



# Timothy Hackworth Primary School

**‘Respectful and resilient; being the best that we can be.’**

## Photographic Policy

CRC Article 19: All children have the right to be safe.



Date policy approved/adopted:	<b>June 2024</b>
Next review date:	<b>June 2025</b>
Approved by:	<b>Governing Body</b>
Head Teacher Signature:	<i>L. Boulton</i>
Governor Signature:	<i>P. Crook</i>

# **Photographic Policy**

**Date of Policy:** June 2024

**Review Date:** June 2025

**Data Protection Officer:** Mrs. Nicola Milne, School Business Manager

**Designated Safeguarding Lead:** Mrs. L. Boulton, Head Teacher

**Deputy Designated Safeguarding Leads:**

Mrs. S. Simpson-May, Deputy Head Teacher

Mrs. K. Kozlowski, SENDCO

Mrs. N. Nixon, Pupils and Families Intervention Support Lead

Mrs. B. Mathwin, Attendance Officer

**Online Safety Lead:** Miss M. Curbeson

**Specialist Link Governors for Online Safety:** Mrs. P. Crook

**This policy should be read in conjunction with our:**

- Safeguarding Policy;
- Keeping Children Safe in Education, September 2023;
- Online Safety Policy;
- School Security Policy;
- Data Protection Policy;
- Staff, Parents and Pupils Privacy Notices;
- CCTV Policy;
- Acceptable Use Policy.

All policy and practice in Timothy Hackworth Primary School respects children's dignity.

RRS – our school ethos. We are an RRS Gold Level School

**Our Timothy Hackworth School Vision**

May our Rights Respecting School be a happy place for us all to learn; where every one of us is valued and safe in our Timothy Hackworth School Family. May we all be the best that we can be by making a positive difference to each other, our community in Shildon and the wider world in which we all live.

### **Mission Statement** (written by children):

We would like our school, which reflects British Values, to be at the heart of the community, sharing, supporting and learning together with everyone as equals. Our children have the right to high quality learning experiences to help them to be the best that they can be.

We encourage our children to be creative, unique, open-minded and independent individuals, respectful of themselves and of others in our school, our local community and the wider world.

We aim to nurture our children on their journey through life so they can grow into safe, caring, democratic, responsible and tolerant adults who make a positive difference to British Society and to the world.

### **Values**

Ours is a happy school with high hopes and ambitions for all our children and we welcome working in partnership with parents and carers to ensure that everything is done in the best interests of the children at all times.

All of our staff take their responsibility towards the children seriously and they strive to help each child reach their full potential as global citizens physically, emotionally, socially and academically. We are fully committed to the [CONVENTION ON THE RIGHTS OF THE CHILD \(CRC\)](#).

To us, every child is unique and precious and we endeavour to foster a high level of motivation towards learning and behaviour. We are committed to the basic skills of English and Maths.

At all times we aim to centre the teaching in an atmosphere of mutual respect and personal respect. A high quality education is [the right of every child](#), and at Timothy Hackworth Primary School, we embrace that responsibility and strive to achieve it for all our pupils.

### **Equalities Information**

This policy should be read in conjunction with our school's 'Equalities Policy Statement', 'Equalities Objectives Summary' and 'Equalities Information and Objectives'.

We welcome our duties under the Equality Act 2010 to eliminate discrimination, advance equality of opportunity and foster good relations in respect to age (as appropriate), disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation (LGBTQ+).

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## Background

- This policy covers the recording, use, storage and deletion of still and video images at Timothy Hackworth Primary School. It should be read in conjunction with the school’s Data Protection, Online Safety, CCTV and Acceptable Use policies. Any examples used in this policy are not exhaustive and the school is able to make decisions on a case by case basis.
- Legally this area is covered by the following:
  - Data Protection Act 2018: The image of a child is personal data covered by the act unless taken by parents/carers for purely personal use. This means that a school must comply with the Data Protection Act 2018 (GDPR). Schools are permitted to take, use and store, and display images when this forms part of the public task of educating children, disposing of them after the child has left. Our school seeks consent for other uses of images, for example, our school website, our school Facebook page and wider media.

- Education Act 2002: Obligations to safeguard the welfare of pupils. This may have an impact on children whose location cannot be revealed for safeguarding reasons.
- Article 8 – The European Convention on Human Rights: Privacy issues/breach of the child’s right to respect for private life. For example, a parent/carer may object to their child’s image being taken or shared.
- Article 10 – The European Convention on Human Rights: The parent/carer’s right to freedom of expression. For example, a parent/carer may wish to record the Nativity play.

## Safeguarding

- Safeguarding of young people should always take precedence when considering when photographs and videos are appropriate. In particular, we consider if children:
  - are looked after, particularly if the parents of the child are not allowed access;
  - are adopted;
  - are in protected accommodation;
  - have a parent or family member who is not permitted access.

## Consent

- Consent is not required when the use of images is purely for educational purposes, for example, for school display or for the assessment of learning. This is covered as part of the ‘Public Task’ of the school.
- Consent is required when images are used beyond the school, for example, on our school website.
- A record of all consent details are kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.
- Images will not be taken of any child or young person against their wishes. A child or young person’s right not to be photographed is to be respected.
- School visitors may only take photographs with the specific permission of a member of the Senior Leadership Team when consent has been correctly obtained.

## Taking, Storing and Retention of Images and Videos

- As images and videos are personal data, these are processed in accordance with the school's Data Protection Policy.
- Only official school owned equipment, (e.g. work provided iPads), will be used by staff to capture images of children for official purposes. Use of personal cameras by staff is prohibited at all times.
- Staff receive information regarding the safe and appropriate use of images as part of their routine safeguarding training and responsibilities.
- Images are stored securely, for example, by using password protection, restricting the number of people who have access to the files. Appropriate firewall and anti-virus software are in place.
- Images are securely deleted from non-encrypted devices on a regular basis (e.g. transferred from an iPad to the network on a weekly basis).
- Images are not kept for longer than is to be considered necessary and, in any event, not exceeding a maximum of three years after the child has left the school. The Data Protection Officer will ensure that systems exist so that all photographs are permanently deleted when no longer needed.
- The school's Leadership Team reserve the right to view any images taken. Members of staff (including volunteers) ensure that all images are available for scrutiny and will be able to justify any images in their possession.

## Use of Images/Videos by Children

- The school will discuss and agree age-appropriate acceptable use procedures with children regarding the appropriate use of cameras, such as places children cannot take the camera (e.g. unsupervised areas, toilets etc.).
- All staff are made aware of the acceptable use rules regarding children's use of cameras and ensure that children are appropriately supervised when taking images for official or curriculum use.

- Members of staff act as role models of positive behaviour to the children by encouraging them to ask permission before they take any photos.
- Photos taken by children for official use will only be taken with parental/carer consent and will be processed in accordance with the Data Protection Act 2018.

## Educational Visits

- Volunteers helping on educational visits are made aware of procedures restricting the use of personal devices to take photographs.
- Personally owned tablets, phones and other connected devices are not permitted to be used on school trips due to difficulties supervising the suitability of images shared over the internet.

## Appropriate Events and Locations

- There are some risks involved when taking photographs of some sporting occasions when children are not fully dressed. These apply to both the child, whose image may be misused, as well as the adult who could be accused of taking inappropriate images. The general advice is that children should not be photographed unless appropriately dressed.
- It is not permissible to record images when children are changing.
- In general, it is advisable not to record images of children in swimming costumes, but under specific circumstances the school may decide it is appropriate, for instance:
  - moderation for PE or Swimming Teacher Assessment;
  - celebration of a child showing significant progress with swimming.
- The Amateur Swimming Association (ASA) guidance on photography states that all photographs must observe generally accepted standards of decency, in particular:
  - action shots should be a celebration of the sporting activity and not a sexualised image in a sporting context;
  - action shots should not be taken or retained where the photograph reveals a torn or displaced swimming costume;

- poolside shots of children should normally be above the waist only in a swimming costume, though full length tracksuit shots are approved;
- photographs should not be taken from behind swimming blocks at the start of a race or exhibit young swimmers climbing out of the swimming pool.

## Use of Webcams/Skype etc.

- Parental/carer consent will be obtained before webcams or video conferencing are due to be used for curriculum or educational purposes.
- Recordings will only be made with the consent of all parties taking part.

## School Website/School-Managed Social Media

- Permission will be obtained from parents/carers before a child's image is uploaded to the school website or social media platform.
- Children's full names will not be used on the website or social media in association with photographs.
- The school will not include any personal addresses, emails or telephone numbers, on videos, on the website, in a prospectus or in other printed publications.
- Children's work will only be published with their parent's/carer's consent.

## Parental/Carer Photography

- Many parents/carers will want to record some of the special moments in their child's school life and the law does not prohibit this. However, it is possible that they will also capture images of children other than their own, with a possible impact on their privacy.
- This is a problematic area with contributory factors:
  - Freedom – some parents/carers will want to take pictures of their child at an event, and some will not;
  - Privacy – it is possible that any image captured may have other children in it;



- Safeguarding – there is a potential that images may be misused. This is a particular concern regarding looked after children.
- The school will decide if parental/carer photography and video is appropriate on an individual event basis depending on the nature of the activity and any risks posed to children and staff taking part.
- The school will ensure that parents/carers are aware of any restrictions on photography and will publicise this prior to the event and bring it to the attention of parents/carers at the start of the event.
- Parents/carers have the right to ask for their child not to be photographed. On some occasions that may result in the child being unable to take full part in an activity.
- Parents/carers will complete a consent form which includes permission for photography.

## Social Media

- Uploading pictures to social media may cause further complications. A parent/carer publically sharing images of other people's children with no controls on privacy may be a breach of data protection rules. However, sharing images of their own children is not a breach of data protection rules.
- Parents/carers will be reminded that any images or videos shared on social media will be shared only with immediate family and that appropriate privacy settings must be applied.
- Suggested wording for guidance to be given to parents/carers in respect of uploading pictures onto social media:

*“We think you should be able to celebrate your child’s performance by taking photographs to remember the event. If you do, we ask that if you share them on social media, then only do so with immediate family and not publicly. If you do not know how to do this, then contact The Head Teacher and we will be happy to show you how.”*

*We will challenge any public publishing of our students' images that comes to our attention if we feel it does not meet our safeguarding obligations.*

*Remember, there might be children alongside your child who are vulnerable to having their image distributed. If there are, we will let you know of the precautions you need to take.”*

## Press Photography

- Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's (or other relevant media) requirements can be met. A written agreement will be sought between parents/carers and the press which will request that a pre-agreed and accepted amount of personal information (e.g. first names only) can be published along with images and videos.
- The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
- The photographer will be issued with visitor identification, which must be worn at all times.
- Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability, however, can be claimed for situations beyond reasonable control, and where the school is to be considered to have acted in good faith.

## School Photographs

- Professional photographers who are engaged to record any events will be prepared to work according to the terms of the school's Online Safety Policy.
- Photographers will be issued with visitor identification, which must be worn at all times.

- Photographers will sign an agreement which ensures compliance with the Data Protection Act and ensures that images taken will only be used for a specific purpose, subject to parental/carers consent.
- Photographers will not have unsupervised access to children and young people.

## Photographs by Members of the Public

- When children are taken out of the school grounds, for instance, on a visit, it is possible that they could be photographed by members of the public. If the child's privacy is of paramount importance, the risk of this should be discussed with parents/carers and appropriate steps taken (see Looked After Children section below).

## Looked After Children

- Photographs of looked after children should usually only be taken with the agreement of the person who holds parental responsibility. However, in some circumstances, consent could be obtained from the child's social worker, foster carer or a relative. Please speak to Mrs. K. Kozlowski who is part of the child's Care Team if you are unsure about who can give consent.
- The SENDCO, Mrs. K. Kozlowski, will be part of a looked after child's Care Team and attend meetings and Looked After Reviews; she will know of any potential risks regarding any adults or if the placement is protected.
- Looked after children should expect to have as normal an experience as they can and they should not be singled out because they are in care.
- If a child's identity or privacy needs to be protected, this should be discussed with the parent/carers and appropriate steps could be agreed. This could include:
  - o restricting parental photography for all at events;
  - o subtly removing the child before photographs are taken;
  - o positioning the child with the teacher to allow the teacher to take active steps to reduce the possibility of the child being photographed;
  - o sensitive withdrawal of the child from the event with an explanation to the child.

## Appendix 1 – Consent

### Taking photographs and videos of children and young people

Timothy Hackworth Primary School recognises its responsibility to ensure the welfare and safety of children and young people and to comply with the Data Protection Act 2018.

We use photographs and videos for a number of reasons, including celebrating and recording children’s successes. These images or videos may be used on display boards, classroom computer screens and on our website. Your child’s identity will not be disclosed without your consent and only if the photograph is used to celebrate individual success.

Photographs and videos will only be recorded on school-owned equipment and will not be kept for longer than is to be considered necessary, and in any event, not exceeding a maximum of three years after your child has left the school.

We also believe that it is important for families to celebrate children’s successes and for that reason at some events we may allow parents/carers to take photographs and videos. We will remind parents/carers prior to the event, that any photographs or videos taken should not be uploaded to social media.

**If you are concerned about the privacy of your child, we would like to encourage you to make an appointment to discuss your concern with the Head Teacher or Deputy Head Teacher so that we can take appropriate measures to protect them. On some occasions, if we do not have permission to use an image of your child, it may result in your child not being able to take full part in an event.**

**I give consent for you to record and use images or videos of my child in the following ways:** (Delete any which you do not give consent to)

On our website (of trips, activities and celebrations of children’s successes).
In general publicity (including use by the local authority and for training purposes).
Use by the press and other broadcast media.

**In addition, I confirm that:**

I give consent for my child to be photographed by other members of the school community (Parents/Carers) during school events (e.g. School Nativity, Christmas Performances, Celebration Assemblies and Sports Events).
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Timothy Hackworth Primary School will take all steps to ensure images and videos are used solely for the purposes they are intended. If you become aware that these are being used or shared inappropriately, please contact the school.

Name of Child: \_\_\_\_\_ Class: \_\_\_\_\_

Name of Parent/Carer: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Consent will remain on your child's record for the duration of their time in Timothy Hackworth Primary School, unless consent is withdrawn. Images may be kept for no longer than necessary, and in any event, not exceeding a maximum of three years after your child has left the school.

You do have the right to withdraw consent at any time. To withdraw consent, please contact the Head Teacher or Deputy Head Teacher via the School Office.

**Equality and Diversity**

This policy links to our school Equalities Objectives and Information.

**Governing Body**

The Governing Body will be provided with regular updates regarding the implementation and monitoring of this policy.

The Curriculum and Performance Committee will ratify and review the policy.

***Review Date: June 2025***