



Southend-on-Sea Borough Council Children & Learning

Safe Use of Images for Schools Southend-on-Sea Borough Council Guidelines

November 2005



1. Introduction – Why this is important

- 1.1 Photos and videos can be an effective way to show parents and the local community the activities and learning that takes place at your school.
- 1.2 Using new technologies such as digital cameras and websites makes it easier to take images and show them to the world, but you have a responsibility to make sure that individual and parental rights are respected, and that vulnerable individuals are protected from risk.
- 1.3 Issues of child protection data protection and parental consent need careful thought. It is important to make a balanced judgement on the use of photographs etc. Schools are as likely to be criticized for over-reacting as they will for apparently not being concerned.
- 1.4 These guidelines are intended to apply to all forms of publication, in print, on film or video, on websites and in the media.

2. Getting consent for children and young people

- 2.1 Photos and videos taken purely for personal use such as by parents at Sports Day or by grandparent's videoing a nativity play do not breach the Data Protection Act and are allowed. No consents are needed.
- 2.2 Photos taken for official use may be covered by the Data Protection Act. You should have permission from a pupil's legal guardians and age appropriate consent of the individual concerned before you take their photo for a publication, website or display in a public place. This includes areas where visitors to your school have access.
- 2.3 It will reduce your administration if you get consent to last for the whole period that the child is at your school plus a year after they have left, up to Year 9 to enable you to publicise activities undertaken by final year pupils.
- 2.4 You could therefore send the consent form with the school registration pack, but remember to send yearly reminders to all parents that they should let you know if there are changed circumstances, or if they want to withdraw permission for their child to be photographed. Parents and students over Year 9 retain the right to withdraw consent at any time. The school is

obliged to comply with the parents' carers' and those students over Year 9 wishes.

- 2.5 You will need to record changed circumstances so keep forms and photos together.
- 2.6 In the case of older pupils (Yr 9 and above) permission should be sought from the pupils directly and you would want to also inform parents as a courtesy.
- 2.7 If the two parents/carers disagree over consent for their child to appear in photos or videos, you should treat it as if consent has not been given.
- 2.8 Where children are in Public Care (Looked After) school's must gain consent on the corporate parent's behalf from the social worker.
- 2.9 A sample form for recording parents'/carers' agreement for their child to be photographed is at Appendix 1.

3. Getting consent for adults

- 3.1 Don't forget you need written permission from teachers and other adult staff, helpers and volunteers to use their photos. There is a form for adults at Appendix 2.

4. Use of images – planning

- 4.1 You should make sure that people are aware about what their image will be used for. If you are writing to parents to accompany the photo permissions form, you should be as specific as possible about what sorts of photos might be taken – for example
 - Reception year photos for publication in local papers
 - Media photography of school drama, music and sporting events
 - Photographs of school activities for use in school brochures and publicity materials, and in Southend-on-Sea Borough Council publications.
- 4.2 You should make sure that people are aware if you intend to use their photo in a potentially sensitive publication. For example, a person giving consent to appear on a health promotion leaflet might object if it turns out to be for sexually transmitted diseases.
- 4.3 Make sure that only images of pupils in suitable dress are taken to reduce the risk of images being used inappropriately. Screen

all images for acceptability, and if there is any possibility that a photograph could be used inappropriately then destroy it. Particular care should be taken with photos taken during PE and swimming lessons to maintain modesty.

- 4.4 Where possible, use general shots of classroom or group activities rather than close up pictures of individual children. Consider the camera angle; photographs taken over the shoulder or from behind, are less identifiable.
- 4.5 Make sure that photo shoots are inclusive and show a range of different pupils from diverse backgrounds and abilities such as different ethnic backgrounds and positive images of children with disabilities.
- 4.6 Rarely there may be situations in some adoption placements or children resettled after domestic violence for example where the child's security is known by the school to be at stake indicating the need for extra care as such children must not appear in photographs.

5. Naming Pupils

- 5.1 If you use a photograph, avoid naming the pupil in full (first name and surname). Use general captions eg: working in the science lab, or first names only.
- 5.2 If a pupil is named in full in the text of a publication, avoid using their photograph.
- 5.3 You should also check that you have not inadvertently named a child in a photo because they are wearing a name badge. Children can be identified by logos or emblems on sweatshirts. Remove these before the photograph is taken, or blank them out in the production process.
- 5.4 See section 9 for more details concerning newspapers.

6. School plays and other events

- 6.1 There are a number of issues to consider when allowing photography/video recording at school events. For example:
 - Disturbance to other members of the audience
 - Distraction to the children taking part in a performance especially where flash is used
 - Copyright restrictions
 - Parental objection
 - Child protection concerns

- 6.2 Generally school heads and governors should take a common sense approach based on their knowledge of general parents' views when deciding whether to allow video cameras and photography as school plays, sports days etc. see the checklist for schools on page 6. Fear of breaching the Data Protection Act should not be wrongly used to stop families taking photograph or videos of school events.
- 6.3 Parents and carers and their families can use photographs and videos taken at a school event for their own personal use. Such photos and videos cannot be sold and must not be put on the web/internet as that would contravene Data Protection legislation.
- 6.4 You should make all parents/carers aware in advance of the event that other parents may want to video or photograph performances as a record of their child's work, and give people a chance to let you know if they don't want their child to be filmed.
- 6.5 For example you could include a line in a letter home, and on the event programme, to make people aware that other parents may be recording the event or include the 'Use your camera and video courteously' code see page 6.
- 6.6 If an objection is raised, you will need to consider ways to overcome this. For example, you could arrange professional photography, reducing disturbance and enabling parents to buy acceptable images. Or you could give parents an opportunity to photograph or film before or after the event, so that any objectors would be able to withdraw their child without affect the event or performance – you could bring the cast together after a school play, or winners after a sports event.

7. School fetes and open evenings

- 7.1 If you are going to take general shots at these events of pupils and visitors for publicity purposes, you should warn people in the invitations you send that this will take place, so that general consent is implied by attendance.

8. Outside events

- 8.1 Pupils may take part in public performances outside the school. In these cases the event organizer should seek the permission of parents or carers for photos to be taken and used in publicity.

9. Press photography and media filming

- 9.1 The media operate under their own Code of Practice. Photos taken by the media are usually exempt from the Data Protection Act.
- 9.2 Pupils should not be approached or photographed at school without the permission of the school authorities. However, you may want to invite the media into school to publicise an event or you may be approached by the media regarding a news story.
- 9.3 Newspapers will often want to name children in photographs – their first name and surname, and often their age as well. For this reason it is important that you make parents/carers aware of this and give them an opportunity to object to their child being in media photos. This is included on the photo permissions form (Appendix 1).
- 9.4 If you invite the media into your school for publicity purposes it is important that you inform parents/carers whose children may feature in photos or filming.
- 9.5 If you know there are children who should not be identified as going to your school even if they are in a big group shoot and are not named, you will need to keep them away from the cameras.

10. Video conferencing

- 10.1 You need to explain to parents how this is used and why, and that it means sending images over the internet that might be stored for educational use in schools. If parents/carers have not given permission for internet publication of their child's photo you would need to angle the webcam to avoid these children.

11. MMS (video) phone i.e. Multi-media messaging service mobile phones (video phones)

- 11.1 These phones can take and transmit images and the same rules would apply as for photography; user's need to recognize that any pictures taken are for personal use only.
- 11.2 Because of the potential misuse of digital visual images, your governing body may want to impose firm limits on the use of video phones by all pupils at school, including banning their use in lesson times, because of the disruption and potential for bullying.

11.3 May schools already have similar rules in place with regard to mobile phones (audio) so the principles are an extension of that situation.

12. CCTV

12.1 If you have installed closed circuit television (CCTV) as a security measure you must operate this in accordance with the principles of data protection. The Information Commissioner has issued guidance on the use of CCTV.

13. Storage of images

13.1 If the photo is likely to be used again make sure that it will be stored in a secure place and is only accessed by people who are authorized to do so. Digital images such as those used for pupil passes should also be stored securely, including any images stored on CD or other disks and on the school's computer network. Electronic images should be stored on media which are protected by password. You must not re-use photos for more than a year after the pupil leaves the school.

13.2 When you destroy photos it is important to destroy the negatives as well, and in the case of CDs and other media which cannot be erased electronically, you should render the disk unusable.

13.3 If you have photos on file that you have already taken, but don't have written permissions to use them on websites you should renew parental permissions for this before use.

A checklist for schools when planning events at which photography and video could be used

- Decide event by event if it is one at which you will permit photography and videoing.
- When informing parents of the event, also inform parents/carers of your decision on photography and videoing.
- Include written guidance for parents/carers to the effect that any images must be taken for personal use only and specify that the images must not be put on the web/internet otherwise Data Protection legislation will be contravened.
- Send a copy to all parents/carers of the 'Use your camera and video courteously code' (see below).
- Most parents will expect to be asked to turn off their mobile phones during the performance – so include camera phones in that request.
- Remind parents/carers with a verbal announcement at the start of the event that any images must be taken for personal use only and remind them that such images must not be put on the web/internet otherwise Data Protection legislation will be contravened.

- Plan and think ahead as to where and when in the performance or event photos and videos may be taken and give parents/carers attending the event appropriate guidance regarding where and when photographs may be taken. This will help to avoid disruption or distraction to the children other parents or staff.
- Be sure that parents and carers helping with children dressing or changing do not take photos or videos whilst assisting with this.
- Be sure that people with no connection with your school do not have any opportunity to film covertly – remember to ask your staff to quiz anyone they do not recognize who is using a camera and or video whilst assisting with this.
- If a video is produced by the school of a production, which includes a cast list in the credits, remember to revisit the parents of the cast to seek consent for names to appear, as this will enable children to be identified and could breach your policy.

Something along the following lines might be offered to parents as part of the letter/newsletter promoting the event:

'Use your camera and video courteously' code – a guide for parents who wish to use photography at 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 some simple guidelines we can do so safely and with regard to the law.

- Remember that parents and carers attend school events at the invitation of the head and governors.
- The head and governors have the responsibility to decide the conditions that will apply in order that children are kept safe and that the performance is not disrupted and children and staff not distracted.
- Parents and carers and their families 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 as that would contravene Data Protection legislation.
- Recording or/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 minimize disruption to the activity. Restrictions on photography also apply to video and camera phones.
- We ask you to turn off mobile and camera phones during the performance to prevent disrupting it.
- Parents and carers must not photograph or video children changing for performances or events or in areas not designated by the schools as being acceptable.

- If you are accompanied by people that school staff do not recognize they may need to check out who they are if they are using a camera or video recorder.

Photo permissions form for pupils for use by Southend-on-Sea Borough Council schools.

School Name: _____

Occasionally, we may take photographs of the children/young people at our school. We may use these images in our schools prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

Southend-on-Sea Borough Council may also use our photographs of pupils to illustrate work in Southend schools in council publications, publicity materials and the internet.

From time to time, our school may be visited by the media who will take photographs, film footage or carry out radio interviews. Pupils will often appear in these images, which may appear in local or national newspapers, or on televised news programmes. Photos for the media and other publicity purposes may also be taken at events where our school is taking part.

Please answer the questions below, then sign and date the form where shown. Please return the completed form to the school as soon as possible.

Please circle your answer

1) Are you happy for your child's photograph to be taken when participating in school activities? This may include by other parents at school plays and events.	YES / NO
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2) If your answer to question 1 is yes, please tick the box to say you are happy for your child's photo to be used in the following ways:
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<input type="checkbox"/>	a) In publications and publicity materials produced by the school and by Southend-on-Sea Borough Council
<input type="checkbox"/>	b) On the school website and Southend-on-Sea Borough Council websites
<input type="checkbox"/>	c) Recorded on video or webcam

3) Are you happy for your child to appear in the media? This may mean their photo and name is used in print.	YES / NO
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If you feel that your child is able to understand the need for consent he or she can sign the reply slip personally (this applies generally to children in Year 9 and above)

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies. Please also note that the conditions of use of these photographs are on the back of this form.

I have read and understood the conditions of use on the back of this form.

Parent/Carer + Pupils

(if Y9 or above)

Signature: _____

Date: _____

Name of Child: _____

Parent/Carer name (in block capitals) _____

Address in (block capitals)

Telephone number

Conditions of use

1. This form is valid for the period of time your child attends this school, plus one year after they leave, to enable us to publicise the work of final year pupils. The consent will automatically expire after this time.
2. We will not re-use any photographs or recordings for more than one year after your child leaves this school.
3. If we use photographs of individual pupils or small groups of pupils, we will avoid using the full name (which means first name and surname) of that child in the accompanying text or photo caption. **Please note that the media are likely to use first names and surnames in their publications/broadcasts.**
4. We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
5. We may use group or class photographs or footage with very general labels, such as “a science lesson” or “making Christmas decorations”.
6. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.

Photo permissions form for staff and adult helpers
For use by Southend-on-Sea Borough Council schools

School name _____

Occasionally, we may take photographs of activities at our school. We may use these images in our schools prospectus or in other printed publications that we produce, as well as on our website or on project display boards at our school. We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use.

Southend-on-Sea Borough Council may also use our photographs of pupils to illustrate work in Southend schools in council publications, publicity materials and the internet.

From time to time, our school may be visited by the media who will take photographs, film footage or carry out radio interviews. Photos for the media and other publicity purposes may also be taken at events where our school is taking part.

Please answer the questions below, then sign and date the form where shown. Please return the completed form to the school as soon as possible.

**Please circle
your answer**

1. Are you happy for your photograph to be used in publications and publicity materials produced by the school and by Southend-on-Sea Borough Council?	YES/NO
2. Are you happy for your image to be used on our website and Southend-on-Sea Borough Council websites?	YES/NO
3. Are you happy for your image to be recorded on video or webcam?	YES/NO
4. Are you happy to appear in the media? This may mean your photo and name is used in print	YES/NO

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies. Please also note that the conditions for use of these photographs are on the back of this form.

I have read and understood the conditions of use on the back of this form.

Signature: _____ Date: _____

Name (in Block capitals) _____

Address (in block Capitals)

Telephone Number

Conditions of use

1. This form is valid for the period of time while you are employed at this school, plus one year after you leave, to enable us to publicise the work of the school effectively. The consent will automatically expire after this time.
2. We will not re-use any photographs or recordings for more than one year after you leave this school.
3. We will not include personal e-mail or postal addresses, or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.