

**POLICY FOR THE USE OF IMAGES OF  
CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS  
IN EDUCATION SETTINGS  
September 2009**

Veryan Church of England School

This policy was developed at the full Governing Body Meeting and adopted on 21<sup>st</sup> September 2010. It was reviewed in June September 2012.

This policy will be reviewed in September 2014

Headteacher's signature  
Governor's signature

### Meeting your communication needs:

We want to ensure that your communication needs are met, if you would like this information on audio type, in Braille, large print, any other format or interpreted in a language other than English, please contact Mrs Mary Symons (School Administrator).

### Purpose of policy

This policy sets out how Veryan Church of England School will ensure the safety and welfare of children, young people and/or vulnerable adults in our care when making photos/images of them.

### Policy Application

Our policy applies to all staff, governors and volunteers working at the school as well as visitors.

### Introduction

Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs for publicity materials and to promote the school in the press 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 (Appendix 1).

In May 2004, section 45 of the Sex Offences Act 2003 amended Section 1 of the Protection of Children Act 1978 by raising the age of a 'child' from 16 to 18. This means it is now an offence to 'take, make, allow to take, distribute, show, possess with intent to distribute, or advertise indecent photos or pseudo photographs of children under the age of 18.

Veryan Church of England School recognises the need to respect children's and parents' rights of privacy and is aware of potential child protection issues.

### Images taking by parents, legal guardians or family members at a school event:

- Filming or photographing of school events by parents is discouraged (Appendix 3). The school will record the event and make copies available to all parents, for which there may be a charge.

### Images for school publications:

- The school will only take and use images that are appropriate and are considered to not be open to misuse.
- If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
- Children and their parents/legal guardians will be made aware of why their picture is being taken and how it will be used.
- The school will ensure that images of a single child with no surrounding context of what they are learning or doing will be avoided.
- Children and parents should be encouraged to recognise the value of group photographs or recordings of school events.
- The school recognises that images must not be used to cause distress, upset or embarrassment.
- The school will use photographs that represent the diversity of the children/young people participating.
- Images will be kept securely on the school network and held by the school for the duration of the pupil's time there, after which, they will be destroyed.

- Images of children from the school will not be used to illustrate controversial subjects.

#### **Images for the school website:**

- School websites are part of the internet and are more easily accessible than paper based school publications. The school will make sure that only appropriate images are used. Image filenames will avoid using children's names.
- The storage of electronic images will be regularly reviewed by a senior member of staff.

#### **Webcams:**

- Webcams are a useful tool for learning. They can allow an individual or class to interact over the internet with others and support links between pupils in different schools, countries and cultures.
- A webcam will only be used in appropriate circumstances such as a normal class setting.
- Both children and teachers will be made aware of when a webcam is in use.

#### **Children photographing one another:**

- Staff will supervise and maintain control over any photography that pupils do during on-school or off-site activities. They will use school cameras, with logged memory cards that do not leave the school site unless on an official trip.
- Mobile phones or camera phones are not permitted to be brought into school by pupils. If extenuating circumstances mean that a pupil needs a phone on the school property, they must be handed into the school office and then picked up at the end of the day.
- If it is found that cameras or camera phones have been misused, the school will follow the disciplinary procedures as outlined in our cyberbullying policy. In some cases it may be necessary for Veryan Church of England School to contact children's social care and/or the police.

Please note that images taken by the media are not covered by this policy and are subject to a separate set of regulations.

### DATA PROTECTION GOOD PRACTICE NOTE TAKING PHOTOGRAPHS IN SCHOOLS

In October 2007 the Information Commissioner's Office (ICO) published Good Practice Guidance aimed at Local Authorities and those working in schools, colleges and universities. It gave advice on taking photographs in educational institutions and whether doing so must comply with the Data Protection Act 1998.

#### Recommended Good Practice

The Data protection Act is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with pleasure.

Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.

- Photos taken for official school use may be covered by the Act and pupils, students and parents/carers should be advised why they are being taken
- Photos taken purely for personal use are exempt from the Act

#### Examples

##### Personal Use:

- A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.

##### Official School Use

- Photographs of students/pupils are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- A small group of pupils are being photographed during a science lesson and the photo is to be used in the school prospectus. This will be personal data but will not breach the Act as long as the children and/or their parents/carer/guardians are aware this is happening and the context in which the photo will be used.

##### Media Use

- A photograph is taken by a local newspaper of a school awards ceremony. As long as the school has agreed to this and the children and/or their parents/carers/guardians are aware that photographs of those attending may appear in the newspaper, this will not breach the Act.

The Data Protection Act should not be wrongly cited to stop people taking photographs or filming videos.

**NB:** There may be other circumstances, falling outside the normal day to day activities of the school, when images of children are needed. The school recognises that in such circumstances specific consent from the parent or legal guardian will be sought before any photography or filming of children starts. If you have concerns or queries about any of this information, please contact the school.

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## Consent form to accompany the policy for the use of images of children , young people and vulnerable adults in education settings.

### Parents'/Carers' Consent to Take and Use Images of Pupils

#### Key Policy Points:

- Vernan Church of England School recognises that a balance between the low risk of misuse and the numerous positive results of colourful, well produced school material is necessary.
- The school will only take and use images (photographs, videos and DVDs) that are appropriate and are considered to be safe from misuse.
- Children will be made aware of why their pictures are being taken and how they will be used.
- The school will take extra precautions to ensure that only appropriate images are used for the website.
- If it is found that a camera phone has been misused the school will follow its usual disciplinary procedures.
- If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
- Parents and carers will be reminded not to take photographs, images or film at school events.
- School will record or photograph events and make copies available to all parents (for which a small charge will be made to cover costs)

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#### PARENTS

Please read our key points from the Policy for the Use of Images of Children and indicate whether you agree to your child's images being taken. You have the option to indicate whether or not you consent to your child's images being taken and used for different purposes. If you do not return the form, this will be taken as no consent given and your child's photograph will not be used in any of the four categories. **You can withdraw your consent at any time by writing to the school.**

Name of child (block capitals)	
Child's date of birth	
Name of parent or carer (block capitals)	
I have read the school's policy on the use of images of children and I agree to its provisions. <i>Please give your consent by putting your initials next to each statement. Your child's images will not be taken/used as specified, if you do not give your consent.</i>	
I give my consent to images of my child being taken and used for official school purposes of promoting or publicising school events in accordance with the guidelines of the policy for the duration of their time at the school.	<i>Please initial here</i>
I give my consent to images of my child being used on the school website and I understand that these images will be available on the World Wide Web.	
I give my consent for images taken by the school in accordance with the guidelines of the policy to be used for official Cornwall Council publications.	
I give my consent to my child being included in any images taken by the school at school events in which children are participating, understanding that copies may be made for other parents to keep for a small charge to cover costs.	
Where any other child is in the image that I might get from school of events, I agree as a parent or carer, that any photographic or video images will not be used inappropriately. E.g. posting on social networking sites (face book etc), online image sharing or sending to the press.	
Signature of parent or legal guardian of the child	
Relationship to the child	
Date (date/month/year)	

Please recognise the need to respect the policies of the school and children's and parents rights to privacy. School will ensure that reminders are given not to take pictures, images or films of the pupils during school events. Should parents choose to ignore the school policy, their children may be removed from the event. We do thank you for your understanding and respect for others.

Please return to: Mary Symons (School Administrator)