



# Kea School

# Photograph/Video

# Policy

**Approved by:** Full Governors **Date:** 4 October 2021

**Last reviewed on:** July 2021

**Next review due by:** July 2024

**Signed by:**

**Name:**

## **Statement of Intent**

At Kea School, we use images and videos for a variety of purposes such as for displays, educational purposes, school website, school productions and performances. We understand that parents 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, we understand that these can have significant risks for those involved. Under the legal obligations of the GDPR and the Data Protection Act (DPA) 2018, the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

Staff and parents must follow set protocols before photos and videos are taken. 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 all relevant legislation including:
  - General Data Protection Regulation (2018)
  - The Freedom of Information Act 2000
  - The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- 1.2. This policy has been created with regard to the following guidance:
  - ICO (2018) 'Guide to the General Data Protection Regulation (GDPR)'
- 1.3. This policy also has regard to the following school policies:
  - **Data Protection Policy**
  - **Data Retention Policy**

## 2. Definitions

- 2.1. For the purposes of this policy:
  - **“Camera”** is used to refer to mobile phones, tablets, webcams, portable gaming devices and any other equipment or devices which may be used to be take photographs.
  - **“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.
  - **“Official school use”** is defined as photography and videos which are used for school purposes.
  - **“Media use”** is defined as photography and videos which are intended for a wide audience such as for a local newspaper.
  - Staff may also take photos and videos of pupils for **“educational purposes”** such as school displays, special events, assessment and workbooks.

## 3. Responsibilities

- 3.1. The headteacher is responsible for:
  - Obtaining parental consent for photographs and videos being taken whilst at school.
  - Ensuring that all photos and videos are stored and disposed of correctly.
  - Deciding whether parents are permitted to take photographs and videos during school events.
  - Communicating this policy with staff and parents.
  - Ensuring there are no data protection breaches.
  - Staff are aware of children who cannot be photographed or filmed.
  - Logging any data breaches with the school's Data Protection Officer.

- 3.2. Parents are responsible for:
- Completing the consent section of the school's admission form for the use of photographs and videos.
  - Informing the school office of any changes regarding consent.
  - Acting in accordance with this policy.
- 3.3. The school's Data Protection Officer is responsible for:
- Informing and advising the school about their obligations to comply with the GDPR and the DPA 2018.
  - Monitoring the school's compliance with the above.
  - Conducting internal audits regarding the school's procedures for obtaining, processing and using photographs and videos.
  - Providing training to staff.
- 3.4. The headteacher has overall responsibility for the appropriate use of photography at school.

#### **4. Consent**

- 4.1. All photographs and videos are classified as personal data and may only be used when consent has been provided.
- 4.2. Parents are responsible for providing consent on their child's behalf, except when it relates to preventative or counselling services offered directly to children.
- 4.3. Parents and pupils have the right to withdraw consent for:
- Photographs/videos taken by members of staff for school or promotional purposes.
  - Photographs/videos taken by other parents during school events.
  - Photographs/videos taken by the press
- 4.4. The school office keeps a record of parental consent.

#### **5. General Procedures**

- 5.1. Photographs and videos of pupils will be carefully planned before any activity.
- 5.2. The headteacher will oversee where photographs and videos will be taken.
- 5.3. The headteacher will liaise with staff regarding pupils without consent and any pupils with child protection issues.
- 5.4. Photographs and videos of pupils will only be taken on school owned equipment. Personal mobile phones should never be used to take photographs of children.

- 5.5. Pupils must be fully clothed before taking any photographs or videos (never while changing).
- 5.6. Photographs and videos will only be taken in public open areas.
- 5.7. Staff are not allowed to take school iPads/cameras home unless they have the consent of the headteacher
- 5.8. The school will only use photographs/videos of children registered at the school.
- 5.9. Photos and videos that may cause any distress, upset or embarrassment will not be used. If a photo has been uploaded to the website that a child feels uncomfortable about, the photo must be removed.
- 5.10. Any concern relating to inappropriate or intrusive photography or publication of content must be reported to the headteacher.
- 5.11. All images taken by members of staff at school or on school activities remain the property of the school.
- 5.12. Images must not be shared with anyone outside the school or held for private use.
- 5.13. Under no circumstances will images be emailed unless a parent has asked for a photo of their child to be sent to them. All emails must be sent from an official school email account.
- 5.14. Unless specific prior consent has been obtained from the headteacher, members of staff must not post any school images on personal pages of social networking sites or other websites.
- 5.15. When using a professional photography company for individual, family and class photographs the headteacher will ensure:
  - parents are informed
  - the photographer's identification is checked and worn
  - The photography company is compliant with GDPR and DPA 2018 requirements.
- 5.16. If the headteacher permits parents to take photographs or videos during a school event, parents will:
  - Minimise the use of flash photography during performances.
  - Remind parents that any images/recordings taken at school events are exclusively for their own personal use and must not be uploaded to the internet or any social networking site.

## **6. Storage and Retention**

- 6.1. Images will not be kept for longer than necessary and the school will follow its Data Retention policy when destroying images.
- 6.2. Hard copies of photos and video recordings held by the school will be annotated with the date they were taken. They will only be used for their original purpose, unless permission is sought from the headteacher and parents of the pupils involved.
- 6.3. Paper documents will be shredded and electronic memories cleaned or destroyed once the retention period has ended.
- 6.4. The headteacher will ensure that the ICT teaching assistant will review stored images and videos annually to ensure that all unwanted material has been deleted.
- 6.5. Where a parent or pupil has withdrawn their consent, any related imagery and videos will be removed from the school drive immediately.
- 6.6. Where a pupil's security risk has changed, any related imagery and videos involving the pupil will be removed from the school drive immediately. Hard copies will be shredded.
- 6.7. Official school photos are held on SIMS 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.
- 6.8. Storage devices such as memory sticks, must be encrypted and images must be deleted in line with the Data Retention policy.

## **7. Privacy notices**

- 7.1. The school issues privacy notices to inform pupils and their families about how their personal data is collected and used.

## **8. Monitoring and Review**

- 8.1. This policy will be reviewed every three years.
- 8.2. Any changes to this policy will be communicated to all staff and parents.

