



PHOTOGRAPHS - SCHOOLS PHOTO POLICY

The use of photography and images in the school environment.

Introduction

The Data Protection Act 1998 and the introduction of the Human Rights Act 1998 has meant that we need to exercise more care in the use of photographs, videos and webcams of clearly identifiable people. Also, increased use by schools of the Internet has led to several requests for advice on using images of children and adults both on a website and on printed publications. The key point to remember is that schools should always have the permission of either the pupil or the parents prior to using their image.

The Data Protection Act 1998 also affects our use of photography. The Act does not prevent individual parents recording, filming or photographing their sons or daughters at school events; this is covered by an exemption to the Act.

Using Images to Promote the School

Consent

If a school intends to use images of its children to either promote the school or to place on a website, it is necessary to follow some simple steps.

As a general rule, always try to get the consent of any subject in a photograph or in a proposed photograph. In the case of our primary schools, this will generally mean obtaining the permission of the parent or guardian. Since most children attend a primary school for a period of five years or more, it seems sensible to get consent for the period a child attends the school. We suggest you send a consent form to parents with the school registration pack, to cover the period that their children will spend at that particular school.

Similarly for a child's attendance at a secondary school a consent form should be sent to the parents/guardians. However be aware that as children become more aware of their rights as they mature in a secondary school, they themselves may object to the use of their photographs. If this occurs, you may not use their image.

Avoid using photographs of children after they have left the school.

What else should I think about?

Occasionally, members of the press may take photographs or film footage at your school. For example, the mayor recently visited a school and the local press took photographs of the mayor surrounded by pupils. Photographs taken for the purpose of journalism are exempt from the Data Protection Act.



Only use images of pupils in suitable dress, to reduce the risk of the images being used inappropriately. For example, don't use photographs of children in swimming costumes.

You will also need to be aware of copyright implications with any photographs that you may use from elsewhere.

Websites

The Department for Education and Skills have a website that advises on these issues: <http://schools.becta.org.uk/index.php?section=is>. This website contains lots of useful information for schools that use the Internet or have their own website.

We recommend that school websites avoid using:

- Personal details or full names (first name and surname) of any child or adult in a photograph, although first names can be used in some circumstances.
- Personal e-mail or postal addresses, and telephone or fax numbers.

If you use a photograph of an individual pupil, don't include that child's first name in the accompanying text or photo caption. If a pupil is named in the text, don't include a photograph of that child. This will avoid the risk of inappropriate and unwelcome attention from people outside the school. When using group photographs, ensure that they have general labels such as "a science lesson" or "making Christmas decorations".

School prospectuses and other literature

Although most school literature is sent to a very specific audience, it would be best to avoid using personal details or full names of any child in a photograph. Also avoid naming a child in the text or accompanying photo caption if they appear in a photograph - and vice versa.

A school prospectus is a good place to inform prospective parents of the school's approach to publishing images. A phrase similar to the following might be included:

'The school may on occasions use photographs of the children to promote the school, you will be invited to sign a consent form to indicate whether you agree to your daughter/son's image being used in this way.'

Videos

Before any children or young people up to the age of 18 can appear in a video, you must get parental consent. You can do this in the same way as for photographs of children, using the relevant parental consent form. Similarly, you must get the permission of anyone in your video that is not part of a crowd and is easily recognisable.

In the past, we have been asked whether parents can make video recordings of nativity plays and similar school events. They can because, as individual parents, they are covered by a data protection exemption that allows this.



Webcams

With the increasing use of webcams for events such as video conferencing, it is necessary to be more aware of the data protection requirements of this medium. The regulations for using webcams are similar to those for CCTV (closed-circuit television). This means that the area in which you are using the webcam must be well signposted and people must know that the webcam is there before they enter that area. This has the effect of getting their consent.

Like photographs, you must tell the person:

- Why the webcam is there,
- What you will use the images for, and
- Who might want to look at the pictures

Getting consent

As mentioned above, it is important to get parental consent when a child starts at your school. Once the consent form has been signed, you should keep it on file.

The consent form must make it clear that you could use the photographs on your school website, as well as in printed publications for promotional purposes. For example, you could ask:

- May the school use your child's photograph in the school prospectus and other printed publications that we produce for promotional purposes?
- May the school use your child's photograph on our school website?

Be aware that websites can be seen throughout the world and not just in the United Kingdom, where UK law applies.

The rights of school staff

Whilst it is important to protect the rights of the children, schools should not lose sight of the requirement to also look after the rights of staff. Whilst it is not necessary to obtain written consent of the school staff before using their images, the purpose of the photograph should be explained to the staff member to allow them to make their own mind up without pressure.



Using images of children

Consent form for use by Buckinghamshire County Council schools

To Name of the child's parent or guardian: _____

Name of child: _____

School: _____

Occasionally, we may take photographs of the children at our school. We may use these images in our schools prospectus or in other printed publications that we produce, as well as on our website. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

Photographs or film footage by parents or guardians of their children at school events is permitted under an exemption in the Data protection Act. There is also a journalistic exemption with regard to the media and occasionally a pupil's images may appear in local or national newspapers, or on televised news programmes. Please indicate if you are content for your child to appear in the media. If you are not we will try to keep your child out of the photographs. **It is our policy not to name children without the consent of the parents or child.**

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your child. Please answer questions 1 to 4 below, then sign and date the form where shown.

Please return the completed form to the school as soon as possible.



Please circle your answer

- | | |
|---|----------|
| 1. May we use your child's photograph in the school prospectus and other printed publications that we produce for promotional purposes? | Yes / No |
| 2. May we use your child's image on our website? | Yes / No |
| 3. May we record your child's image on video or webcam? | Yes / No |
| 4. Are you happy for your child to appear in the media? | Yes / No |

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies (or the EU, where similar protections are required).

Please also note that the conditions for use of these photographs are on the back of this form.

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

Parent's or guardian's signature: _____ Date: _____



Name (in block capitals): _____

Conditions of use

1. This form is valid for five years from the date you sign it, or for the period of time your child attends this school. The consent will automatically expire after this time.
2. We will not re-use any photographs or recordings after your child leaves this school.
3. We 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 our school prospectus or in any of our other printed publications.
4. We 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 name of that child in the accompanying text or photo caption.
6. If we name a pupil in the 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 the pupils.
8. We may use group or class photographs or footage with very general labels, such as “a science lesson” or “making Christmas decorations”.
9. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.