Shiplake C.E. Primary School
Memorial Avenue
Shiplake , Oxon
RG9 4DN
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office.3810@shiplake.oxon.sch.uk

'Where there is no guidance, a people falls, but in abundance of counsellors there is safety' Proverbs 11.14

Photography and Recording at School Policy

Reviewed November 2024

Statement of intent

At Shiplake CE Primary School we use imagery and videos for a variety of purposes, including prospectuses, display boards, educational purposes, social media and the school website. We understand that parents may also wish to take recordings or photos of their children participating in school events for personal use.

Whilst we recognise the benefits of photography and recordings to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and recordings are taken, stored and retained.

The school has implemented a policy on the safe and appropriate use of photography and recordings by staff and parents to reflect the protective ethos of the school with regard to pupils' safety.

In order to ensure that, as far as possible, the use of photography and recordings is used safely at all times, the policy provided below should be followed. This policy is applicable to all forms of visual media, including film, print, video, DVD and websites.

1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- The General Data Protection Regulation (GDPR)
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

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1.2. This policy has been created with regard to the following guidance:

- Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'

1.3. This policy also has due regard to the school's policies, including, but not limited to, the following:

- Special Educational Needs and Disability (SEND) Policy
- Behavioural Policy
- GDPR Data Protection Policy

2. Definitions

For the purpose of this policy:

2.1. "Personal use" of photography and videos is defined as the use of cameras to take images and recordings of children by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo, and are not intended to be passed on to unknown sources. The principles of the GDPR do not apply to images and videos taken for personal use.

2.2. "Official school use" is defined as photography and videos which are used for school purposes, e.g. staffing boards. These images are likely to be stored electronically alongside other personal data. The principles of the GDPR apply to images and videos taken for official school use.

2.3. "Media use" is defined as photography and recordings which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the GDPR apply to images and videos taken for media use.

2.4. Staff may also take photos and recordings of pupils for "educational purposes". These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks. Such photos will NOT be taken on staff own devices. The principles of the GDPR apply to images and videos taken for educational purposes.

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3. Roles and responsibilities

3.1. The Headteacher is responsible for :

• Ensuring consent forms are issued to parents at the beginning of the academic year with regards to photographs and recordings being taken whilst at school.
• Ensuring that all photos and recordings are stored and disposed of correctly, in line with the GDPR.
• In consultation with the Chair of Governors, deciding whether parents are permitted to take photographs and recordings during school events.
• Communicating this policy to all the relevant staff members and the wider school community, such as parents.

3.2. The Designated Safeguarding lead (DSL)/Special Educational Needs and Disability Co-ordinator (SENDCo) is responsible for:

• Liaising with social workers to gain consent for photography and videos of Looked After Children (LAC) pupils.
• Liaising with the Data Protection Officer (DPO), to ensure there are no data protection breaches.
• Informing the Headteacher of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.

3.3. Parents are responsible for:

• Completing the Consent Form on an annual basis.
• Informing the school in writing where there are any changes to their consent.
• Acting in accordance with this policy.

3.4. In accordance with the school's requirements to have a DPO, the DPO is responsible for:

• Informing and advising the school and its employees about their obligations to comply with the GDPR in relation to photographs and recordings at school.
• Monitoring the school's compliance with the GDPR in regards to processing photographs and recordings .
• Advising on data protection impact assessments in relation to photographs and recordings at school
• Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and recordings.
• Providing the required training to staff members, in relation to how the GDPR impacts photographs and recordings at school.

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4. Parental consent

4.1. The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.

4.2. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.

4.3. Where consent is given, a record will be kept documenting how and when consent was given and last updated.

4.4. The school ensures that consent mechanisms meet the standards of the GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.

4.5. The consent of parents will be sought prior to the processing of their child's data, except where the processing is related to preventative or counselling services offered directly to a child.

4.6. All parents will be asked to complete the Consent Form on an annual basis, which will determine whether or not they allow their child to participate in photographs and recordings.

4.7. The Consent Form will be valid for the full academic year, unless the pupil's circumstances change in any way, e.g. if their parents separate, or consent is withdrawn. Additional consent forms will be required if the pupil's circumstances change.

4.8. If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and recordings will not be taken or published of the pupil whose parents have not consented.

4.9. All parents are entitled to withdraw or change their consent at any time during the school year.

4.10. Parents will be required to confirm on the Consent Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.

4.11. For any LAC pupils, or pupils who are adopted, the DSL/SENCo will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way.

4.12. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and recordings of any pupils

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would put their security at further risk, greater care will be taken towards protecting their identity.

4.13. A list of all the names of pupils for whom consent was not given will be created by the School Bursar and checked by the DPO and will be circulated to all staff members. This list will be updated annually, when new consent forms are provided.

4.14. If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

5. General procedures

5.1. Photographs and recordings of pupils will be carefully planned before any activity.

5.2. The DPO will be consulted in the planning of any events where photographs and recordings will be taken.

5.3. Where photographs and recordings will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Headteacher will liaise with the DSL/SENDCo to determine the steps involved.

5.4. When organising photography and recordings of pupils, the staff members involved, will consider the following:

• Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?
• Could the camera angle be amended in any way to avoid pupils being identified?
• Will pupils be suitably dressed to be photographed and recorded and will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?
• Would it be appropriate to edit the photos or recording in any way? E.g. to remove logos which may identify pupils?
• Are the photographs and recordings of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?

5.5. The list of all pupils of whom photographs and recordings must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.

5.6. The staff members involved, alongside the Headteacher and DPO, will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved. (see section 6 of this policy)

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5.7. School equipment will be used to take photographs and recordings of pupils. Exceptions to this are outlined in section 7 of this policy.

5.8. Staff will ensure that all pupils are suitably dressed before taking any photographs or recordings.

5.9. Where possible, staff will avoid identifying pupils. If names are required, only first names will be used.

5.10. The school will not use images or footage of any pupil who is subject to a court order.

5.11. The school will not use photographs of children or staff members who have left the school, without parental consent.

5.12. Photos and videos that may cause any distress, upset or embarrassment will not be used.

5.13. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO.

6. Additional safeguarding procedures

6.1. The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.

6.2. The DSL will, in known cases of a pupil who is a LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.

6.3. Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:

- Photos and recordings can be taken as per usual school procedures
- Photos and recordings can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media
- No photos or recordings can be taken at any time, for any purposes

6.4. Any outcomes will be communicated to all staff members via email and the list outlining which pupils are not to be involved in any videos or photographs, held in the school office, will be updated accordingly.

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7. School-owned devices

7.1. Staff are only to take photos and recordings of pupils using school equipment.

7.2. Images and recordings will be provided to the school at the earliest opportunity.

7.3. Staff will not use their personal mobile phones, or any other personal device, to take images and recordings of pupils.

7.4. Photographs and recordings taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.

7.5. Digital photographs and recordings held on the school's drive are accessible to staff only. Photographs and recordings are to be stored in labelled files, annotated with the date, and are only identifiable by year group number – no names are associated with images and recordings.

8. Use of a professional photographer

8.1. If the school decides to use a professional photographer for official school photos and school events, the Headteacher will:

• Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
• Issue the photographer with identification, which must be worn at all times.
• Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of recordings or photographs.
• Not allow unsupervised access to pupils or one-to-one photo sessions at events.
• Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.
• Ensure that the photographer will comply with the requirements set out in GDPR.
• Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or recordings are not used for any other anything other than the purpose indicated by the school. All data cards used must be cleared prior to leaving the school premises.

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9. Permissible photography and recordings during school events

9.1. If the Headteacher/Chair of Governors permits parents to take photographs or recordings during a school event, parents will:

• Remain seated while taking photographs or recordings during concerts, performances and other events.
• Not use flash photography during performances.
• In the case of all school events, make the focus of any photographs or recordings their own children.
• Avoid disturbing others in the audience or distracting pupils when taking photographs or recording video.
• Ensure that any images and recordings taken at school events are exclusively for personal use and are not uploaded to the internet, posted on social networking sites or openly shared in other ways.
• Refrain from taking further photographs and/or videos if and when requested to do so by staff.

10. Storage and retention

10.1. Images obtained by the school will not be kept for longer than necessary.

10.2. Hard copies of photos and video recordings held by the school will be annotated with the date on which they were taken and will be stored in the school office. They will not be used other than for their original purpose, unless permission is sought from the Headteacher and parents of the pupils involved and the DPO has been consulted.

10.3. Paper documents will be securely shredded, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.

10.4. The DPO will review stored images and recordings on an annual basis to ensure that all unwanted material has been deleted.

10.5. Parents must inform the school in writing where they wish to withdraw or change their consent. If they do so, any related imagery and recordings involving their children will be removed from the school drive immediately.

10.6. When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.

10.7. Where a pupil's security risk has changed, the DSL will inform the Headteacher immediately. If required, any related imagery and recording involving the pupil will be

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removed from the school drive immediately. Hard copies will be removed by returning to their parents or by securely shredding, as appropriate.

10.8. Official school photos are held on the schools management information system alongside other personal information, and are retained for the length of the pupil's attendance at the school, or longer, if necessary, e.g. due to a police investigation.

10.9. Some educational records relating to former pupils of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

11. Monitoring and review

11.1. This policy will be reviewed on a two year cycle by the Headteacher and the DPO. The next scheduled review date for this policy is November 2023.

11.2. Any changes to this policy will be communicated to all staff members and, where appropriate, parents.

October 2024
Ratified FGB
M Harris

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Consent Form

This form explains the reasons why and how Shiplake CE Primary School may use images and recordings of your child. Please read the form thoroughly and outline your agreement as appropriate.

Name of pupil:	
Name of parent:	
Year group and class number:	

Why do we need your consent?

Shiplake CE Primary School requests the consent of parents on an annual basis to use images and recordings of their child for a variety of different purposes.

Without your consent, the school will not use images and recordings of your child. Similarly, if there are only certain conditions under which you would like images and recordings of your child to be used, the school will abide by the conditions you outline in this form.

Why do you we use images and videos of your child?

Shiplake CE Primary School uses images and recordings of pupils as part of school displays to celebrate school life and pupils' achievements; to promote the school on social media and on the school's website; and for other publicity purposes in printed publications, such as newspapers.

Where the school uses images of individual pupils, the name of the pupil will not be disclosed. Where an individual pupil is named in a written publication, a photograph of the pupil will not be used to accompany the text.

If, for example, a pupil has won an award and their parent would like their name to be published alongside their image, separate consent will be obtained prior to this.

Shiplake CE Primary School may take images or recordings of individual pupils and groups of pupils to use on social media, the school prospectuses and other printed publications, such as a newsletter.

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Who else uses images and videos of your child?

It is common that the school is visited by local media and press, who take images or recordings of school events, such as sports days. Pupils will appear in these images and recordings, and these may be published in local or national newspapers, or on approved websites.

Additional consent will be sought before any image or recording is used.

What are the conditions of use?

• This consent form is valid for the current 2018/2019 academic year.
• It is the responsibility of parents to inform the school, in writing, if consent needs to be withdrawn or amended.
• The school will not use the personal details or full names of any pupil in an image or recording, on our website, in our school prospectuses or any other printed publications.
• The school will not include personal emails or postal addresses, telephone or fax numbers on images or videos on our website, in our school prospectuses or any other printed publications.
• The school may use pictures of pupils and teachers that have been drawn by pupils.
• The school may use work created by pupils.
• The school may use group or class images or recordings with general labels, e.g. 'sports day'.
• The school will only use images and recordings of pupils who are suitably dressed, i.e. it would not be suitable to display an image of a pupil in swimwear.
• The school may take class images of your child which are available to purchase annually.

Providing your consent

Please read the following conditions thoroughly and provide your consent as appropriate by ticking either 'Yes' or 'No' for each criteria.

The school will **only** publish images and recordings of your child for the conditions that you provide consent for.

I provide consent to :	**Yes**	**No**
Photographing and recording my child.		
Using images of my child on the school website.		

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Using recordings of my child on the school website.		
Using images of my child on social media, including the following: • Twitter • Facebook • Instagram		
Using recordings of my child on social media, including the following: • Twitter • Facebook • Instagram		
Using images of my child in marketing material, e.g. the school brochure or prospectus.		
Sharing my child's data with a school-appointed external photography company for official school images. This includes the following: • Name • Class • Roll number		

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Refreshing your consent

This form is valid for the entire academic year, 2021/2022 – it will be updated on an annual basis. Parents are required to fill in a new form for their child every academic year.

Consent will also be refreshed where any changes to circumstances occur – this can include, but is not limited to, the following:

• New requirements for consent, e.g. an additional social media account will be used to share pupil images and recordings.

• Changes to a pupil's circumstances, e.g. safeguarding requirements mean a pupil's image cannot be used.

• Changes to parental consent, e.g. amending the provisions for which consent has been provided for.

Where you would like to amend the provisions for which consent has been provided, you must submit your request in writing to the Headteacher. A new form will be supplied to you to amend your consent accordingly and provide a signature.

Withdrawing your consent

Parents have the right to withdraw their consent at any time. Withdrawing your consent will not affect any images or recordings that have been shared prior to withdrawal.

If you would like to withdraw your consent, you must submit your request in writing to the Headteacher.

Declaration

I, _____ (name of parent), understand:

• Why my consent is required.
• The reasons why Shiplake CE Primary School uses images and recordings of my child.
• Which other organisations may use images and recordings of my child.
• The conditions under which the school uses images and recordings of my child.
• I have provided my consent above as appropriate, and the school will use images and recordings of my child in line with my requirements.
• Consent is refreshed on an annual basis and I must re-provide consent if I consent to images and recordings of my child being used in other academic years.
• I will be required to re-provide consent where any circumstances change.
• I can amend or withdraw my consent at any time and must do so in writing to the Headteacher.

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Name of parent:.....

Signature: .....

Date : .....

If you have any questions regarding this form, please do not hesitate to contact the Headteacher at office.3810@shiplake.oxon.sch.uk or via telephone on 0118 940 20