



PHOTOGRAPHY POLICY

(Protection of Pupils: Guidance and Policy)

A GUIDANCE DOCUMENT

1. Introduction

1.1 Photography of pupils in schools and academies is subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families. As well as these statutory rights, restrictions on photography arise from issues of child protection and copyright in performances (paragraph 4.4).

1.2 In this guidance, '*photography*' includes photographic prints and transparencies, video, film and digital imaging and '*in the school*' is whenever and wherever pupils and young people are the responsibility of Biddick Primary and Nursery School. '*Parent*' means anyone with parental rights and responsibilities in relation to a pupil.

1.3 This guidance is intended to:

- facilitate photography for business purposes;
- respect the rights of the individual;
- safeguard child protection;

1.4 Biddick Primary and Nursery School recognises the issues of child protection and personal privacy and a policy aimed at safeguarding pupils exists.

1.5 Sensitivity is as important in dealing with photography as it is in processing other personal data. Court cases have occurred because photographs have been used inappropriately. For example, parents objected to a picture of their child with special needs, taken without their knowledge or permission and used to illustrate an 'aids strategy' document. Objections have arisen as a result of photographs being used many years later when the subject's circumstances had significantly changed.

1.6 The use, specifically of mobile camera phones, during school time is not acceptable. This is in view of the risks inherent in such use, possibly but not necessarily covert, which includes the existence and/or distribution of photographs contrary to the wishes, welfare and privacy of pupils, young people and staff.

2. Photography by Biddick Primary and Nursery School Staff

2.1 The business of our school can involve staff in the photography of pupils and young people for the following main purposes:

- a) Pupil administration
- b) Curriculum and course work
- c) Corporate and community

Copyright and use of these photographs is carefully controlled by the school, i.e. retained safely or issued to the pupil concerned.

2.2 Photographs held in our school must be annotated with the date on which they were taken and stored securely. They should not normally be used other than for their original purpose, unless permission of subject obtained. They should be stored on the school server.

2.3 Photographs must be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken. For example, a photograph for identification purposes may endure for several years but should not be retained when replaced or expired. Photographs taken for publicity and promotional purposes should be retained for a maximum of two years. Photographs contributing to the history of the school, its pupils, activities or the community can be retained indefinitely.

3. Photographs taken by children

3.1 As digital technology continues to expand and grow, photography by children in support of their work will become increasingly prevalent. The photographs taken by children are subject to the same restrictions as those taken by staff and must be stored accordingly.

4. Photographs by other Authorised Agencies

4.1 The involvement of other agencies may only be authorised by the Headteacher. The other agencies are:

- Commercial photographers commissioned by the Headteacher. Copyright rests with the photographer
- The press and other media. Copyright rests with the photographer.
- Officers of the council, including Children's Services. The authority controls copyright.

4.2 The purpose of the pictures must be explained to the parents or the students themselves (if over school leaving age) and written permission sought on each and every occasion. Pupils or students must not be photographed for these purposes under any circumstances unless written permission has been obtained.

4.3 Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains copyright. Parents must be given contact details of the agency used.

5. Parental Photography

5.1 Photography must not be allowed to upset the performance or smooth running of the event or affect the health and safety of pupils and others.

5.2 A pro-forma is issued to parents at first enrolment and renewed annually registering their agreement that all photographs taken at school events are for personal use only and will not be uploaded to any internet sites.

5.3 Parental Photography may be restricted for reasons of child protection or out of respect for the rights and privacy of individuals. If so, photography opportunities of the children who have permission to be photographed will, instead, be arranged by the school before or after a performance or an event.

5.4 Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for pupil participation.

5.5 Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the Authority or the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is strictly forbidden.

PHOTOGRAPHY POLICY STATEMENT

Biddick Primary and Nursery School has a photography policy, which is in accordance with data protection and human rights legislation.

Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose.

Publicity photography is helpful in publicising the success of the school and in promoting educational initiatives. From time to time members of the press and media are invited into schools to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times.

School Trips

Photography by staff on school trips and visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school.

Concerts / Plays / Prize-givings / Sports Days

If photography is permitted, parents and guests should take care to avoid distracting pupils and the audience. They should observe any constraints imposed by school staff. Video or sound recording of a copyright musical or theatrical performance is normally forbidden and photography may also be restricted for reasons of child protection or out of respect for the rights and privacy of individuals. If so, photography opportunities will, instead, be arranged by the school before or after a performance or an event, if possible.

If parents are unsure whether or not permission has been given by staff to record a particular performance or event, parents should ask the Headteacher.

School Photographer

Class and individual or group photographs are annual school events. Parents are asked in advance whether or not they wish their children to be included in these events. Reputable commercial photographers are involved and the law allows them to retain the copyright in the photographs.

This policy needs to be in line with other school policies and should be read in conjunction with:

Mobile phone Policy
E-Safety Policy
Child Protection Policy
Behaviour Policy
Anti – Bullying Policy

Person responsible: Gail Johnston/Wendy Fowler
Date policy written: July 2014
Approved by the Governing Body
Date for review: July 2015



PARENTAL CONSENT FORM FOR THE USE OF PHOTOGRAPHS OF CHILDREN

September 2014

Dear Parent/Carer,

Pupils are photographed regularly in school in connection with plays, class assemblies, concerts, trips, performances and sports events for educational purposes. These photographs often form part of our class / school displays and may also be used in printed publications such as newsletters or uploaded to our school website.

In order that we can protect your child's interests and to comply with the Data Protection Act 1998, we require your permission for photographs to be taken on an annual basis.

Occasionally, our children may be visited by the media or attend events, where photographs will be taken by other agencies. On these occasions, separate parental permission will be requested.

Historically in school, parents and carers have enjoyed the freedom to take photographs of their children in school assemblies and shows. In order for this to continue safely, all parents must comply with the attached Parental Photography Agreement.

If you require further information, please refer to our Photography Policy on our school website. Should you have any specific concerns regarding photography in school, please don't hesitate to contact us.

Yours Sincerely

Mrs W. Fowler ~ Head Teacher

Child's Name: _____

Please tick the applicable box in each section

	I give permission	I do not give permission
Photographs to be used in school for educational purposes e.g. display		
Photographs to be uploaded to school website or used in newsletters and other printed publications.		

I have read and understand the Conditions of Use on the back of this form.

Parent / Carer's Name _____ Signed: _____

Date: _____

Conditions of Use

1. This form is valid for one year.
2. The school will not re-use any photographs or recordings after your child leaves the school without further consent.
3. The school will not use personal details or full names of any child in a photographic image/video on our website or any other publication.
4. If we use photographs of individual pupils, we will not use the name of that child in any accompanying text or caption.
5. If we use the name of a pupil in a text, we will not use a photograph of a child to accompany the article.
6. We may use pictures of pupils and teachers that have been drawn by pupils.
7. We may use group or class photographs with general labels.
8. We will only use images of pupils, who are suitably dressed.



BIDDICK PRIMARY AND NURSERY SCHOOL PARENTAL PHOTOGRAPHY AGREEMENT

Parental photography in schools traditionally forms an important part of each family's record of their child's progress and a celebration of success and achievement. By following some simple guidelines we can proceed safely and with regard to the law.

- Photography and videoing of performances is permitted at the discretion of the Head Teacher.
- It is the responsibility of the Head Teacher to decide the conditions that will apply so 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 must not be sold and must not be put on the web/internet. To do so would likely break Data Protection legislation.
- Photography may be restricted for reasons of child protection or out of respect for the rights and privacy of individuals. If so, photography opportunities will, instead, be arranged by the school before or after a performance or an event, if possible.
- Parents and Carers must follow guidance from staff as to when photography and filming is permitted and where to stand in order to minimise disruption to the activity.
- Parents and Carers must not photograph or video children, when they or other children are changing for performances or events.
- If parents are accompanied or represented by people that school staff do not recognise, they may need to check who they are, if they are using a camera or video recorder.
- Remember that for images taken on mobile phones, the same rules apply as for other photography.

In order to safeguard our children, it is crucial that all parents comply with the above. Please sign the slip below to register your agreement.

The photographs/video that I take at school events are for my personal family use only and will not be uploaded to any internet sites.

Child's Name: _____

Parent / Carer's Name _____

Signed: _____

Date: _____