

Video and Digital Image Policy

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1. Introduction

1.1. Statement

This policy complies with the requirements of the Data Protection Act 1998, Freedom of Information Act 2000, Human Rights Act of 1998 and other relevant legislation pertaining to the use of photographic images and children.

1.2. Aim and purpose

The use of video and digital images plays an important part in learning activities. Students and members of staff may use a range of devices to record evidence of activities in lessons and out of school. These images may then be used for a range of educational purposes. It is also recognised that the increased use of technology has increased the potential for devices and images to be misused. This policy aims to minimise this risk.

1.3. Who it applies to

This policy will apply to any person who has access to and/or is a user of any work-related photographic equipment. This policy includes mobile phones, tablets, gaming devices and any other form of digital technology or resource for storing, printing, sharing or representing.

2. Policy

2.1. Description

The principal of the school holds ultimate responsibility for making sure that all camera technology and images are used in an acceptable and safe way, as well as for the safe storage of all images. However, it is important to recognise that the safe use and storage of digital images and hardware is a whole school issue. It is important to recognise the behaviour of individuals using the equipment, and not the equipment itself which produces the greatest potential risk.

2.2. Permissive/ non permissive

Any image used or taken must comply with the following principles:

- That it is fairly and lawfully processed
- A user should not take a picture of a child against their wishes
- It is processed for limited and specifically stated purposes
- Used in a way that is adequate, relevant and not excessive
- Accurate and up to date
- Kept on file for no longer than is necessary
- Processed in line with an individual's legal rights
- Kept securely
- The context of any proposed image should be considered before it is taken
- Sensitivity must be shown to children or a child who appears to be uncomfortable to avoid any misinterpretation for taking the picture.
- Any user should avoid taking or making an image of a child or young person in a one to one setting whenever possible unless there is an agreed reason for why this would be necessary, in order to avoid misinterpretation.

- Photographs must not be taken of any user if they suffer an injury which is either accidental or non-accidental. Schools ensure that medical help is sought where necessary and in the case of a suspected injury that is non-accidental, the school would follow their safeguarding procedures.
- Images which may cause distress, upset or embarrassment must not be used.
- Images of children and young people must only be taken when they are in full/suitable dress. There are no acceptable circumstances for taking pictures or images of children in a state of undress. During sporting activities, due consideration should be given to appropriateness of the context and angle of the image.
- It is not permitted to take or make images in any sensitive area of the school e.g. toilet cubicles and changing areas.
- Images of children and adults available to the public should not include their full name or any information that could identify them or where they live. This aspect applies to:
 - Displays
 - Documentation panels
 - Name Cards
 - Images on the school website
 - Social Media used by the school
- Consideration should always be given to where images will be published in terms of the privacy and access to the image. This is particularly important with Social Media accounts, which are designed to push content out to as wide an audience as possible.
- Images and video taken at group events by parents/carers should only be used for their own or family's personal use.
- The principal must reserve the right to view any images taken and or to withdraw or modify an individual's permission to take or make images at any time. Any user of technology should be made to understand that all images are available for scrutiny and be able to justify any images in their possession.
- All members of staff have a duty to report any concerns relating to potential misuse.
- Cameras and other photographic equipment should be designated for work-related purposes only. The use of personal photographic equipment is to be avoided unless authorised by the schools principal detailed below. If the principal agrees to this they also acknowledge the associated risks and will ensure staff are made aware of these. Staff will also ensure a reasonable level of security is applied to their personal device to minimise the potential for data loss e.g. device lock code or password.

Press Associations

The UK press have their own regulation to control the use of images in order to safeguard children, however the school will make sure broadcasters and press photographers are aware of the need to respect this policy. This in particular would apply to a one to one interview with a child, a detailed caption of a picture or a close up image used in sports photography.

- When inviting a member of the press to attend an event, the school will make every effort to ensure they adhere to this policy but cannot be held responsible if they choose not to.
- The school will only provide a list of the child's first names.
- The identity of any press representative must be established before any interview or photography is authorised.

- Press access should only be permitted where the press have been specifically invited.
- No authorisation should be given to any unscheduled visit by the press. In the event that the press turns up uninvited, the school must make every reasonable effort to ensure that members of the school community are protected from press intrusion.
- Photographers will only be used where they guarantee to act appropriately to prevent unauthorised or unlawful processing of images; and will insure against accidental loss or destruction of, or damage to personal data.
- Photographers should be treated as any other visitor and will be supervised at all times.

Consent

- Signed consent to take photographs or record images of children should be requested from a parent or carer on the child's enrolment to the school. Only consent given by a parent or carer will be accepted. Any consent given should be reviewed on an annual basis until the child has left the school.
- The parent or carer will have the right to refuse or withdraw consent and any time, or give partial consent in terms of the use of the photograph
- Specific consent for the use of images that is for more than a general purpose should be requested e.g for publicity materials, training or promotional needs.
- Images of children who no longer attend the school should not be used unless specific consent has been given.

Parents and Carers

Parents and carers are not covered by the Data Protection Act 1998 as long as the image or recording they are making is for their own private use. The Act does not prevent parents and carers taking photographs or making recordings of their children within the setting environment, for example, recording a school play, as long it is for personal use. However, the school reserves the right to refuse any parent, career or attendee the opportunity to take photographs or make videos.

Images used in CCTV/Web-cams

All areas which are covered by CCTV must be well signposted, and notifications should be displayed so that individuals are advised before entering such a vicinity.

Any recording should be retained for a limited time only and no longer than their intended purpose. This would usually be for a maximum of 30 days. All recordings made should be erased before disposal. This limit should also be applied to any image taken outside the opening times of the setting.

Every effort must be made by the school or setting, to avoid accidentally taking an inappropriate image. Any camera must be positioned sensitively. No camera should be present in a sensitive area of the school e.g. a toilet cubicle.

Website and Social Media

The school must obtain consent from the parent or carer before publishing an image of them on the school website or social media account. The rules regarding the taking or making of any image covered above will apply to the school's website and social media accounts.

Storage and Disposal

Images should be stored and disposed of securely. The aim is to prevent unauthorised access in order to protect, ensure wellbeing and protect identity.

Images should not be kept for longer than necessary. Once the image is no longer of use, it should be wiped from any storage device except network backups which are only accessible to authorised ICT staff. If an image needs to be restored from these then permission from the principal is required and will be recorded.

Images should be protectively stored in order to prevent unauthorised access.

Photographs should not be stored on a portable device for any longer than is necessary

Any printed image of a child from the school should be disposed of when no longer required. They should be either:

- returned to the parent or carer
- deleted if an online copy is held
- shredded

Security

Images should be handled as personal data. Any suspected concern and breach of security must be acted on by the school setting in terms of being recorded in the data protection log, reported and acted on in line with the agreed procedure.

Images should be protected digitally and physically to ensure that they are not stolen, including images held on laptops, computers, cameras or any other storage media.

2.3. Compliance

The implications of not adhering to this policy for children, individuals, schools or the MAT could lead to criminal investigations, fines or prosecution.

3. Key steps in the process

3.1. Roles and responsibilities

All staff, students are responsible and must adhere to this policy.

3.2. Procedures

N/A

3.3. Local conditions statement

It is understood that, in some circumstances, local conditions mean that delivery will require local specific changes in the procedures. However the core essence of the policy must be followed.

School Digital Image Policy

Please highlight below any school specific policy changes, which must be signed by the principal of the school. The Principal of the school shall be responsible and accountable for any changes in policy guidelines.

- A. The use of personal photographic equipment is allowed
- B. The use of personal photographic equipment is not allowed

School Name: _____

Principal Name: _____

Signature: _____

Date: ____/____/____