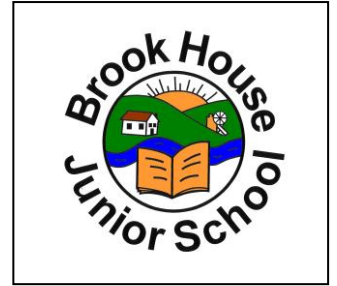


# Brook House Junior School

## Image Use Policy



**Policy written by:** Mark Hinchliff

**Approved by Governing Body:** Date 3<sup>rd</sup> May 2018

**Date to be reviewed:** June 2019

**Setting Designated Safeguarding Lead:** Mark Hinchliff

**Setting Designated Safeguarding Deputy:** Yvonne Bielby

**Setting Online-Safety Coordinator:** Mark Hinchliff

**Governor Member with lead responsibility:** Sue Wallace

### **Official use of Images/Videos of Children by the Setting**

- All images taken by the setting will be used in a manner respectful of the eight Data Protection Principles. This means that images will be:
  - fairly and lawfully processed
  - processed for limited, specifically stated purposes only
  - used in a way that is adequate, relevant and not excessive
  - accurate and up to date
  - kept on file for no longer than is necessary
  - processed in line with an individual's legal rights
  - kept securely
  - adequately protected if transferred to other countries
- The Senior Leadership team is responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the settings Image Use Policy.
- Written permission from mothers and fathers/carers will be obtained before images/videos of children are electronically published by the setting.
- Written parental consent will be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.
- Written consent from mothers and fathers/carers will be kept by the setting where children's images are used for publicity purposes (such as brochures or publications), until the image is no longer in use.
- Parental permission will be sought on entry to the school.

- A record of all consent details will be kept securely on file. Should permission be withdrawn by mothers, fathers/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.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 kept for longer than is to be considered necessary. A designated member of staff will ensure that all photographs are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.
- All images will remain on site at all times, unless prior explicit consent has been given by both Data Controller/DSL and the mother, father/ carer of any child or young person captured in any photograph. Should permission be given to take images off site, all relevant details are to be recorded, for example who, what, when and why and data will be kept securely (e.g. with appropriate encryption).
- The DSL (Designated Safeguarding Lead) reserve the right to view any images taken and/or to withdraw or modify a member of staffs' authorisation to take or make images at any time.
- Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably encrypted and will be logged in and out by the Data Controller and/or DSL and monitored to ensure it is returned within the expected time scale.
- Images or videos that include children will be selected carefully when used online and will not provide material that could be reused.
- Children's' full names will not be used on the website in association with photographs.
- The setting will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.
- The setting will only use images of children who are suitably dressed.
- Staff will receive information regarding the safe and appropriate use of images as part of their safeguarding training and responsibilities.
- All members of staff (including students and volunteers) will ensure that all images are available for scrutiny and will be able to justify any images in their possession.
- Only official setting owned equipment (e.g. work provided digital or video cameras/devices) will be used by staff to capture images of children for official purposes. Use of personal cameras by staff is prohibited at all times.
- Any apps, websites or third party companies used to share, host or access children's images will be risk assessed prior to use. The setting will ensure that images are held

in accordance with the Data Protection Act and suitable child protection requirements (if necessary) are in place.

- Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.
- The setting will discuss the use of images with children and young people in an age appropriate way.
- 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.
- Photography is not permitted in sensitive areas such as changing rooms, toilets, swimming areas etc.
- Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the DSL.

## **Use of Photos/Videos by Mothers and Fathers/Carers or Family Members**

- Mothers and fathers/carers or family members are permitted to take photographs or DVD footage of events for private use only.
- Mothers and fathers/carers are only permitted to take or make recording within designated areas of the setting. Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.
- The opportunity for mothers and fathers/carers to take photographs and make videos can be reserved by the setting on health and safety grounds.
- Mothers and fathers/carers who are using photographic equipment must be mindful of others when making and taking images.
- The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.
- Mothers and fathers/carers may contact the school/setting Data Controller/DSL/E-safety Co-ordinator to discuss any concerns regarding the use of images.

## **Use of Photos/Videos by Children**

- The setting will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children cannot take the camera (e.g. unsupervised areas, toilets etc).
- The use of non-setting provided devices e.g. mobile phones, Smart phones, children's own digital cameras, is covered in the school/settings mobile phone and/or e-Safety policy.
- All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
- Members of staff will role model 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 consent and will be processed in accordance with the Data Protection Act 1998.
- Mothers and fathers/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed by the setting e.g. will be for internal use by the setting only (not shared online or via any website or social media tool).
- Photos taken by children for official use will be carefully controlled by the setting and will be checked carefully before sharing online or via digital screens.
- Still and video cameras provided for use by children and the images themselves will not be removed from the setting.

## **Use of Images of Children by the Media**

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 mothers and fathers/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.
- 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 setting is to be considered to have acted in good faith.

## **Use of Professional Photographers**

- Professional photographers who are engaged to record any events will be prepared to work according to the terms of the settings e-Safety policy.
- Photographers will sign an agreement which ensures compliance with the Data Protection Act and that images will only be used for a specific purpose, subject to parental consent
- Photographers will not have unsupervised access to children and young people

## **Photographing Children: Frequently Asked Questions for Mothers and Father/Carers**

### **Why do we need a policy?**

Early Years and Childcare settings, Schools, Colleges and youth groups have always used photographs as a way of celebrating achievement or seeking publicity for fundraising etc. Mothers and fathers/carers, families and the children and young people themselves often derive great pleasure from seeing their loved ones in print or on a website. We want to ensure that everyone can continue to enjoy these activities safely. However mothers and fathers/carers need to be aware that placing any identifying information in the public domain has risks. They need to understand these issues in order to give properly considered consent. It is important that that and the setting have the opportunity to fully consider the issues before any problems can arise.

### **So what are the risks?**

The most highly publicised and worrying risk is that a child who appears in the paper or on a web site may become of interest to a predatory sex offender. Locating people through the internet has become extremely easy, using widely available software, so if there is a picture and the name of a setting or youth group and the name of the child it could be quite easy to find out the child's address and even work out their likely route to the setting. There are also other specific groups of children and families whose safety could be put at risk if identified e.g. families fleeing domestic abuse.

To limit these potential risks, we will take appropriate steps, as outlined in the attached consent form, to safeguard children and the wider community.

## **Isn't this just scaremongering?**

Sadly no. There have been cases of families receiving unwelcome phone calls following appearances in the press. However this is rare so it is important to have a sense of proportion in these matters. Remember we want to celebrate success and achievement but mothers and fathers/carers must be aware of risks in order to make an informed decision.

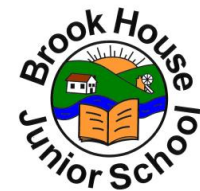
## **What about setting websites?**

The same concerns apply to setting controlled sites and there is an added concern that images of children may be copied directly from a site which can then be manipulated or changed by another person. Settings can copy protect images and use lower quality images which means they cannot be usefully enlarged but this can be bypassed so must not be relied upon to keep images safe.

## **I want to do my own recording of the setting play/event is this ok?**

Taking pictures or recordings of *your own children for your own personal use* is ok. The difficulty arises with plays or other events in that other children may also be filmed. It is important that we are all aware that some members of the community (children or adults) may be vulnerable and must not have their image shared online as they could be put at risk from harm. You may not always know who these people and we need everyone's support to protect the whole community. It's also important for us all to role model positive behaviour for children, so it might be a sensible idea to check first before posting any images online which contain other children than your own.

Mothers and fathers/carers should not copy images from the setting site without appropriate permission from the school/setting.



## Parental Consent for Image Letter

Dear Mother, Father/Carer

This letter explains why we will need to ask for your consent before we are able to take photographs of your child during their time at Brook House Junior School.

Generally photographs are a source of pleasure and pride. We believe that the taking and use of photographs can enhance the self-esteem of children and young people and their families and therefore is something to be welcomed and appreciated.

We may take photographs for a number of reasons whilst your child is with us, including:

- documenting and recording activities
- recording their learning and development progress
- recording special events and achievements

We will also encourage children to be active learners, and to become involved in using camera devices themselves by taking photos of their surroundings, activities and of each other.

We do however recognise that with the increase use of technologies, particularly digitally and online, the potential for misuse has become greater and we understand that this can give rise to concern. We will therefore endeavour to put effective safeguards in place to protect children and young people by minimising risk.

We are mindful of the fact that some families may have reasons why protecting a child's identity is a matter of particular anxiety. If you have special circumstances either now or at any time in the future which would affect your position regarding consent, please let us know immediately in writing.

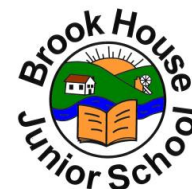
We include the safe use of Cameras and Images as part of our Online Safety Policy, which you are welcome to view or take a copy of at any time.

To comply with the Data Protection Act 1988, we need your permission before we can photograph or make any recordings of your child. If your child is old enough to express their own view, you may want to consult with them about categories of consent, and we invite you to use this letter to explore their feelings about being photographed at the setting.

Please read and complete the attached forms and do not hesitate to contact me should you have any queries.

Yours sincerely,

Mr M. Hinchliff  
Headteacher



## Parental Consent for Images Conditions of Use

- This form is valid for the period of time your child attends the setting. The consent will automatically expire after this time. We will not re-use any photographs or recordings after your child leaves the setting without additional consent.
- We will not use the personal details or full names (which means first name and surname) of any child or adult in a photographic image, on video/DVD, on our website, in our prospectus or in any of our other printed publications.
- We will not include personal addresses, emails, telephone numbers, fax numbers on video, on our website, in our prospectus or in other printed publications.
- If we use photographs of individual children then we will not use the name of that child in the accompanying text or photo caption. If we name a child in any text then we will not use a photograph of that child to accompany the article.
- We may include pictures of children and staff that have been drawn by the children.
- We may use group photographs or footage with general labels, such as 'making decorations'.
- We will only use images of children who are suitably dressed.
- We will discuss the use of images with children in an age appropriate way to role model positive behaviour.
- This consent can be withdrawn by parent/carer at any time by informing the Setting in writing.

	<b>Delete as appropriate</b>
May we use your child's photograph/image in displays around the setting?	Yes / No
May we use your child's photograph/image in our prospectus and other printed publications that we produce for educational and promotional purposes?	Yes / No
May we use your child's image on our website or other electronic communications?	Yes / No
May we use your child's image on social media websites such as Facebook or Twitter?	Yes / No



Are you happy for your child to appear in the media e.g. if a newspaper photographer or television film crew attend an event organised by the setting?	Yes / No

I have read and understood the conditions of use and I am also aware of the following:

- Websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.
- The press are exempt from the Data Protection Act and may want to include the names and personal details of children and adults in the media.
- I/we will discuss the use of images with our child/ren to obtain their views, if appropriate.
- As the child's mother/father/carer/guardians, we/I agree that if we/I take photographs or video recordings of our child/ren which include other children then we will only use these for personal use.

Name of child:

Date:

Mother, father/ Carers Name: \_\_\_\_\_

Mother, father/ Carers Signature: \_\_\_\_\_