

St Christopher's CE Primary School



Photography and Filming Policy

POLICY TYPE	NON-STATUTORY
OWNER	RESOURCES
APPROVING COMMITTEE	RESOURCES
REVIEW EVERY	7 YEARS
APPROVED BY	
POSITION	
DATE	6 th January 2014

VISION STATEMENT

'Our vision is for every child to reach their full potential within a stimulating, healthy and safe environment.

We will ensure that every child has the skills to grow into a confident and happy adult through the guidance of Our Lord, Jesus Christ.'

St Christopher's CE Primary School has a distinctive Christian ethos which is at the centre of school life. We provide an inclusive, supportive and caring environment, shaped by Christian values in which children can learn and flourish. We welcome applications from all members of the community without reference to ability or aptitude, and irrespective of whether they are of the Christian faith, another faith or no faith, but we expect parents to respect the Christian ethos of our school.

Introduction

From time to time children are photographed at school for internal displays and occasionally the school would like to use these photos on our website.

Unless you inform us to the contrary, we will assume that you are happy for your child's photo to be used in this way. A form is sent to parents at the beginning of the academic year proffering the opportunity to withdraw their child from this activity.

This policy also covers the use of photography and filming at any formal event covered by the school where the children are in our care and supervision e.g. school lessons, school performances, sports day and official photos. It does not cover informal events where the children are under the parents' supervision e.g. Christmas/Summer Fete.

For partnership events, the teacher responsible for the event in the partnership will be made aware of the policy, and a note will go in the permission letter informing the parents that there may be people present who wish to take photographs or film who are not connected with our school, so not covered under this policy.

We acknowledge that events in a child's life are important memories for a family and they may wish to be recorded, but are also aware of our duty of care with regards to data protection and child protection issues, so St. Christopher's Primary School has adopted the guidance of Oxfordshire County Council as outlined in this policy. This guidance was originally released in 2005/06 but has been updated to keep pace with both changes in safeguarding expectations and the Data Protection Act.

We accept fully that for a lot of schools this is not an issue which causes concern but it is one which has generated complaints and created problems for some schools.

Abiding by the guidance will at least minimise the potential for concerns. There are two main areas of concern;

1. Data Protection Concerns

- Whether taking photographs or videos of children in school by parents, staff or others could breach data protection regulations.

2. Safeguarding Concerns

- The potential for inappropriate use/adaptation of images for use on child pornography websites.
- The possible identification of young people, especially where the photograph is accompanied by additional information

Photographic and Video Images of Children in School General –

Data Protection Issues

The question is often asked as to whether parents/carers can take photographs or make video recordings of nativity plays and similar school events. Parents/carers are not required to comply with the Data Protection Act 1998 when taking photographs for their own private use of their children at an organised event.

Parents/carers are not permitted however to take photographs or to make a video recording for anything other than their own personal use. They would not, for example, be permitted to sell videos of a school event, (unless authorised/commissioned to do so by the Headteacher/Governors for the purpose of fundraising on behalf of the school and in a fashion that had already met the requirements for such sales). Recording and/or photographing other than for private use would require the consent of all the other parents/carers whose children may be included in the images. To make sales or pass copies on without this could be a breach of the Data Protection Act 1998.

It is for the school to decide whether to allow videos or photographs to be taken by parents/carers during the event. Where this has been the practice in the past, unless parents specifically object, we suggest it should be allowed to continue within the following guidelines.

When hosting an event where parents are permitted to take photographs or videos, it should be made clear from the start that any images taken must be for private use only and if they include others, they must not be put on the web/internet without their consent; otherwise Data Protection legislation may be contravened. Schools may wish to provide written guidance to parents beforehand and/or make an announcement at the start of the event.

Data protection considerations aside, it is possible to try to ban all filming, recording and photography of school productions, sports days etc to avoid the disruption that this may cause, although with increasing use of mobile phone photography, policing of such a ban would be difficult.

Where such a ban is being considered, legal advice should be taken in order to ensure that the correct steps are taken. Imposition of a ban may be necessary, particularly in circumstances where the school may be unable to ascertain the identity of all those who attend or adequately control the spontaneous behaviour of parents/carers. Some

schools which have banned photography and videoing by parents have a school photographer and cameraman producing souvenirs which are then available to all those involved in the performance at a modest cost, in the same way as the traditional school class photograph, the funds from which go into additional resources for the school. This would be acceptable in relation to the Data Protection Act as the children's names would not be associated with their images and it would still be for the personal use of those involved. These videos or photographs should not be resold or used for other purposes such as newspapers or media coverage. Governors could be asked/told of this proposal to have one set of photographs and/or video recorded and minute that formally with the reasons given in their next meeting. Many parents however would consider it to be overcautious and unreasonable to impose such a ban for a class nativity play or assembly.

Recommended Good Practice

The Data Protection Act is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure

Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance;

- 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.

Examples

Personal Use:

- A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.

Official School Use:

- Photographs of pupils or students are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- A small group of pupils are photographed during a science lesson and the photo is to be used in the school prospectus. This is unlikely to be personal data and the Act wouldn't apply.

Media Use:

- A photograph is taken by the local newspaper of a school awards ceremony. This is unlikely to be covered by the Act. Even if it were covered, personal data processed for journalistic purposes are exempt from the main provisions of the Act. However, as there may be concerns in individual cases about pictures appearing in the press, it would be good practice for schools to advise people that the press will be attending certain events.

Safeguarding Concerns

Recording Images of Young People

There have been concerns about the risks posed directly and indirectly to young people through the use of photographs on websites and other publications.

Therefore, the following guidelines are suggested:

- All young people featured in photographs/recordings must be appropriately dressed, a minimum of vest/shirt and shorts.
- The recording should ideally focus on the activity. Where possible, images of children/young people should be recorded in small groups (the group may comprise any combination of adults and children).
- Staff should be allowed to use video equipment as a legitimate learning aid and means of recording special occasions. However, care should be taken in the dissemination and storage of the material.
- Try to take photographs that represent the diverse range of youngsters participating safely in activities. This might include:
 - Boys and Girls
 - Young people from minority ethnic communities
 - A range of clothing, e.g. tracksuit/jogging trousers
 - Girls with hair covered – a baseball cap will do
 - Disabled people
 - Glasses – okay if not actually playing at the time.
 - Shin pads must be on if they are recorded playing.
 - Jewellery should be off in all images.

Use of Photographic/Filming Equipment by Parents and Spectators

If parents or other spectators are intending to photograph or video at an event they should also be made aware the expectations:

- Parents and spectators should be prepared to identify themselves, if requested, and state their purpose for photography/filming.

In addition:

- Participants and parents should be informed that if they have concerns about inappropriate or intrusive photography/filming, these should be reported to the event Organiser or official and recorded in the same manner as any other child protection concern.
- Event organisers should approach and challenge any person taking photographs who has not made his/herself known and/or registered with them. They might need to refer it to the local police force if this person continues to record images unauthorised.

Publishing Images of Young People

- If a photograph/recording is used, personal details of young people such as email address, home address and telephone numbers should not be revealed.
- Ask for parental/guardian permission to use an image of young person. Parents/carers are aware of the way the image of their child is representing. Parents/guardians have opportunity to opt out of this.

- Ask for the young person's permission to use their image. This ensures that they are aware of the way the image is to be used. A Parent/Guardian and Young Person Permission Form is the best way of achieving this.
- Where a story concerns an individual (eg their selection for representative side, triumph over adversity), particular attention should be paid to ensuring permission is gained from a parent/guardian and the young person to use a photograph/recording and relevant details.
- In order to guard against the possibility of a young person under a court order appearing on a website, the simultaneous streaming of images onto a website is not recommended. Delayed streaming also provides an opportunity for the editing of inappropriate clips (e.g. disarranged clothing).
- Think about the level of consideration that you give to the use of images in all publications, e.g. the processes used in choosing photographs for a publicity brochure for the club. Apply an increased level of consideration to the images of youngsters used on websites. Simple technology features such as watermarking may dissuade third parties from using or attempting to access controlled imagery.

Summary

Protecting the welfare of young people is about putting in place the best possible practices and procedures; this will protect not only young people but also the adults involved.

Parental Consent

It is recommended that where a school is to permit photographs or videos of any school event or pupil that any images taken must be for personal use only.

Any images must not be placed on the web/internet.

Recording or photography other than for private use would require the consent of all the parents whose children may be included in the images.

This may be done in two ways;

- a) Specific consent from parents using a signed consent form.
- b) Placing a clear policy statement in the school's prospectus which outlines when, where and who can take photos or video and stating clearly that if the parent does not want their child to be involved in the production of images they are asked to inform the school, ideally in writing.