



## **USE OF PHOTOGRAPHICS AND MEDIA IMAGES OF STUDENTS & STAFF POLICY**

### **Aim**

Notre Dame School agrees to comply with the requirements of the Data Protection Act 1998 and Human Rights Act 1998 when using or authorising the use of photographic and media images of children, and will ensure that:-

- a) where necessary, consent has been given prior to the taking and use of images of students on school premises;
- b) such images are used in a manner respectful of the eight Data Protection Principles and also of the rights conferred to individuals under these Acts.

Equivalent rights are extended to staff.

### **Consent**

The school will ensure that written permission is obtained from the parent or carer for all children and of members of staff to be photographed (including all media) when participating in a school event or whilst on school premises. This is because the image of a child or member of staff is personal data for the purposes of the Data Protection Act and it is a requirement of the Act that consent is obtained.

Due to the number of occasions during a student's/member of staff's time at school when the school may wish to photograph or video the individual, the school will seek consent when the individual is admitted or commences employment at the school. This policy and consent will cover the whole of the individual's intended time at the school. This consent will normally be obtained in writing however, if this is not possible, verbal consent may be obtained provided it is recorded in writing by the member of staff. Consent forms are annexed at Appendix A (students) and B (staff).

The school will ensure that specific or revised consent will be obtained in the following circumstances:-

- in the event of a personal change of circumstance;
- to use photographs or media images of students who are no longer students of the school;
- to use photographs or media images of students in circumstances not described on the consent form.

### **Management**

When considering the taking and use of images of students the school will ensure that the Conditions of Consent are adhered to (Appendix A).

Before allowing the Press to take and use media images of students (controlled through special rights under the Data Protection Act allowing them to publish material for journalistic purposes and industry Codes of Practice) the school will ensure that press photographers and broadcasters are aware of the sensitivity involved in detailed captioning, one to one interviews and close or sports photography. The school will ensure that only those students for whom consent has been given may be included in a press photo opportunity.

Team photographs may be published, with names, if consent has been obtained for all team members. If a member of the team does not have consent, it is not appropriate for a team photograph to be published.

## **USE OF PHOTOGRAPHS AND MEDIA IMAGES POLICY**

Consultants working for the school are directed not to include students in any photographs taken for professional purpose e.g. Education specialists, Visiting Lecturers or Building Surveyors.

The school will make every effort to ensure that people with no connection to the school do not have the opportunity to film covertly.

Before using an image supplied by a Third Party, for which a copyright exists, the school will check that the Third Party owns the copyright and specific permission has been given by the individual(s) or parents/carers to use the photograph or media image.

### **Parental Right to take Photographs etc**

Parents/ Carers are not covered by the Data Protection Act 1998 if they are taking photographs or making media images for their own private use. The Act does not, therefore, stop parents/carers from taking photographs or making media images at school events. However, the school reserves the right to refuse parents this opportunity for health and safety reasons, such as the use of flashlight, bulky or noisy equipment.

Parents/Carers are not permitted to take photographs or make media images for other than their own private use. This would require the consent of other parents/carers whose children may be captured on film. Without this specific consent, the Act would be breached.

### **Use of Professional Photographers**

The school will ensure that any professional photographer engaged to record a school event is aware of school policy and prepared to work according to the terms and Conditions of Consent. In the context of the Act, the photographer will be considered as a "Data Processor" and any agreement with them will be in accordance with the Data Protection Act 1998.

Photographers will be asked to sign an agreement with the school which will include:

- Compliance with the Data Protection Act 1998;
- That material may only be used for the school's own purposes and that permission has not been given to use the images for any other purpose;
- That the photographer may not disclose the photographs to any other party unless specifically required to do so in order to fulfil the requirements under the contract;
- That the photographer guarantees to act appropriately to prevent unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, the personal data including photographs and media images;
- That the photographer will be responsible for keeping his own records as evidence that he has carried out the above.

The agreement is annexed at Appendix C.

### **Nomination of Non-professional to act as Photographer**

Should the school nominate another individual e.g. parent, staff member or governor, to act as photographer for the school it will be made clear by the school that the images must not be used for anything other than the purpose indicated by the school. The school will ensure that the nominated photographer is aware of the Conditions of Consent and that resulting images are the property of the school and must remain on the school site. Such action will protect the parent, member of staff or governor from future allegations of impropriety.

## **USE OF PHOTOGRAPHS AND MEDIA IMAGES POLICY**

### **Charging for Photographs**

Where a nominated photographer (professional or otherwise) is used, the proceeds from any sale of photographs or copies of media material will go to the school fund; images will be sold at cost price.

### **Use of Closed Circuit Television (CCTV)**

CCTV is used within the school site as a method of controlling access, to monitor movement of vehicles and parking, to monitor site safety and security, as an effective deterrent for crime and as a means of crime reduction and to discourage trespass.

It may, in future, be used as an aid to staff with particular responsibility for behaviour management e.g. to monitor areas in school that are out of direct sight or not frequently trafficked by staff.

Where CCTV is used within the school site, and recorded as media images, the school will ensure that the following conditions are met:-

- Video or digital images will be retained for a designated period (normally 31 days) and held in secure storage;
- Images will be erased before disposal;
- Regular auditing of stored images will be undertaken by the Senior Leadership Team (SLT) or Premises Manager;
- Only authorised and designated staff will have access to cameras and/or recording equipment;
- Every effort will be made to avoid inappropriate camera sightings - cameras will not be pointed at changing rooms, cloakrooms or other sensitive areas;
- Cameras may record inappropriate activities taking place on the school site, both during school hours and out of school hours, without the school's knowledge or consent. If they are of criminal nature, consideration will be given by the SLT on referring the information to the Police.

### **OTHER RELEVANT POLICIES**

- Data Protection Policy
- Privacy Notice (formerly Fair Processing)
- Site Security policy



## Consent Form:

### Use of Student Photographs and Images

Occasionally we take photographs and video recordings of the students at our school. This could include displaying or using the images on project boards, school newsletters, at school events, in school projects or taking pictures of students for legitimate or historical purposes such as official school photographs. Images may also be used as promotional or fundraising material for the school and to celebrate our schools' and students' successes.

There are also times when our school is visited by the Media who will take photographs or video footage at school events. Students may appear in these images which could be published in local or national newspapers or televised programs.

Please indicate whether you are happy for your images or your child's images to be used in the ways described on this form. Please note, most children aged 13 and over are considered mature enough to decide whether they want their photograph/image being taken and used. We therefore ask parents to speak to their child and discuss their views before completing this form on their behalf. **Students aged 16 and over will be asked to complete this form themselves.**

We understand the importance of protecting our students' privacy, safety and wellbeing and therefore will only use these images with your permission and in a safe way (see our Code of Conduct for Using Student Images).

**I give my permission for:** (please indicate your wishes by circling 'Yes' or 'No')

My image/my child's image to be used and published in the school newsletter. I understand this will be circulated to parents and students and may be published on the school's website which can be seen by the public.	YES / NO
My image/my child's image to be used on displays within the school in public areas which will be viewable by visitors.	YES / NO
My image/my child's image to be taken for official school photographs and be available to purchase from the photographer.	YES / NO
My image/my child's image being recorded on video during school plays, performances or events. I understand these video recordings may be shared with other students and families, published, and may be available to purchase.	YES / NO
My image/my child's image being used in promotional or fundraising publications for the school. I understand this may be included in the school prospectus, printed leaflets, brochures or published on the school's website.	YES / NO
My image/my child's image to appear on social media such as Facebook or Twitter and in the general media such as television, news (online and printed) or radio.	YES / NO
<b>Acceptance statement:</b>	
I understand I can withdraw my permission (or make changes) at any time by contacting the school at <a href="mailto:info@ndonline.org">info@ndonline.org</a> . I understand there may be some limitations to withdrawing permission, for example in cases where my image/my child's image has been used in printed or published material.	YES / NO

## HEADING

I agree that if I attend school functions and take photographs of students, I will only take appropriate images, be sensitive to other people and not interrupt or disrupt concerts, performances and events.	YES / NO
I agree not to upload photographs or videos taken at school events onto any social media or networking sites (such as Facebook or WhatsApp), where other students appear, unless I have those students' or their parents' permission.	YES / NO
I have discussed this consent form with my child (if relevant) and they are happy with the responses given.	YES / NO

### **Our Code of Conduct for Using Student Images:**

- We will only use the minimum amount of personal information about you /your child in any publication (such as first name, school name and sometimes year group) and will never reveal full names (unless appropriate), personal email addresses, home telephone numbers or home addresses.
- We will not use your image / your child's image for any purpose if it would cause you harm, upset or result in a safeguarding risk.
- We will only use images of students who are suitably dressed e.g. in a school uniform or tracksuit.
- We will not use your image / your child's image for any reason other than those stated, unless we have received further consent from you, or if required for legitimate school purposes or historical use.
- The consent you provide for the use of your images/ your child's images, will be valid for the period you attend this school. However, some images may still be used or published after you have left, unless you tell us otherwise.
- We will keep your images/ your child's images and personal information secure and will destroy images when we no longer need them or if you have withdrawn your permission. To withdraw or change your permissions, please email us at [info@ndonline.org](mailto:info@ndonline.org)

<b>Student Name and Signature:</b>	
<b>Parent Name and Signature:</b>	
<b>Date Completed:</b>	