



## Policy for Use of Photographs, Videos and Electronic Images

### Introduction

Schools need and welcome positive publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs in school publicity materials can increase pupil motivation and staff morale and help parents and the local community identify and celebrate the school's achievements.

However, photographs must be used in a responsible way. We need to respect young people's and parents' rights of privacy and be aware of potential child protection issues.

Some organisations (and some local authorities) believe that the only way to be sure of protecting children is to ban the use of photographs in all school publicity materials.

- Wyndham Park Nursery School shares the view of Lincolnshire County Council that schools need to balance potential risks against the advantages of promoting the school in a colourful and attractive way. Risk can be minimised by following the advice in this document and in securing parental consent for the use of photographs, videos and electronic images.

### Key Points

#### Safeguarding Children Issues

Risks may occur when individual pupils can be identified in photographs. Providing the name and photograph of a pupil in a publication or on a website allows the possibility of people outside the school identifying and then contacting pupils directly.

The NSPCC warns that this information could make a child vulnerable to abuse. Also, the content of the photo can be used or adapted for inappropriate use. There is evidence of this adapted material finding its way onto child pornography sites. Their advice is that organisations should develop a policy in relation to the use of images and ensure that the parents support their policy.

As recommended by central government and the NSPCC, we have a recognised procedure for reporting the use of inappropriate images: in the same way as we would for any other child protection issue – inform our Safeguarding Children Officer and Children's Social Care and / or the Police.

- **The Headteacher should decide whether the publication of a photograph might pose a risk to a child.**

#### **Data Protection Act and School Events**

In June 2010, the Information Commissioner's Office published the following clarification regarding the mistaken idea that parents cannot take photographs at school events due to Data Protection issues. 'Photographs taken purely for personal use are exempt from the Data Protection Act, (DPA).' This means: parents, friends and family members **can** take photographs of **their child** and friends participating in school activities for the family album and **can** film events at school.



### **Appropriate use of images in school publicity material**

- Secure parental consent.
- If a photograph is used, avoid naming the child.
- Only use images of children in suitable dress to reduce the risk of inappropriate use. This is a judgement for the Headteacher to make but some activities clearly present a greater risk of potential misuse. With these activities, the content of the photograph should focus on the activity, not on a particular child.
- Never use an image of a child who is subject to a Court Order.
- Establish whether the images will be retained for further use.
- Make sure images are stored securely and used only by those authorised to do so.
- Do not re-use photographs of children (or staff) after they have left the school.  
(Historical records of past school events would not normally be included).

### **Websites**

- The basic advice for using photographs on a website is no different from their use in any other kind of publication or publicity material. However, we do need to be more aware of the potential risk of inappropriate use of images because of the lack of control we have over who might see the image and the wide extent of misuse of the internet by certain people.
- We will ensure that our consent form explicitly includes publication on the Internet.
- Care should be taken to ensure that a file name of a photograph cannot identify a pupil, e.g. marygreen.jpg

### **Newspapers**

**Newspapers may want to include the names of pupils in photographs that they intend to use. In this situation, we will ensure that we have secured parental consent and that parents are quite clear that the named photograph will appear in a newspaper.**

For photographs of larger groups e.g. ‘Class 6W’ it should be sufficient to simply state ‘Class 6W from .... School’, however, names will usually be requested. If this is the case and we have secured consent, we do not need to have significant concerns as to their use. For smaller groups of up to about 9 pupils, individual names may be requested. The Head teacher will balance the level of risk against the benefits of publication and make her decision accordingly. Again, if consent has been secured then as a school, we are doing what is reasonably practicable, given the risk involved. The County Council does not seek to ban the publication of pupils’ names in newspaper articles or as captions with photographs. Whilst recognising that there is a low level risk, cases are actually very rare though widely publicised. The control measures therefore need to be suitable and sufficient. Ensuring consent, clarifying purpose and use and following the guidance in this document are reasonable control measures.

**Under no circumstances whatsoever should any possible contact details be released.**

The use of photographs in newspapers is already subject to strict guidelines. The Press Complaints Commission’s Code of Practice states that:

- Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child in the absence of or without the consent of a parent or other adult who is responsible for the children.
- Pupils must not be approached or photographed while at school without the permission of the school authorities.

There is no breach of the Data Protection Act in simply passing on a child’s name to a journalist so long as you have secured parental consent. If schools or parents have any concerns regarding the use of photographs by the press, they should contact the Press Complaints Commission.



**N.B. Parental consent for newspaper publicity photographs is vital. It has been known for children placed in refuges for their own safety, to be located as a result of their photograph appearing in the newspaper.**

We will know who is photographing or filming and whether they have permission to do so. When a commercial photographer is used, the following advice from the NSPCC will be followed:

- School will provide a clear brief about what is considered appropriate in terms of content and behaviour
- School will issue the photographer with identification which must be worn at all times
- School will let children and parents know that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of photographs
- School will not allow unsupervised access to children or one-to-one photo sessions

If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the Headteacher or designated person who should record them in the same manner as any other child protection concern.

If schools or parents have concerns regarding the use of filmed images by TV companies, they should contact the Office of Communications (Ofcom).

### **Online Learning Journals**

All children attending Wyndham Park Nursery School have a personal on-line Learning Journal which records photos, videos, observations and comments, in line with the Early Years Foundation Stage, to build up a record of each child's experiences during their time with us. We use Tapestry, a system, which is hosted in the UK on secure servers. These servers conform to very high environmental standards and are proactively managed 24 hours a day. Each Tapestry account has its own database and the code itself is developed using hack-resistant techniques. Filenames are encoded for uploaded, videos and images, making Tapestry a safe and secure on-line Learning Journal tool.

All of the above guidelines will be used when uploading photos to Tapestry.

### **Parental Consent**

As a school we include consent for photographs to be taken and used, along with other parental permissions as part of our admission process when a child starts at our school. We are then asking for consent for the duration of the child's time at the school and avoiding the need to ask for parental consent on each and every occasion that we take photographs.

This will explain

- How and where photographs will be used
- The period of consent
- The storage and deletion of photographs

We will record any changed circumstances. We will retain consent forms on file while the child is still at our school. We must also remember that we need consent from teachers and any other adults who may appear in the photograph or video.

### **Reference Points**

- NSPCC via [www.nspcc.org.uk](http://www.nspcc.org.uk) or 0808 800 5000
- Information Commissioner [www.ico.gov.uk](http://www.ico.gov.uk)



- [www.teachernet.gov.uk/childprotection](http://www.teachernet.gov.uk/childprotection)

## Contact Points

Safeguarding Children Officer 01522 554668  
 Schools Liaison Officer 01522 553254  
 Image Archivist 01522 552319

## Appendix 1

### Information that parents sign on the admission form

	Yes	No
Do you give permission for your child's photo to be used in Tapestry observations (our online secure learning journal that staff use to record achievement) and displays inside nursery?		
Do you give permission for us to use photos of your child on our website?		
Do you give permission for us to use photos of your child on our Facebook and Twitter pages?		
Do you give permission for us to use photos of your child in publicity materials such as brochures, banners and published adverts and articles?		
Do you give us permission to use photos of your child in training events and work with other professionals?		
<p>At Wyndham Park Nursery School, we think it is important to use photographs of our pupils enjoying the varied activities of school life to promote the positive aspects of the work that we do.</p> <p>We use photographs in our internal publicity materials such as school brochures and booklets, on our corridors and classroom displays, at the new parents' evenings, for staff training and assessment purposes and on our web site, Twitter and Facebook page. From time to time, advertisements about the nursery school, articles and photographs of special events will appear in newspapers. We occasionally use photos in work we do with other professionals and students training.</p> <p>The children also have online Learning Journals which are secure to them through a program called Tapestry. Children will have photos that show their achievements uploaded to their own Tapestry account and they may appear in the background of other children's photos.</p> <p>To do all we can to ensure all photographs of our pupils are used correctly, we undertake to:</p> <ul style="list-style-type: none"> <li>▪ Observe the County Council's guidelines on the use of photographs;</li> <li>▪ Only use photographs for the purposes stated above;</li> <li>▪ Store all electronic images securely;</li> <li>▪ Ask that you follow our policy when you take photographs of your child at school events.</li> </ul> <p>We assure you that we have a responsible approach to the use of photographs and do hope that you are able to support us in publicising the many positive aspects of the work that we do.</p> <p>You are consenting for your child being photographed and for these photographs to be used for the purposes stated above during his/her time at nursery and after he/she leaves the nursery school for a reasonable time.</p> <p>You are also agreeing that no photos that you take at school events or that you download from Tapestry are uploaded to social media sites without written permission of the parents whose children are depicted in photos, videos or text. This also applies to members of staff and other adults.</p> <p>Our full policy for the use of photographs and electronic images is available to view on our school website – <a href="http://www.wyndhampark.lincs.sch.uk">www.wyndhampark.lincs.sch.uk</a> – or you can ask for a copy from the school office.</p>		