



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

### **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

By order of the Governing Body of Notre Dame School

Policy first adopted by Governors Premises. Committee: date 12 May 2005

Review Term: 3 yearly

Review Date: 8<sup>th</sup> May 2012 ..... Signed Chair of Premises .....

Review Date: 20<sup>th</sup> May 2015 ..... Signed Chair of Premises .....

Review Date: May 2018..... Signed Chair of Premises .....

Next Review: May 2021 .....



## SCHOOL PHOTOGRAPHIC, FILM AND MEDIA CONSENT FORM

Name of Student: ..... Date of Birth: .....

We often take photographs or video film for publicity purposes. These images may appear in our printed publications and external publications or on our school website, Plymouth CAST website or social media sites. We may also send them to the media. We need your permission to do this.

Please confirm below that you are happy for the school to use images in the following ways:

May we use images of your child in printed publicity or promotional literature produced by the school, including leaflets, posters, newsletters and other display material? This would be for both Notre Dame and Plymouth CAST use.

May we use images of your child on our school website and the Plymouth CAST website?

We regularly send publicity material about our services, including photographs where appropriate, to the news media, especially the local press (Devon Live / Herald Express). Can we use your child's photograph, in this way?

May we use images of your child on our social media sites, Facebook and Twitter?

### Parent/Carer Declaration

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

*Please delete as appropriate:*

I give consent for the use of images of my child as detailed above

I do not give consent for the use of images of my child as detailed above

Signature:..... Date:.....

Please print your name in capitals

.....

This form is valid for the duration of your child's time at Notre Dame Plymouth. Please inform us in writing immediately if your child's personal circumstances change and you want to alter this consent form

## USE OF PHOTOGRAPHS AND MEDIA IMAGES POLICY

### Conditions of Use

1. This form is for the duration of your child's time at Notre Dame Plymouth from the date of signing. The consent will automatically expire when your child leaves Notre Dame Plymouth.
2. We will not re-use any images after this time.
3. We will not include details or full names (which means first name and surname) of any child or adult in an image on video, on our website, or in printed publications, without good reason. For example, we may include the full name of a competition prize-winner if we have their consent. However, we will not include the full name of a model used in promotional literature.
4. We will not include personal e-mail or postal addresses, or telephone or fax numbers on video or on our website or in printed publications.
5. If we use images of individual pupils, we will not use the name of that child in the accompanying text or photo caption without good reason. And if a pupil is named in the text, we will not use a photograph of that child to accompany the article without good reason. For example, we may include a picture and full name of a competition prize-winner if we have their consent. However, we will not include a picture and full name of a model used in promotional literature.
6. We may use group or class images with very general labels, such as "a science lesson" or "making Christmas decorations".
7. We will only use images of pupils who are suitably dressed, to reduce the risk of such images being used inappropriately.
8. We cannot film or take photographs of any child that is at risk or under a supervision order.
9. You may withdraw your consent at any time. Please inform us in writing immediately if you (or your child's) personal circumstances change and you want to alter this consent form. Please note that where photographs have already been published it may not be possible to remove individual images

### Contact us

If you have any questions, concerns or would like more information about anything mentioned in this consent form, please contact our **Data Protection Officer** through the main school switchboard.



# Notre Dame Plymouth

## STAFF PHOTOGRAPHIC, FILM AND MEDIA CONSENT FORM

We often take photographs or video film for publicity purposes. These images may appear in our printed publications and external publications or on our school website, Plymouth CAST website or social media sites. We may also send them to the media. We need your permission to do this.

Please answer questions 1, 2, 3 and 4 below, then sign and date the form where shown. Please circle: Yes or No. Please *cross out any options in the question that you do not want your photofilm to be used in/on.*

1. May we use your image(s) in printed publicity or promotional literature produced by the school, including leaflets, posters, newsletters including CAST newsletters and other display material?

**Yes / No**

2. May we use your image(s) and full name on our school website and the Plymouth CAST website?

**Yes / No**

3. We regularly send publicity material about our services, including photographs where appropriate, to the news media, especially the local press. Can we use your photograph, in this way?

**Yes / No**

4. May we use your image(s) on our social media sites, Facebook and Twitter?

**Yes / No**

Signature:..... Date:.....

Please print your name in capitals:

.....

Please inform us immediately if your personal circumstances change and you want to alter this consent form.

### Conditions of Use

1. This form is valid for the time that you are a member of staff. You may withdraw your consent at any time. If you wish to do so please inform us immediately. Please note that where images have already been published that it may not be possible to remove individual images.

## **HEADING**

2. We will not include details or full names (which means first name and surname) of members of staff in an image or video, on our website, or in printed publications, without good reason.
3. We will not include personal e-mail or postal addresses, or telephone or fax numbers on video or on our website or in printed publications. The school admin address will be the source of contact.
4. We will only use images of staff who are suitably dressed, to reduce the risk of such images being used inappropriately.

Please contact the Data Protection Co-Ordinator if you have any questions about this form.