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**Introduction**

There are many occasions on which it is a good thing to make use of photographs and video images that include children. This is perfectly proper and to be encouraged. However, our school will do all it can to ensure that images are used properly, and that, as in all matters, risks are minimised, and our children kept safe and secure, whether at school or elsewhere. The aim of this policy is to establish the right balance between the proper use of technology and the safety of our children at all times.

Under the terms of the Data Protection Act 1998, all photographs and video images of children and staff alike are classified as personal data. This means that no image can be used for display or for school publicity etc., unless consent is given by or on behalf of the individual concerned.

**Aim:**

To safeguard children by promoting appropriate and acceptable use of photographic equipment and resources for storing and printing images.

**Legislative Framework**

The Freedom of Information Act 2000 (FoI) came fully into force on 1st January 2005. Under the Act, any person has a legal right to ask for access to information held by the school. They are entitled to be told whether the school holds the information, and to receive a copy, subject to certain exemptions.

* Data Protection Act (1998) in which there is eight principals.
* Freedom of Information Act 2000
* Human Right Act 1998

**Procedures**

* Consent is required under the Data Protection Act 1998 as images are considered to be personal data.
* All images are to be stored and disposed of in line with Data Protection Act 1998.
* If images are to be stored for a short period of time they must be password protected on a computer storage device.
* Security procedures must be monitored and reviewed regularly by the designated safeguarding officer. The security procedures include protection against theft of equipment and computer security.
* Images must not be used for anything other than the agreed purposes unless additional consent is obtained.
* Photographs must be appropriately disposed of should they be no longer required. This could include giving the images to parents, deleting or shredding.
* The purpose and context for any proposed images should always be considered to decide whether a photograph or video are the most appropriate method of recording the information.
* The purpose of taking any images is to be clearly explained for example marketing of the business, prospectus, website, or local newspaper, use in display and to document children's learning.
* Consent for the use of images applies to adults as well as children.
* A child's full name should not appear alongside their photographs particularly if the images could be viewed by the general public.

**Use of digital cameras/camera phones**

* There are many ways in which the use of digital images is valuable for children's learning. For example, they may be used in art work or geography or science fieldwork.
* Images will be made only as appropriate for school-related activities.
* Children will be taught how to take pictures, but we will discourage them from taking pictures of each other, and they will be supervised by an adult when they have access to a digital camera.
* As soon as images have been used for their intended purpose (e.g. illustrating a good football pass), they will be deleted. The school will not store digital images any longer than for their immediate use.
* Only appropriate images will be used on the school website and children will not be identified by their name or address on the school website.

**Parental permission**

All parents and carers will be asked to sign a consent form allowing their child to be photographed or videoed while taking part in school activities, and for the image to be used within the school. This form will be given to the parents or guardians of all children joining the school in each successive year. This 'rolling' consent will allow the school to take pictures of pupils engaged in educational activities such as sports events, drama productions, field trips, etc., and to use these pictures internally. Where parents or carers do not give their consent, then the children concerned will not have pictures taken of them. Other reasons for photographs or videos are to be clearly explained and agreed with an option for parents/carers to refuse any or all of the discussed uses and to withdraw consent at any time. Any consent should be reviewed on a regular basis and at least annually.

**Use of a Professional Photographer**

* Only a reputable photographer who can provide evidence of authenticity should be used. Their photographic identity should be checked on arrival.
* They should be viewed as visitors therefore appropriate supervision should be in place at all times to ensure no unsupervised access to children. They should be supervised by a person who is in regulated activity. For further information on this follow the website link on the back page.
* They should be asked to sign an agreement to ensure that they comply with Data Protection requirements, to agree that images will only be used for the agreed specified purpose and not be disclosed to any third person.

**Parents/Carers**

* The use of any photographic equipment by staff, parents or visitors must only be with the consent of the head teacher, manager or person in charge.
* Staff should have the authority to challenge anyone using photographic equipment without prior consent.
* Parents and carers are not covered by Data Protection Act if they take photographs or make a video recording for their own private use. For further information see the website at the back of the document.

**Media publications**

Sometimes, local or national media visit the school to follow up a news story. This is often to do with a notable achievement by a child or a group of children from the school. For example, the netball team may have won a regional competition, or the school may have raised money for a charity whose representative wants to receive the donation in person. In this situation, where children's images might be made public, the school will inform parents of the event in advance, and allow them to withdraw their child from the event if they so wish. Newspapers normally ask for the names of the children to go alongside the photographs; if parents or carers do not wish this to happen, then the school will not allow the individual to be photographed or filmed by the media concerned.

**Mobile Phone Policy and Procedures**

**Aim**

* To protect children from harm by ensuring the appropriate management and use of mobile phones by everyone who comes into contact with the school.

**Procedures**

* To minimise any risks, all personal mobiles must not be used where children are present.
* This applies to shared use of rooms where non setting staff may be present at the start of the session, for example an out of school club using a classroom with teaching staff present.
* Procedures must be put into place that will ensure safe and secure storage of staff’s personal belongings including mobile phones. It is recommended that personal mobile phones are security marked, password protected and insured.
* Visitors, including other professionals, contractors and parents/carers must be made aware by signs and verbal reinforcement that they are not to use their mobile phone where children are present.
* Under no circumstances are images, videos or audio recordings to be made without prior explicit written consent by the designated safeguarding person.
* Personal mobiles may be used in designated areas at break times.
* Staff are advised to provide their work place contact number to their family members, own children's schools/settings for use in the event of an emergency.
* The setting will not be held responsible for any loss or damage of personal mobile phones.

**Work/Setting Mobile**

* The mobile phone needs to be a phone only, not a camera phone, and clearly labelled as a works mobile phone.
* Where the setting has a mobile and it is the only source of communication or for use on outings, effective security procedures must be in place to guard against misuse.

To be completed by all professional photographers/videographers entering Winshill Village Primary and Nursery School:

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| --- | --- |
| Name of company: | Purpose for visit to school: |
| I/We comply with the Data Protection Requirements and agree that images will only be used for the agreed specified purpose and not disclosed to any third person. | |
| Signed: | Date: |
| Print name: | |

## Monitoring and review

The Strategic committee of the Governing Body monitors the impact of our policies on an annual basis. This committee reports its findings and recommendations to the full governing body, as necessary, if the policy needs modification. The Governing Board gives Parents notice of any major changes to policy.

**Adopted by Governors date…………**

**Signed…………**

**Review date……………**