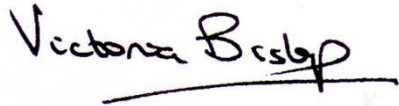


<b>Title</b>	<b>Digital Photography and Images Policy</b>
<b>Reviewed</b>	<b>September 2018</b>
<b>Associated Policies</b>	<b>Child Protection Staff Code of Conduct Data Protection</b>
<b>Originator</b>	<b>K Blackett</b>
<b>Approved</b>	

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## Introduction

Hatton Academies Trust takes seriously its responsibility to protect and promote the safety and welfare of our students. We recognise this responsibility extends to how we manage the use of still and video images of students and have put in place proper safeguards.

Photography and videography in schools and academies is subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individual and families. *Images taken by parents and grandparents of their child taking part in an academy play or sports day are examples of photographs taken for personal use and are exempt from the Data Protection Act.*

From time to time we may wish to capture video or photographs of the children in our trust academies. These images or videos may be used on our websites, in printed materials such as prospectuses, or even in academy media accounts such as Twitter and Facebook. There may also be times when our academies are visited by members of the press or media who will take photographs or film footage. Pupils will often appear in these images which may appear in local or national newspapers or on televised news programmes.

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.

## Definition

'Photography' includes photographic prints, streaming media and transparencies, video, film and digital imaging, created using devices such as cameras, video cameras, phones, tablets etc.

This policy also includes voice and sound recordings.

## Aims

This policy aims to:

- Facilitate photography for the business purposes of the Trust
- Facilitate photography for the educational purposes of each academy
- Respect the rights of individuals
- Safeguard individuals
- Allow personal family photography where possible.

## Typical Uses of Images

- For GCSE examination submissions e.g. videos of swimming, trampolining, athletics events
- Key skills for PE
- Performing arts including dance and movement, concerts, drama performances, parent evenings
- Sports days and sports fixtures and the use of photographic equipment by parents/carers and children from other schools
- Media including newspapers and television especially when some editors require children's names when publishing photographs
- Displays in the establishment of children's activities
- Publications by the Academy/Trust
- Trust and Academy websites
- Staff training and professional development activities
- Publicity material for contractors
- Time lapse photography for recording of building development
- Site security/CCTV videos
- Recording early years development in accordance with the Early Years Foundation Stage Statutory Framework, Outcomes and Development Matters

## Parental Permission

Parents are asked permission for the use of images when their child joins a trust academy. Their child's image may be used in marketing, promotional and educational material produced by Hatton Academies Trust academies.

Parents and carers who do not wish for their children's images to be used in this capacity, for any reason, may opt out by informing the academy in writing or using the individual academy procedures for this e.g. the academy annual data checking sheet. Where parents have opted out, we take steps to ensure their child's image is not identifiable in any of our materials.

The Trust/Academy will use reasonable judgement when using images for the progression of the academy and its students whilst always respecting the wishes of the individual and their parents.

If a parent does not agree to their child being photographed, this is recorded on their student record until the parent requests a change. All staff are aware and have access to this system to check and ensure parental permissions.

For example, if a child whose parents have refused permission for photography is involved with a sports event, e.g. a football match, it may not be appropriate to photograph the whole team. Careful liaison with parents is therefore essential. With discussion it may be possible to agree other options. The parent may accept a team photograph if names are not published or they may be prepared to relent if it affects the whole team.

When photographic images are transmitted or shared beyond the establishment e.g. television broadcasts, images on intranet sites, specific permission should be obtained.

## **Photographic images by and of Academy staff**

Photographs of staff members may be used by the academy/trust in academy and trust-wide promotional materials. Staff members have the right to opt out of these uses, but must inform the academy Principal in writing.

## **Photographic images by other Authorised Agencies**

The involvement of other agencies can only be authorised by the Principal or CEO. These agencies include reputable commercial photographers, the press and media.

## **Photographic Images by Parents and Carers**

Photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement as well as being an established social practice.

Where practical, arrangements can be made to allow photographs to be taken by parents and other guests attending school events. Photography must not be allowed to upset the performance or smooth running of the event or affect the health and safety of students and others.

When a parent does not agree to their child being photographed, the Principal or a member of the senior management team must inform staff and make every effort to comply sensitively. Parental photography must not include any child whose parent has refused consent for any reason. This may necessitate offering photography opportunities before or after the event of those who are authorised to be involved.

Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for student participation. Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is forbidden. If parents are unsure whether or not permission has been given by staff to record a particular performance or event, they should ask the person responsible for organising it. *If permission is granted it will be for private and personal use only.*

*Parents are requested not to share images of our children other than their own on social media sites. This is for child protection reasons not the Data Protection Act. The Academy Principal or Hatton Academies Trust are not responsible for the use of photographs or videos taken by family members at an academy event which are for personal use.*

## **Photography by Students**

This practice can occur extensively during off site activities particularly during residential periods. Staff should maintain the supervision and management control specified in the Offsite Activities Guidelines 2003.

There may be incidents where children take inappropriate photographs, perhaps showing friends and other children inappropriately dressed. Staff should endeavour to discourage this practice, but ultimately parents are responsible for monitoring their child's use of

cameras and other digital devices, and subsequent use of their images involved e.g. on social media.

Students taking images of other students or staff without their permission and using them in any way is a breach of the trust's behavior expectations and will be dealt with through academy disciplinary procedures. *Editing of images of staff and students using academy equipment or images is forbidden unless it is agreed with a staff member or the Principal and it is for clear educational purposes.*

## **Close Circuit Television (CCTV)**

Trust Academies may have equipment for the following uses:

- As a method of controlling access
- An aid to site management in monitoring incorrect parking, manoeuvring vehicles, delivery arrivals etc
- Pupil behaviour issues/bullying. As a behavioral tool during breaks and lunchtimes it can be used to identify hot spots of inappropriate behaviour. It may also be used to monitor within the building, corridors and areas out of sight or not frequently trafficked by staff, for example in the vicinity of toilets
- As an aid to members of staff with particular responsibility for behaviour management
- To monitor personal safety for site supervisors, caretakers, cleaners etc
- To monitor site safety and security
- As an effective deterrent for crime
- As a means of crime reduction and discouraging trespass

## **Types of Recorders**

### 1. Storing Images Securely

Images or video recording of children must be kept securely. Hard copies should be kept in a locked cupboard and electronic images should be in a protected folder with restricted access. Images should be stored on unencrypted portable equipment such as laptops, memory sticks and mobile phones.

Avoid using personal equipment to take photos and recordings of children and only use cameras or devices belonging to the academy.

### 2. Regular auditing of the stored images should be undertaken by a senior member of the leadership team.

### 3. Digital Images

Increasingly the images are retained on computer hard drives. They should also only be stored for designated periods and then erased from the hard drive.

In both incidences it is essential that the images are retained securely and are viewed by designated, competent members of staff

### 4. Cameras

Several types of cameras are used, notably:

- Fixed-wide angle lens
- Dome cameras (rotary) with 360 degrees capacity
- Corner mounted cameras with 270 degrees capacity
- Manually operated pan tilt-zoom lenses. These have infinitely variable distance and angle capabilities and so can zoom onto individuals. It is therefore crucial that authorised and designated staff only have access to the equipment and that occasional and periodic monitoring of the images saved is undertaken by a senior member of management. Images should be destroyed after the designated period.

## 5. Camera Sightings

Every effort should be made to avoid inappropriate images and cameras should not be sited in, changing rooms or other sensitive areas. Cameras may be located in toilet areas under the strict authorization of the Principal for security and health and safety reasons, but these must not be directed at toilets or areas where a child may get changed.

## 6. Out of School Hours

Cameras may record inappropriate activities taking place on the school site, without the school's knowledge. If they are of a criminal nature, consideration should be given by a senior member of the management team to referring the information to the police.

Again images should be erased in accordance with the procedures above

While CCTV can be an extremely effective and useful crime reduction/deterrent device, careful use of the images and control by competent responsible staff is considered crucial. Warning signage will be in place at entrances to sites/buildings where CCTV is in operation.

## Good Practice

1. Obtain the child's permission to use their image (Secondary only)
2. When taking a picture the academy must obtain the consent of the person in the picture from their parent or carer.
3. If using a photo from the media or commissioning a photograph, have a signed agreement from parent/carer.
4. Do not allow photographers access to children unsupervised.
5. Address how images of children on a website can be misused. Images showing personal information could be used to learn more about a child prior to grooming them for abuse.
6. Use the image in its intended context. Examples of this not happening are:
  - when a picture taken by a national newspaper of a child accepting an award was used by the National Front in a story with a completely different story angle

- when a photo of the public boarding a bus to launch a rural transport initiative is used to illustrate a story attacking rural transport shortages
7. Follow the commitment made in the consent forms:
- not to name the child;
  - not to use the photograph out of context
  - not to use the photograph to illustrate sensitive or negative issue
8. When photographing children:
- ensure that parents and carers of young people have signed and returned the school consent form for general photography. A separate sheet for specific consent is also available
  - ensure all children are appropriately dressed
  - avoid images that only show a single child with no surrounding context of what they are learning or doing
  - photographs of three or four children are more likely to also include their learning context
  - do not use images of a child who is considered very vulnerable, unless parents/carers have given specific written permission
  - avoid naming young people. If one name is required then use the first name only where possible
  - use photographs that represent the diversity of the young people participating
  - report any concerns relating to any inappropriate or intrusive photography to the Principal
  - remember the duty of care and challenge any inappropriate behaviour or language
  - do not use images that are likely to cause distress, upset or embarrassment
  - do not approve photographs sessions outside the event or at a child's home.
9. Regularly review stored images and delete unwanted material.
10. Organised Photo Shoots / Press Releases / Promotional Materials Good Practice

The organiser should carry out the following (even if parental permission/consent forms show parental permissions).

- email the parent/carer directly to inform of the photo shoot and obtain permission for the photograph to be used and ensure that the student is approving of their photo being used.
- email parents once the photos have been selected to inform them and share the planned usage of the materials e.g. use for banners/prospectus once again to ensure that they/student are aware and give permission for banners/photos to be displayed.
- keep all the emails electronically as a record of permissions.

## **Inter-School Fixtures**

Apply these guidelines to inter-school events. If a vulnerable child is involved, it will be necessary to liaise with a member of staff from the other establishment so that they are



aware of the wishes of the parents or carer of the child and seek the co-operation of the parents of the opposing team.

## Teacher Training and Portfolios

During teacher training and with newly qualified staff, colleagues need to compile portfolios with photographs of children during lessons. Staff should act responsibly in compiling these images. A member of the management team may wish to oversee the compiled images as part of the management process and consider their appropriateness.

## Displays in our Academies

Still photographs shown on displays and video clips available during open/parents' evenings should depict children in an appropriate way. They should not display images of children in inappropriate or revealing clothing so appropriate levels of integrity and decency are maintained. Do not use photographs or images likely to cause embarrassment.

## Parents Evenings, Concerts, Presentations

To allow the appropriate recording of children's images by parents/carers:

- ensure that children are appropriately dressed;
- obtain parental permission with the form
- be aware of any child who should not be photographed; and
- monitor the use of cameras and anyone behaving inappropriately

## Practical Examination Evidence

This covers the use of video material recording pupil's level of performance in examined practical aspects, that are unable to be assessed during the moderating examiner's school visit. The protocol laid down by the major exam boards is that this material should be returned to the school when the examiner has completed his/her judgments. It would therefore be good practice for colleagues to establish what will happen to the video evidence in discussion with the external examiner during their visit.

## Newspapers

Several scenarios can occur:

1. Team photographs:
  - When everyone is prepared to allow team photographs and full names to be published. In this situation publication can occur
  - If a parent is not happy to have a child's name printed on a photograph then consideration could be given to publishing the photograph with no names. The member of staff should make every effort to ensure, in conjunction with the newspaper editors, that this occurs.
  - If parents of a child have indicated that the child is vulnerable and should not have a photograph printed then a team photograph may not be appropriate

## Photo opportunities

- When an establishment invites a newspaper to celebrate an event, the member of staff should make every effort IN ADVANCE to ensure that the newspaper's requirements can be met
- Almost without exception, this means the paper will prefer to publish the full names of anyone in a photograph they print. The only exception to this might be (as above) in a larger group shot (eg a group of more than 10 children)
- However newspapers usually prefer to work with smaller groups of children – eg three or four – and for this number names would definitely be required.
- It is not acceptable to invite a newspaper to take photographs and then refuse to provide any names. Newspapers will not print anonymous photographs. Establishments must give thought to this beforehand – and parental permission/opinion must be their key guidance
- This might mean offering only those children whose parents are happy for publication of photographs and names for inclusion in any photo opportunities
- If this is not possible – for instance because a specific group of children have achieved something, and parental permission re the publication of full names is withheld for one or more of the group – it might be possible to negotiate a 'first names only' agreement with the newspaper
- Otherwise establishments must be prepared to forego newspaper publicity

## Use of Internet/Intranet Sites

The trust academies have internet/intranet facilities. The Principal should know good practice and ensure that the academy only uses appropriate images that follow this guidance. For example, if a child has successfully completed a gymnastics award, it would be appropriate to show the child in a tracksuit rather than leotard.

## Mobile Phones

The use of mobile phones or other equipment which contain cameras of photographic capabilities should not be permitted in classrooms, except in the case of school devices (ipads for example) where they are used in the context of recording the learning journeys of children, they should not be used in changing rooms, toilets etc.

## Policy implementation

The implementation and monitoring of this policy is the responsibility of the academy Principal.

The Board of Directors formally adopt this as policy and good practice.