

# PHOTOGRAPHIC IMAGES POLICY

The media carries stories about restrictions on taking photographs at school events or about the use and misuse of images of children. This policy is designed to make the School's position clear. The policy is intended to provide pupils and parents with clear information about how images of pupils are usually used by the School. It also covers the School's approach to the use of cameras and filming equipment at events and on School premises by parents and pupils themselves, and the media. The policy should be read in addition to the Parent Contract and any other information the School provides in relation to the use of pupil images, in particular the CCTV Policy, the Pupil AUP and Staff AUP and any signage on site concerning CCTV. Images of pupils in a safeguarding context are dealt with under the School's Safeguarding and Child Protection Policy.

## General Points

- The School does not need to ask for consent for the use of generic and non-intrusive photographic images. These are images that are necessary for the ordinary running of the School; other uses are in the legitimate interests of the School and its community and unlikely to cause any negative impact on children and therefore the School is entitled lawfully to process such images and take decisions about how to use them, subject to any reasonable objections raised.
- Parents should be aware of the fact that certain uses of their child's images may be necessary or unavoidable, for example if they are included incidentally in CCTV or a photograph.
- We hope parents will feel able to support the School in using pupil images to celebrate the achievements of pupils, sporting and academic; to promote the work of the School; and for important administrative purposes such as identification and security.
- Any parent who wishes to limit the use of images of a pupil for whom they are responsible should contact their son's Head of Year, in writing, and they will be able to assist you. The School will respect the wishes of parents (and indeed pupils themselves) wherever reasonably possible, and in accordance with this policy.
- Parents should be aware that, in some circumstances, the law recognises pupils' own rights to have a say in how their personal information is used – including images.

## Internal Use of Images

### General

The School uses photographic images of students individually or collectively, but always in appropriate attire. Most frequently this is for use within School for:

- Assessment or record keeping purposes
- Internal displays and presentations

We may use images of students attending the School in or on:

- The prospectus
- Other printed publications that we produce
- The School's website and other controlled social media sites
- Presentations

We may also make video or webcam recordings for monitoring or other educational use.

*The above list is not exhaustive but illustrative of the types of format we may use within the School.*

The source of these images will predominantly be the School's staff (who are subject to policies and rules on how and when to take such images and about the storage of images), or a professional photographer used for marketing and promotional purposes, or occasionally pupils. The School will only use images of pupils in suitable dress and the images will be stored securely and centrally.

### **Identification and Security**

- All pupils are photographed on entering the School and, thereafter, at annual intervals, for the purposes of internal identification. These photographs identify the pupil by name, and can be used internally along with other information held about the pupil for identification purposes.
- CCTV is in use on School premises, and will sometimes capture images of pupils. Images captured on the School's CCTV system are used in accordance with the Privacy Notice and CCTV Policy.

### **Parental Use of Images**

Sometimes parents are permitted to photograph/film children. Their film/photos may include, for example, children who are not their own (the cast of a production, a sports team etc.). Parents are asked not to use those images or film in the public sphere and only to take photographs or film in appropriate circumstances and never in a situation whereby embarrassment or upset could be caused to the pupils.

### **Professional Use of Images**

Sometimes we invite the media to photograph/film students in order to mark:

- Significant achievements
- Successful team performances
- Productions or performances
- Special occasions or visitors

### **Use of Pupil Images in the Media**

- Where practicably possible, the School will always notify parents in advance when the media is expected to attend an event or School activity in which pupils are participating. In such instances, the School will make every reasonable effort to ensure that any pupil whose parent has refused permission for images of that pupil, or themselves, to be made in these circumstances will not be photographed or filmed by the media, nor such images provided for media purposes.
- The media often asks for the names of the relevant pupils to go alongside the images, and these will be provided where parents have been informed about the media's visit and either parent or pupil has consented as appropriate.

## Controls

### Security of Pupil Images

- Professional photographers are accompanied at all times by a member of staff when on School premises. The School uses only reputable professional photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the School's instructions.
- The School takes appropriate technical and organisational security measures to ensure that images of pupils held by the School are kept securely on School systems, and protected from loss or misuse.
- Access to images on the School network is only by authorised personnel.
- The School will take reasonable steps to ensure that members of staff only have access to images of pupils held by the School where it is necessary for them to do so.
- All staff are given guidance on the School's policy on taking, storing and using images of pupils, and on the importance of ensuring that images of pupils are made and used responsibly, only for school purposes, and in accordance with School policies and the law.

### Ability to Control

We can control whether and when the following takes place:

- Individual, group, class, year and whole school images, taken by staff, the media or professional firms where these take place on the school site or at an agreed off-site activity or visit
- Staff taking images of students working
- Students taking images of other students working
- Pictures of students and staff that have been drawn or painted by students

We will not use:

- Personal details (email or postal address, telephone or fax numbers etc.). When photographic images are being used in 'extraordinary circumstances', permission will be sought to use a pupil's full name, and the School will keep a record that consent has been granted.

We will use:

- Only images of students who are suitably attired for the context of the image

### Copyright

We do not hold the copyright of all images so cannot control the use that is made of them by the media or professional companies; however, we only use organisations with an established reputation in school photography and filming. Similarly, we cannot control the use of images made by parents.

### Technology

With the continuing development and convergence of technology (e.g. very small cameras, mobile phones that can take photographic images, etc.) it is not always possible to prevent the creation of images of students, and their use, in some circumstances. These include:

- By parents/visitors/media at public events – productions, concerts, Sports Day, etc.
- By anyone outside the school grounds unless they are legally causing a nuisance

## Student Restrictions

All pupils are encouraged to be sensitive in their use of images of their peers, and to report any misuse of images, technology or other worrying issues. The current trend for some young people to take inappropriate photographic images and use them in vindictive ways is of concern and, to this end, regular tutoring is given to inform pupils of the dangers of exchanging inappropriate images.

**No student is permitted to take or pretend to take photographic images of other students or staff without their permission.**

No pupil is allowed to use cameras or filming equipment in situations where distress or upset may be caused to others. Where the School rules on the use of images are broken, the pupil is punished accordingly and the pupil's photographic equipment (e.g. mobile phone, camera, etc.) will be removed, labelled and handed back to the pupil's parents at the earliest opportunity with full details of why it was removed initially.

## Retention of Images

Within the School we store confidential student and staff information, including photographic images under the following guidelines:

- Staff should use School equipment in all usual circumstances to take photographic images or film of pupils.
- Where staff have taken images on their personal devices in line with school guidance, that they remove those images as soon as they are stored safely on a School device or drive and within 24 hours unless in exceptional circumstances.
- Staff should not make images of pupils available on the internet, other than through the School network/website, Firefly or other VLE or John Lyon School social media accounts without permission from parents and senior teachers.
- Staff take reasonable steps to control the storage, use and publication of images of students.
- Images may be stored on any ICT related media as long as it is password protected and encrypted.

Access to images on the School network is only by authorised personnel.

## Obtaining consent for the use of images in extraordinary circumstances and for marketing or fundraising purposes

The School will seek consent on an *ad hoc* basis for out-of-the-ordinary or public use of images of pupils, and particularly if the pupil is prominently featured or, as stated above, named in the media. The consent will be sought in writing and the School will keep a record that consent has been granted.