

St Malachy's P.S. Drummullan Digital Images Policy



Jr. Frances Bell

6th June '18

Digital Images Policy

Generally, photographs for school and family use and those that appear in the press are a source of pleasure and pride which we believe usually enhance self-esteem for children and young people, and their families and the practice should continue, within safe practice guidelines.

Provided reasonable steps are taken, we believe that the practice of photography, for school events by families and the media should be allowed in St Malachy's Primary School and that a complete ban would be an over-reaction. In addition, considering the widespread use of mobile telephones as digital cameras, a ban would be difficult to impose and police.

Issues of Consent

The Data and Protection Act 1998 affects our use of photography. This is because an image of a child is personal data for the purpose of the Act and it is a requirement that consent is obtained from the parent of a child or young person under the age of 18 years for any photographs or video recordings beyond the school's core educational function (e.g. school websites and school shows etc.) We believe that it is important to ascertain the views of the child as well.

As it is likely that there will be a number of occasions during a pupils' life when the school may wish to photograph or video a pupil/pupils, consent is sought when the pupil starts at school and we will ask parents to renew consent annually.

A signed consent form, as attached to this policy (see appendix 1), will be obtained from each child's parent/guardian, and kept on file,

covering all cases where images are to be published beyond the parameters of school use.

Where children are 'Looked After', we will check consent on the corporate parent's behalf with the social worker.

Parents retain the right to withdraw consent at any stage, but they need to do so in writing.

Planning Photographs of Children

Images published together with names and details of pupils allow for the remote possibility that people outside the school could identify, and then attempt to contact, pupils directly. The measures below should attempt to minimise the risk of such unsolicited attention.

- Where possible, staff will take general shots of classroom/group activities rather than close up pictures of individual children
- Staff will use images of children in suitable dress and take care when photographing PE/swimming events to maintain modesty
- Staff will include images of children from different ethnic backgrounds in our communications whenever possible and positive images of pupils with disabilities to promote our school as an inclusive community and to comply with the Disability Discrimination Act
- We will consider alternatives. Is a photograph of the children necessary or could an article be illustrated by the children's work?
- Pupils are not permitted to take mobile phones, PSPs, DSs, tablets or I-pads to school or on school trips in order to avoid the misuse of photographs of other pupils or staff

Identifying Pupils

If the pupil is named, we will avoid using their photograph. If the photograph is used, we will avoid naming the child. In school communications, we will use the minimum information in terms of pupils' names or year group.

Where a pupil is fully named in any published text, whether in our school prospectus or website, we will avoid using their photograph unless we have special parental consent to do so. However, pupils' first names may be used and their full names may be given in a group situation where they cannot be linked to individuals in the photograph (where parental consent has been given).

Using Photographs of Children supplied by a Third Party

Copyright does not apply to images for private family use. However, copyright does exist in commercial photographs and it rests with the photographer.

Before using a photograph supplied by a third party, school staff will check that the third party owns the copyright in the photograph and we will obtain written or verbally recorded permission to use it. We understand that the use of a photograph without the copyright owner's permission is a copyright infringement. Images downloaded from the internet are also subject to copyright. Third parties will be asked to guarantee that all relevant consents have been given and that they are entitled to provide the school with the image.

Use of Images by The Press

There may be occasions when the press takes photographs of pupils at our school e.g. First Holy Communion, Confirmation or Sports Day. Our consent form attached (see appendix 1) specifically enables parents to decide to agree to their children being featured in the media.

St Malachy's PS will allow the press to take appropriate photographs and only pupils' first names will be used.

School staff will ensure that pupils are not interviewed by the press without the school's permission. Additionally, school staff will make clear in advance to journalists on what basis they are going to be allowed to take photographs and what use they can make of the images and the pupils' names.

School Prospectus/Other Literature

Whilst our school literature is copied to a specific audience (namely parents of pupils/members of the Board of Governors and school staff), again we will avoid using full names or giving personal details of any child in a photograph.

Videos/DVDs (School Productions)

Parental consent will be obtained before any child can appear in a video/DVD. Parents can video record events for their own personal and family use as they are not covered by the Data Protection Act. However, to make sales or pass copies on could be a breach of the Data Protection Act.

When hosting an event where parents are permitted to take photographs or videos, school staff will make clear from the start that any images taken are for private use only and if they include others, they must not be put on the internet without their consent, otherwise the Data Protection Act may be contravened.

The Board of Governors will consider the taking of photographs and video-recording school events (e.g. The Nativity Play, Sports Day, School Concert, Sacramental Events) and formally endorse their decisions.

All parents will be issued with 'Use your camera and video courteously' code (see appendix 2) prior to school events (as listed above).

Websites

This is an area that gives particular concern to parents because of the potential misuse of images by Paedophiles. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated without the parent's permission or children's knowledge. The dual concern which follows such a risk is that children might be exploited and an organisation may be criticised or face action.

It is important to take care with identification and to respect parental views on the use of any photography on a website. Thus, we will again seek parental permission to put photographs of our pupils on the school Facebook page (see appendix 1 - consent form).

We recommend that staff, parents and governors visit the *Child Exploitation and Online Protection Centre* www.ceop.gov.uk (Using images of Children Page 5 February 2007) for further information.

Webcams

The regulations for using webcams are similar to those for CCTV (closed circuit television). This means that should staff need to use the webcam for curricular purposes, the area in which they are using the webcam will be well signposted so that people know that the webcam is there before they enter the area in order to consent to being viewed in this way.

Children and staff would be consulted and special consent would be obtained from parents of all pupils involved before filming takes place. In gaining consent, all persons would be told why the webcam is there, what the images will be used for and what security measures are in place to protect access.

Advice from DFES is that unless a webcam is a response to a specific threat or difficulty in relation to either crime or health and safety, it may pose more difficulties for organisations than it would actually resolve. If school staff in St Malachy's Primary School wish to use a webcam for curricular purposes, further consultation with parents, governors and pupils will be necessary.

Parental Rights to Take Photographs

Parents are not covered by the Data Protection Act 1998 if they are taking photographs or making a video recording for their own private use. The Act does not therefore stop parents from taking photographs or making video recordings at such events as assemblies and school shows. Parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of an event). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film.

Without this consent the Data Protection Act 1998 would be breached. The 'Use Your Camera and Video Courteously' code (see appendix 2) form reminds parents of this fact.

People with no connection to St Malachy's Primary School are not allowed to film covertly. Staff/members will need to be aware of anyone they do not recognise who is using a camera or video recorder at events. In the event that someone, who has no connection with St Malachy's Primary School, is filming covertly, school staff will ask the person to stop filming.

The Storage of Photographs

Photographs will be maintained securely for authorised use only and disposed of either by return to the child, parents or shredded as appropriate.

Official Photographs

We will periodically invite an official photographer into our school to take portraits/photographs of individual children or groups. We will carry out our own risk assessment in terms of the validity of the photographer/agency involved and establish what checks and vetting has been undertaken. We will also ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present.

Useful Sources of Information

Schools.becta.org.uk

www.ceop.gov.uk

you think you know

If you need further information, please contact one of the following:

- Designated teacher/Principal - Mrs Anne Bell
- Deputy Designated Teacher - Mrs Siobhan Dillon
- Chairperson of B.O.G. - Fr. Francis Coll
- Designated Governor for Child Protection - Mrs Siobhan Campbell

Using Photographic Images of Children - Seeking Your Consent

Dear Parent/Guardian,

This letter explains why we need to ask for your consent regarding any photographs that may be taken of your child while he/she is at school. When you have read it, please complete and return the form attached to let us know your wishes. (If you want a copy to keep, please write a note on the form and one will be sent to you).

Generally, photographs of children for school and family use, and occasionally for publication in the local press, are a source of pleasure and pride and so are to be welcomed. However, we live in an age in which technology has vastly increased the use, and potential misuse, of photographs.

The School's Policy

Our policy is to broadly follow the Department for Education and Skills (DfES) advice: "If the pupil is named, avoid using the photograph. If the photograph is used, avoid naming the pupil." So we do not use children's full names alongside their photographs in the school's own printed publications, in video/DVDs or on our Facebook page.

With regard to the Press, the school does allow local newspapers to take photographs of children, when appropriate, provided that parental consent has been given.

That is why it is important for you to tell us whether you have any objection. If you do object, the school will not allow your child to be photographed by the press.

Although it is fairly rare for television companies to visit the school, your consent for newspaper photographs would also apply to television images. However, children's names are normally not given on television and we would seek specific permission from you if your child's name were to be used.

Please now complete and return the form attached. If you would like to discuss these matters in more detail, please talk to your child's teacher or another member of staff. If in the future you should wish to change your decision on whether to give consent, you can do so at any time.

Yours Sincerely
Anne Bell

Principal

During your child's life at the school we may wish to take photographs of activities that involve your child. The photographs may be used for displays within the school, as evidence of pupils' participation in activities, for assessment purposes and for illustrating aspects of school life. We may wish to publish some photographs of your child on our school website, on our Facebook page or local/national newspapers. Images that might cause embarrassment or distress will not be used nor will images be associated with material on issues that are sensitive.

Before taking any photographs of your child, we need your permission. Please **answer the questions below, sign and date the form and return it to the school**. You can ask to see the images of your child held by the school. You may withdraw your consent at any time, by writing to the Principal (Mrs Anne Bell).

Name of Child (**Block Capitals**): _____

Name of person responsible for the child: _____

I understand that:

- ☐ The school may take and display images as evidence of pupils' participation in activities, for illustrating aspects of school life, for assessment, curriculum and administrative purpose
- ☐ Images of your child/children working in group tasks may be included in other pupils' personal study books as evidence of tasks having been carried out (which each child will bring home at the end of the school year)
- ☐ We may publish some photographs of your child on our school Facebook page, website or in local/national newspaper
- ☐ Embarrassing or distressing images will not be used
- ☐ The images will not be associated with distressing or sensitive issues
- ☐ The school will regularly review and delete unwanted material
- ☐ We will not as a rule publish any pupils' full names with their photographs inside our school or in publications such as our school website, our Facebook page and in local/national newspapers

Having read the above, do you give your consent for photographs and other images to be taken and used? (Please tick the appropriate box)

Yes, I give my consent for pictures to be taken and used ☐

No, I do not give my permission for pictures to be taken and used ☐

Signature of person responsible for the child: _____

Relationship to the child: _____

Date: _____

'Use your camera and video courteously' code – a guide for parents who wish to photograph and/or video a school event

Generally, photographs and videos for school and family use are a source of innocent pleasure and pride which can enhance self-esteem for children and young people and their families. By following simple guidelines, we can proceed safely and with regard to the law.

- Remember that parents and carers attend school events at the invitation of the Principal and governors
- The Principal and governors have the responsibility to decide if photography and videoing of school performances is permitted
- The Principal and governors have the responsibility to decide the conditions that apply in order that children are kept safe and that the performance is not disrupted and children and staff not distracted
- Parents and carers can use photographs and videos taken at a school event for their own personal use only. Such photos and videos cannot be sold and must not be put on the web/internet due to Data Protection legislation, which in such circumstance is likely to be contravened
- Recording/photographing other than for private use would require the consent of all the other parents whose children may be included in the images
- Parents and carers must follow guidance from staff as to when photography and videoing is permitted and where to stand in order to minimise disruption to the activity
- Parents and carers **MUST NOT** photograph or video children changing for performances or events
- If you are accompanied or represented by people that school staff do not recognise, staff may need to check out who they are if they are using a camera or video recorder

