Name of child: .....

Occasionally, we may take photographs of the children at our school. These images may be used in our school prospectus, in other printed publications that we produce, on our school website, or on project display boards in school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

Occasionally our school may be visited by the media who will take photographs or film footage of a high-profile event, or to celebrate a particular achievement. Pupils will often appear in these images, which may appear in local or national newspapers or in televised new programmes. **(See over/Conditions of Use for more information on use of images by the media).**

In order that we can protect your child's interests, and to comply with the Data Protection Act 2018, **please read the Conditions of Use on the back of this form before answering questions 1-4 below and signing and dating this form. Please return the completed form (one for each child) to school as soon as possible.**

|    |   |  |
|----|---|--|
| 1. | May we use your child's photograph in the School prospectus and other printed publications that we produce for promotional purposes, or on project display boards, etc? | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 2. | May we use your child's image on our school Website?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. | May we record your child's image on video?  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| 4. | May we allow your child to appear in the media as part of school's involvement in an event?<br><br>(Please note conditions of use on the back of this form)             | <input type="checkbox"/> Yes <input type="checkbox"/> No |

I have read and understand the conditions of use attached to this form.

Parent's or Guardian's signature: .....

Name (block capitals please): .....

Date: .....



## CONDITIONS OF USE

1. This form is valid for the period of time your child attends this school. Your consent will automatically expire after this time.
2. The school will not re-use any photographs or recordings after your child leaves this school without further consent being sought.
3. The school will not use the personal details or full names (which means first name and surname) of any child or adult in a photographic image, on video, on our website, in the school prospectus or in any of our other printed publications.
4. The school will not include personal e-mail or postal addresses or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
5. If we use photographs of individual pupils, we will not use the full name of that child in any accompanying text or caption.
6. If we use the full name of a pupil in text, we will not use a photograph of that child to accompany the article.
7. We may include pictures of pupils and teachers that have been drawn by pupils. We may use group or class photographs or footage with very general labels, such as 'a science lesson'.
8. We will only use images of pupils who are suitable dressed.
9. Parents should note that websites can be viewed throughout the world and not just in the United Kingdom, where UK law applies.

## Notes on Use of Images by the Media

If you give permission for a child's image to be used by the media then you should be aware that:

- The media will want to use any printed or broadcast media pictures that they take alongside the relevant story;
- It is likely that they will wish to publish the child's name, age and the school name in the caption for the picture (possible exceptions to this are large group or team photographs). In such cases, the school will contact you to seek your explicit written consent on each occasion;
- It is possible that the newspaper will re-publish the story on their website or distribute it more widely to other newspapers or media organisations.