



**Scantabout Primary School**

*Achieving our best together.*

# Recordings, Videos and Photographs Policy

Spring 2019  
Review Spring 2022

## Statement of intent

At Scantabout Primary School are committed to the safeguarding and welfare of each and every child within our school community. At our school, we use imagery and videos for a variety of purposes, including prospectuses, display boards, educational purposes and the school website.

We understand that parents may also wish to take videos or photographs of their children participating in school events for personal use. Whilst we recognise the benefits of photography and videos to our school community, we also understand that these can have significant risks for those involved.

Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained. The school has implemented a policy on the safe use of cameras and videos by staff and parents to reflect the protective ethos of the school with regard to pupils' safety. In order to ensure that, as far as possible, the use of photography and video is used safely at all times, the policy provided below should be followed. This policy is applicable to all forms of visual media, including film, print, video, DVD and websites.

This policy has due regard to legislation, including, but not limited to, the following:

- The General Data Protection Regulation (GDPR) 2018
- The Freedom of Information Act 2000
- The Freedom of Information and Data Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989 and 2004
- The Equality Act 2010
- Keeping Children Safe in Education 2018

The policy also takes into account the following policies:

- The Child Protection Policy;
- The Safeguarding Policy;
- Staff Code of Conduct;
- Acceptable Use of IT Policy

Definitions For the purpose of this policy:

"Personal use" of photography, recordings and videos is defined as the use of recording devices to take images and recordings of children and others by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo, and are not intended to be passed on to other persons. The principles of the *GDPR* do not apply to images and videos taken for personal use.

"Official school use" is defined as photography and videos which are used for school purposes, e.g. for *SIMS* pupil data sheets. These images are likely to be stored electronically alongside other personal data. The principles of the *GDPR* apply to images and videos taken for official school use.

"Media use" is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the *GDPR* apply to images and videos taken for media use.

Staff may also take photos and videos of pupils for "educational purposes". These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and pupil books. The principles of the *GDPR* apply to images and videos taken for educational purposes.

### **Scope of Policy**

The scope of this policy includes all school events, classroom activities, educational visits both on and off the premises, after school clubs including external providers, governor and Scantabout School Association (*SSA*) events.

Rebecca's Club operate their own policies and procedures but are expected to adhere to the spirit and general advice of this policy.

## **Roles and responsibilities**

### **The Head Teacher is responsible for:**

- Ensuring that all photos and videos are stored and disposed of correctly, in line with the GDPR.
- Deciding whether parents are permitted to take photographs and videos during school events.
- Communicating this policy to all the relevant staff members and the wider school community, such as parents.
- Liaising with social workers to gain consent for photography and videos of Looked After Children (LAC)
- Liaising with the data protection officer (DPO), to ensure there are no data protection breaches.

### **The Administration Officer is responsible for:**

- Submitting consent forms to parents at the beginning of the academic year (or as otherwise directed) with regards to photographs and videos being taken whilst at school and informing the Head Teacher of any issues;
- Checking annually and ensuring that the school website, drives and records reflect current permissions;
- Notifying the DPO of any potential breaches;

### **Parents are responsible for:**

- Completing the Consent Form when requested and at least annually
- Informing the school in writing where there are any changes to their consent.
- Acting in accordance with this policy, specifically ensuring that they only record or photograph in line with this policy and do not share images electronically (see sections below).

### **In accordance with the school's requirements to have a DPO, the DPO is responsible for:**

- Informing and advising the school and its employees about their obligations to comply with the GDPR in relation to photographs and videos at school

- Monitoring the school's compliance with the *GDPR* in regards to processing photographs and videos.
- Advising on data protection impact assessments in relation to photographs and videos at school.
- Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and videos.
- Providing the required briefings to staff members, in relation to how the *GDPR* impacts photographs and videos at school.

## **Parental consent**

The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes. Where consent is given, a record will be kept documenting how and when consent was given and last updated. The school ensures that consent mechanisms meet the standards of the *GDPR*. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.

All parents will be asked to complete the Consent Form on an annual basis, which will determine whether or not they allow their child to participate in photographs and videos.

The Consent Form will be valid for the full academic year, unless the pupil's circumstances change in any way. Additional consent forms will be required if the pupil's circumstances change or if the Head Teacher believes it is necessary. It is the responsibility of the parent/carer to inform the school if circumstances change and if as a result the need to change permissions.

If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented. All parents are entitled to withdraw or change their consent at any time during the school year.

Parents will be required to confirm on the Consent Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.

From September 2019, on the consent form parents will also be asked to sign to say that they will not share images taken (see sections below). If parents refuse to sign the form or comply with requests, the Head Teacher may decide to have a complete or partial ban on photography/recording, including use of devices which can record in school (e.g. mobile phones).

For any Looked After Children (LAC), or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL (Designated Safeguarding Lead) believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.

A list of all the names of pupils for whom consent has not been given will be created by the Administration Officer and checked by the DPO and will be circulated to all teaching staff. This list will be updated annually, when new consent forms are provided or more often if needed. If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

### **General procedures for Photographs and Recordings within School or On School Based Events**

Photographs and videos of pupils will be carefully planned before any activity.

The DPO will be consulted in the planning of any events where photographs and videos will be taken. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Head Teacher will liaise with the DSL to determine the necessary steps.

**When organising photography and videos of pupils, staff members involved, will consider the following:**

Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?

Who is taking the photograph/video? Is it on a school owned device?

Could the camera angle be amended in any way to avoid pupils being identified? Will pupils be suitably dressed to be photographed and videoed?

Will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?

Would it be appropriate to edit the photos or videos in any way? E.g. to remove logos which may identify pupils or blank out faces of other pupils;

The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.

The staff members involved, alongside the headteacher and DPO, will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved.

School equipment will be used to take photographs and videos of pupils. Staff, parents, volunteers or other such persons may not use their own recording devices. Exceptions to this are outlined in the following sections of this policy.

Staff will ensure that all pupils are suitably dressed before taking any photographs or videos. Where possible, staff will avoid identifying pupils. If names are required, only first names will be used. The school will not use images or footage of any pupil who is subject to a court order. The school will not use photographs of children or staff members who have left the school, without parental consent. Photos and videos that may cause any distress, upset or embarrassment will not be used. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO.

## **Additional safeguarding procedures**

The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity. The DSL will, in known cases of a pupil who is a LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil. Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:

- Photos and videos can be taken as per usual school procedures
- Photos and videos can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media
- No photos or videos can be taken at any time, for any purposes

Any outcomes will be communicated to all staff members via email and the list outlining which pupils are not to be involved in any videos or photographs, held in the school office, will be updated accordingly

## **School-owned devices**

Staff and volunteers may only take images/recordings on school owned devices. Where used, staff must ensure that they are removed from the device at the earliest opportunity.

Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.

Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.

Digital photographs and videos held on the school's drive are accessible to staff only. Photographs and videos are stored in labelled files, annotated with the date, and are only identifiable by year group/class number - no names are associated with images and videos.

## **Professional Photography**

Where the annual leavers' book is being updated, permissions from Year 6 parents must be obtained by the SSA and held in school. An agreed member of the SSA will access images within school with a member of staff present at all times. Only companies authorised by the Head Teacher will be used. The company chosen by the SSA must provide full details of storage and compliance with GDPR.

If the school decides to use a professional photographer for official school photos and school events, the Administration Office (in liaison with the Leadership Team) will:

- Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
- Issue the photographer with identification, which must be worn at all times.
- Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos or photographs.
- Not allow unsupervised access to pupils or one-to-one photo sessions at events.
- Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.
- Ensure that the photographer will comply with the requirements set out in GDPR.
- Ensure that if another individual, such as a parent, volunteer or governor, is nominated to be the photographer, they are clear that the images or videos are not used for anything other than the purpose indicated by the school.

### **Permissible photography and videos during school events**

If the Head Teacher permits parents to take photographs or videos during a school event, parents/carers will:

- Ensure that any images and recordings taken at school events are exclusively for personal use and are not uploaded to the internet, posted on social networking sites, messaging forums etc; or shared electronically or openly in other ways.

- Refrain from taking further photographs and/or videos if and when requested to do so by staff.

The school will regularly remind parents of this through the signed consent forms issued annually; newsletters and through reminders at performances.

If the Head Teacher believes that this understanding has been breached, the persons sharing images will be contacted and asked to remove them. If this does not happen, the Head Teacher will consult with Hampshire Legal Services.

### **Storage and retention**

Images obtained by the school will not be kept for longer than necessary.

Hard copies of photos and video recordings held by the school will be annotated with the date on which they were taken and will be stored by the school office. They will not be used other than for their original purpose, unless permission is sought from the headteacher and parents of the pupils involved and the DPO has been consulted.

Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained. The Administration Officer in liaison with the DPO will review stored images and videos on an annual basis to ensure that all unwanted material has been deleted.

Where a pupil's security risk has changed, the DSL will inform the Head Teacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately.

Official school photos (e.g. SIMS) are held on the schools management information system alongside other personal information, and are retained for the length of the pupil's attendance at the school, or longer, if necessary, e.g. due to a external investigation.

Where pupils have been photographed for purposes of the school prospectus or website, these images will be removed as the school

updates and renews, unless a parent specifically requests a photograph be removed prior to scheduled renewals.

### **Review**

This policy will be reviewed every three years by the Head Teacher or DPO.

Any changes to this policy will be communicated to all staff members and, where appropriate, parents.

Policy drafted and discussed with the Governing Body January 2019  
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