



# Bishop Luffa School

## Photography and Videos Policy

*Reviewed by Curriculum & Progress Committee June 2023  
Approved by Governing Body July 2023*

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## **Statement of Intent**

This policy applies to Bishop Luffa School. At Bishop Luffa School we use imagery and videos for a variety of purposes, including prospectuses, display boards, educational purposes, conferences and the school website. We understand that parents and carers may also wish to take videos or photos of their children participating in school events for personal use.

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

The school has implemented a policy on the safe use of cameras and videos by staff, parents and carers to reflect the protective ethos of the school with regard to students' safety.

In order to ensure that, as far as possible, the use of photography and video 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 UK General Data Protection Regulation (UK 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

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 (UK GDPR)'
- Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (UK 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:

- SEND Policy
- Behavioural Policy
- UK 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 UK 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. for building passes. These images are likely to be stored electronically alongside other personal data. The principles of the UK GDPR apply to images and videos taken for official school use.
- 2.3. **"Media use"** is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the UK GDPR apply to images and videos taken for media use.
- 2.4. Staff may also take photos and videos of students 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. The principles of the UK GDPR apply to images and videos taken for educational purposes.

### **3. Roles and responsibilities**

3.1. The Head Teacher is responsible for:

- Submitting consent forms to parents and carers at the beginning of the academic year with regards to photographs and videos being taken whilst at school.
- Ensuring that all photos and videos are stored and disposed of correctly, in line with the UK GDPR.
- Deciding whether parents and carers are permitted to take photographs and videos during school events.
- Communicating this policy to all the relevant staff members and the wider school community, such as parents and carers

3.2. The Designated Safeguarding Lead (DSL) is responsible for:

- Liaising with social workers to gain consent for photography and videos of LAC students.
- Liaising with the Data Protection Officer (DPO), to ensure there are no data protection breaches.
- Informing the Head Teacher of any known changes to a student'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 and Carers are responsible for:

- Completing the Consent Form on admission.
- 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 UK
- UK GDPR in relation to photographs and videos at school.
- Monitoring the school's compliance with the UK GDPR in regards to processing photographs and videos.
- Advising on data protection impact assessments in relation to photographs and videos at school
- Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and videos.
- Providing the required training to staff members, in relation to how the UK GDPR impacts photographs and videos at school.

### **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 UK 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. Up to Year 11, the consent of parents and carers will be sought prior to the processing of their data, except where the processing is related to preventative or counselling services offered directly to a child. Where a child is in Years 12 or 13 we will seek the consent of the student.
- 4.6. All parents, carers and students will be asked to complete the Consent Form, which will determine whether or not the child's image is to be used in photographs and videos.
- 4.7. The Consent Form will be valid whilst the child is in Years 7-11, unless the student's circumstances change in any way and the school is notified.
- 4.8. If there is a disagreement over consent, or if a parent or carer does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the student whose parents and carers have not consented.
- 4.9. All parents/carers and students are entitled to withdraw or change their consent at any time.
- 4.10. Parents and carers are required to 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 students, or students who are adopted, the school will liaise with the student'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 student, or students who are adopted, would risk their security in any way.
- 4.12. Consideration will also be given to any students for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any students 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 students for whom consent was not given will be created by the data Manager and checked by the DPO and will be referenced by the staff member ahead of any publication requiring consent. This list will be updated annually, when new consent forms are provided.
- 4.14. If any parent or carer withdraws or changes their consent, or the DSL reports any changes to a student'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 videos of students will be carefully planned before any activity.
- 5.2. The DPO will be consulted in the planning of any events where photographs and videos will be taken.
- 5.3. Where photographs and videos will involve LAC students, adopted students, or students for whom there are security concerns, the Head Teacher will liaise with the DSL to determine the steps involved.

- 5.4. When organising photography and videos of students, the Head Teacher, as well as any other staff members involved, will consider the following:
- Can general shots of classrooms or group activities, rather than individual shots of students, be used to fulfil the same purpose?
  - Could the camera angle be amended in any way to avoid students being identified?
  - Will students be suitably dressed to be photographed and videoed?
  - Will students 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 videos in any way? e.g. to remove logos which may identify students?
  - Are the photographs and videos of the students completely necessary, or could alternative methods be used for the same purpose? e.g. could an article be illustrated by students' work rather than images or videos of the students themselves?
- 5.5. The list of all students of whom photographs and videos must not be published will be checked prior to the processing of images. Only when consent has been given will the image be shared publicly, including areas of the school where the public may view the image.
- 5.6. The staff members involved, alongside the Head Teacher and DPO, will liaise with the DSL if any LAC student, adopted student, or a student for whom there are security concerns is involved. (see section 6 of this policy)
- 5.7. School equipment will be used to take photographs and videos of students. Exceptions to this are outlined in section 7 of this policy.
- 5.8. Before taking any photographs or videos staff will ensure that students are suitably dressed.
- 5.9. Where possible, staff will avoid identifying students. If names are required, only first names will be used.
- 5.10. The school will not use images or footage of any student who is subject to a court order.
- 5.11. Photos and videos that may cause any distress, upset or embarrassment will not be used.
- 5.12. 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 student'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 student who is a LAC or who has been adopted, liaise with the student's social worker, carers or adoptive parents to assess the needs and risks associated with the student.
- 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 student's day-to-day life. The measures implemented will be one of the following:
- Photos and videos can be taken as per usual school procedures
  - Photos and videos 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 videos 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 students are not to be involved in any videos or photographs, held in the school office, will be updated accordingly.

## **7. School-owned devices**

- 7.1. Staff are encouraged to take photos and videos of students using school equipment; however, they may use other equipment, such as school-owned mobile devices, where the DPO has been consulted and consent has been sought from the Head Teacher prior to the activity.
- 7.2. Where school-owned devices are used, images and videos will be provided to the school at the earliest opportunity, and removed from any other devices.
- 7.3. Staff will not use their personal mobile phones, or any other personal device, to take images and videos of students.
- 7.4. Digital photographs and videos held on the school's drive are accessible to staff only. Photographs and videos are stored in labelled files, annotated with the date, and are only identifiable by year group/class number – no names are associated with images and videos.

## **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 Head Teacher 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 students and parents/carers 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 videos or photographs.
  - Not allow unsupervised access to students 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 UK GDPR.
  - Ensure that if another individual, such as a parent/carer or Governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

## **9. Permissible photography and videos during school events**

- 9.1. If the Head Teacher permits parents and carers to take photographs or videos during a school event, parents and carers will:
- Remain seated while taking photographs or videos during concerts, performances and other events.
  - Use of flash photography during performances is not allowed.
  - In the case of all school events, make the focus of any photographs or videos 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 are kept in line with the school's retention policy.
- 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 Head Teacher and parents and carers of the students involved and the DPO has been consulted.
- 10.3. Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.
- 10.4. Parents and carers must inform the school in writing where they wish to withdraw or change their consent.
- 10.5. When a parent or carer 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.
- 10.6. Where a student's security risk has changed, the DSL will inform the Head Teacher immediately. If required, any related imagery and videos involving the student will be removed from the school drive immediately. Hard copies will be removed by returning to their parents and carers or by shredding, as appropriate.
- 10.7. Official school photos are held on the school's management information system alongside other personal information, and are retained for two years from the date of the child leaving the school. Images may be retained longer, if necessary, e.g. for legal reasons.
- 10.8. Some educational records relating to former students 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. Online learning**

- 11.1 During periods of remote learning the school will use Google Meet to allow live lessons to occur. The Google platform is within a secure environment that only users with [@bishopluffa.org.uk](mailto:@bishopluffa.org.uk) accounts can access and Meets can only be accessed by members of Google classrooms.
- 11.2 Google Meets are recorded and all users are made aware of the recording happening. Recordings are available to protect staff and students in the event of safeguarding concerns.
- 11.3 Recordings are also shared on Google classrooms for students to access after the lesson to review work or in the event of a live lesson being missed. This may mean that student images are shared but only with their peers in a secure environment.



## **12. Monitoring and review**

12.1. This policy will be reviewed every two years by the Resources committee and the DPO, and approved by the Board of Governors.

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

# Bishop Luffa School

## USING IMAGES OF CHILDREN – CONSENT FORM

Occasionally we may take photographs or make film recordings of the children in the school. We may use these images on the school website and in other publications that we produce. Photographs or film recordings may be taken of the children in school, e.g. a winning school team for use in the local press or annual events. These images may be used in publication to the general public.

We need your permission before we can photograph or make any recordings of your child for any of these purposes.

Please sign and date the form where shown. If you have any concerns regarding the use of your child's image please contact the school. Our full Photography and video policy can be viewed at:

<https://www.bishopluffa.org.uk/assets/Uploads/Photography-and-Video-Policy.pdf>

N.B. This permission will remain in force whilst your child is at the school unless revoked in writing.

By agreeing to our use of your child's image, you are accepting it is in accordance with the conditions of use below:

1. We may use your child's image on our school website and on the school's Twitter feed
2. We may use your child's photograph on other printed publications that we produce for promotional purposes.
3. Your child's photograph may be used in the local newspapers, in television reports on media websites e.g. school team winners.
4. Your child's photograph/film image may be taken at other performances by other parents or invited guests e.g. at a school play or at a prize winners' presentation event.

### USING IMAGES OF CHILDREN - CONDITIONS OF USE

1. We will not use the personal details or names (which means first name and surname) of any child or adult in a photograph on our website or in any of our printed publications.
2. However, if we would like to celebrate the achievements of an individual, or small group of students by means of a photograph and accompanying text, we will check with parents and carers that this is acceptable.
3. We will not include personal e-mail or postal addresses, or telephone or fax numbers on our website or in printed publications.
4. We may include pictures of students and teachers that have been drawn by the students.
5. We may use group or class photographs or footage with very general labels, such as "a science lesson" or "making Christmas decorations".
6. We will only use images of students who are suitably dressed, to reduce the risk of such images being used inappropriately.
7. If images are taken by local press/media, or parents/carers/guests the school will not have control of these images.

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### **BISHOP LUFFA SCHOOL USING IMAGES OF CHILDREN – PARENTAL RESPONSE**

Please tick the appropriate box:

I agree to images of my child being used by the school in accordance with the conditions of use

I **do not** agree to images of my child being used by the school in accordance with the conditions of use

NAME OF STUDENT ..... DATE OF BIRTH .....  
(Block capitals)

NAME OF PARENT/CARER .....  
(Block capitals)

SIGNATURE OF PARENT/CARER ..... DATE .....

*Please return the completed form as soon as possible, to Mrs Gill Cooper, Admissions, Bishop Luffa School, Westgate, Chichester, PO19 3HP*