

USE OF PUPIL'S IMAGES* POLICY

* The word images is used here to include photographs, digital photographs, webcam, film and video recordings.

Introduction

1. Meden School believes that the responsible use of children's images can make a valuable contribution to the life and morale of the school. The use of photographs in school publicity materials can increase pupil motivation and help parents and the local community identify and celebrate the school's achievements.
2. We only use images that the Head Teacher and Governing Body consider suitable and which appropriately represents the range of activities the school provides and the values it adheres to. No images will be used which could be considered to put any child at increased risk.
3. Through this policy we aim to respect young people's and parents' rights of privacy and minimise the risks to which young people can be exposed to through the misuse of images. The policy takes account of both data protection and child protection issues.

Data Protection

4. Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998. We will not use images of identifiable individuals for school publicity purposes without the consent of either the individual themselves or, in the case of pupils, their parent, guardian or carer. A consent form for pupils is attached at Appendix A.
5. In seeking consent we will ensure that parents are clear why we are using a child's image, what we are using it for, and who might want to look at the pictures. Our consent form makes clear the period of time for which consent applies.
6. All images will be stored securely and used only by those who are using a child's image, what we are using it for, and who might want to look at the pictures. Our consent form makes it clear the period of time for which consent applies.

Child Protection

7. We will only use images of children in suitable dress. The Head Teacher and Governing Body will decide if images of some activities – such as sports or arts – are suitable without presenting risk of potential misuse.
8. Any evidence of the use of inappropriate images, or the misuse of images, will be reported to the school's child protection designated teacher, the LEA, Social Services and/or the police as appropriate.
9. Individual pupils will not be named in conjunction with their image and we will never use an image of a child who is subject to a court order.

Websites

10. We will adopt the same principles as outlined above when publishing images on the internet as we would for any other kind of publication or publicity material. However, the school recognises that there is no control over who may view images, and consequently a greater risk of misuse of images, via the internet. We will therefore give specific consideration to the images for use on the school's website.
11. Images, and accompanying details, will only be used in line with government guidance as outlined on the Department for Education and Skills Superhighway Safety website (<http://safety.ngfl.gov.uk/schools/>)

Webcams and Mobile Phones

12. Webcams and mobile phones can be used to take images without people's knowledge. The school's policy is to signpost areas in which webcams are being used so that people know the webcam is there before they enter that area.
13. Mobile phones that can take and transmit images will not be permitted in areas of the school, such as changing rooms or sports facilities, where they could be misused. Misuse will be regarded as a breach of school discipline and dealt with accordingly.

External photographers and events (please see Appendix B)

14. If the school invites or permits an external photographer to take photographs within the school, we will:
 - ❖ Provide a clear brief for the photographer about what is considered appropriate in terms of content and behaviour.
 - ❖ Issue the photographer with identification which must be worn at all times.
 - ❖ Let children and parents know that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films or photographs.
 - ❖ Not allow unsupervised access to children or one-to-one photo sessions at events.
15. The same conditions will apply to filming or video recording of events.
16. Photographs taken by journalists are exempt from the Data Protection Act, as newspapers are subject to strict guidelines governing the press. However, wherever possible and practicable, we will secure parental permission before allowing journalists to take photographs of pupils.

PUPIL PHOTOGRAPH CONSENT FORM

To the parent or guardian of:.....
(Name of pupil)

Intended use:
.....

Signed:
(Member of staff in charge)

The school occasionally takes photographs of children for promotional purposes. We would like to use a photograph of your child for our publications or website.

To comply with the Data Protection Act 1998, we need your permission before we use any photographs we have taken. Please complete the declaration below and return it to us.

I give permission for my child’s photograph to be used by the school:

- For general use
- For this single purpose only

I have read and understood the conditions of use on the back of this form.

Signed(Parent/Guardian)

Name (in capitals).....

Address
.....

Date

Please note that websites can be seen throughout the world and not just in the United Kingdom where UK law applies.

CONDITIONS OF USE

1. This form is valid for four years from the date of signing.
2. During this four year period, the photos will be kept in a secure location and only authorised staff will have access to them. After this period the photos will be privately destroyed.
3. We will only include a child's full name as photo captions for press releases if the child is not easily identifiable by a member of the public, e.g. not identified by a school uniform. Addresses will not be disclosed in detail. Personal e-mail, telephone or fax numbers will not be disclosed.
4. If we use an image of an individual pupil who is identifiable by their school, we will not use the name of that child in the accompanying text or photo caption without good reason.
5. If a pupil is named in the text of a publication, we will not use a photograph of that child to accompany the article unless we have specific consent. For example, we might want to include a picture and a full name of a competition prizewinner. However, we will not include a picture and full name of a child in promotional literature.
6. We may use a group or class images with very general labels, such as "a literacy hour" or "children exploring the environment"
7. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

PUPIL PHOTOGRAPHS IN NEWSPAPERS

1. There is not a problem in giving the names of pupils to journalists to accompany photographs that will appear in the newspaper.
2. The use of photographs in newspapers is already subject to strict guidelines. Newspaper editors must adhere to the Press Complaints Commission Code Of Practice which states that:

“Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child or any other child in the absence of, or without the consent of, a parent or other adult who is responsible for the children”

3. The key points here are about the welfare of the child and consent of a responsible adult. Most of the pictures newspapers print; celebrate children’s achievements. It would be a great shame for the pupil, parent or school to miss out on opportunities for positive publicity like this. The child’s welfare is not at risk and there is no breach of the Data Protection Act in giving the child’s name to the newspaper.
4. There is no need for parental consent if the child’s welfare is not at risk.
5. This position is endorsed by the NSPCC though they point out that for a few children, there can be child welfare issues. For example, where parents have separated, or the child is subject to a court order, a picture in the paper could help a former partner identify the family’s new address. However, you are very likely to know which children are in this situation and it would be sensible not to include them in any photographs that are to be published.
6. You also usually have advance warning when the media are being invited to attend school. If parents know of this, they can at least opt their children out of any photographs if they wish to do so.