



Durham School

Photographs and Photography Policy

I. Introduction

Photography in schools is subject to the Data Protection Act 2018 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families. As well as these statutory rights, restrictions on photography arise from issues of Safeguarding and Copyright in performances.

Durham School recognises that it is difficult to balance the benefits of having photographic records of the wide variety of events that take place day to day in a school environment, whilst also appropriately protecting the individuals associated with the school.

Extra care must be taken when considering the role of photography with EYFS pupils in the School. (see appendix 1)

II. Definitions

'Photography' includes photographic prints, streaming media and transparencies, video, film and digital imaging, created using devices such as cameras, video cameras, phones or tablets, etc.

'The School' is Bow, Durham School and Durham School.

'In School' is whenever and wherever pupils and staff are the responsibility of or representing the School.

'Parent' means anyone with parental rights and responsibilities in relation to a pupil, or EYFS pupil including Guardians, Carers and school House staff (if nominated to do so by the Parent/ Guardian/ Carer).

III. Aims

The policy aims to:

- Facilitate photography for the business purpose of the school
- Facilitate photography for educational and record keeping purposes, including the EYFS Profile.
- Respect the rights of the individual
- Safeguard individuals

IV. Policy Statements

- Photographs taken for curricular, assessment, security, registration, training and development or travel reasons may not be used for any other purpose. This includes EYFS pupils who have

their photographs taken to provide evidence of their achievements for developmental records (EYFS Framework 2012) and as part of their end of Foundation Stage Profile.

- Publicity photography is essential in publicising the success of the pupils and the school and in promoting educational initiatives. From time to time members of the press and media are invited into school to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times as will the views of the senior pupils. (see Appendix 1- Media Consent Form),
- Durham School will judge each situation regarding photographs and video images portraying pupils on a case by case basis.
- If for any reason you choose to not allow images of your child to be used the School will continue to process images of your child that are either necessary for administration of the School, or where the School requires it and is otherwise lawfully entitled to do so. It may not be possible to change printed publications, such as the school magazine or prospectus, or third party publications (for example where we have placed an advert or provided an image to a newspaper).
- The School will use reasonable judgement when using images for the progression of the School and its pupils whilst always respecting the wishes of the individual and their parents.
- The School commits in this policy to observing the principles of the Equality Act 2010 and does not discriminate on any grounds.

V. Procedure - Use of Digital and Video Images

The development of digital imaging technologies has created significant benefits to learning, allowing staff and pupils instant use of images that they have recorded themselves or downloaded from the internet. However, staff and pupils need to be aware of the risks associated with sharing images and with posting digital images on the internet. Those images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term.

- When using digital images, staff should inform and educate pupils about the risks associated with the taking, use, sharing, publication and distribution of images. In particular, they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.
- Staff are allowed to take digital/video images, to support educational aims, but must follow school policies concerning the sharing, distribution and publication of those images. Social Media Policy, Staff IT Acceptable Terms and Conditions.
- Care should be taken when taking digital / video images that pupils are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute.
- Pupils must not take, use, share, publish or distribute images of others without their permission.
- Photographs published on the website, or elsewhere that include pupils will be selected carefully and will comply with good practice guidance on the use of such images.
- Pupils' full names will not be used directly on a website or blog, particularly in association with photographs.
- Written permission from parents or carers will be obtained before photographs of pupils are published on the school website or for other promotional material (appendix 1)
- Cameras, mobile phones and use of videos is prohibited in any toilet or changing areas.

VI. Procedure - Photography by School Staff

School staff can be involved in the photography of pupils and staff for the following main purposes:

- Pupil administration.
- Curriculum or course work.
- EYFS Profile record keeping and evidence gathering.
- Corporate and community activities.

The following advice represents good practice in the use of photographic images involving pupils.

- I. When taking a picture, The School must have obtained the consent of the person in the picture (for pupils over the age of 16) or their parent or carer for all other pupils including EYFS pupils. (Data Protection Act 1998)
- II. Ensure that the commitment made in the consent form (appendix 1) is followed:
 - a. Not to name the pupil
 - b. Not to use the photograph out of context
 - c. Not to use the photograph to illustrate sensitive or negative issues
- III. When photographing pupils:
 - a. Check parents/carers/pupils over 16 have given permission through the Consent Form (appendix 1). Staff should note that a list of pupils without Media Consent will be kept centrally and stored in the school's MIS. It is each member of staff's responsibility to check this list if they intend to use any images of pupils.
 - b. Ensure all pupils are appropriately dressed.
 - c. Avoid photographs that only show a single child with no surrounding context of what they are learning or doing. A photograph for identification purposes may endure for several years but should not be retained when replaced or expired.
 - d. Do not use/take images of images of pupils who have not consented.
 - e. Use photographs that represent the diversity of the pupils participating.
 - f. Events may be recorded by video and photographs by staff and parent/carers. However, School Productions maybe be photographed professionally and parents will be requested not to take videos/photographs.
 - g. Report any concerns relating to any inappropriate or intrusive photography to the Headmaster.
 - h. Do not use any images that are likely to cause distress, upset or embarrassment.
 - i. Photographs must be of a suitable quality.
- IV. When staff use their own equipment for recording images of children the image should be stored following the Staff IT Terms and Conditions of Use.
- V. Photographs taken by staff on school visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work the school provided they have been checked.
- VI. Copyright and use of photographs is carefully controlled by and retained safely by the school. Photographs taken professionally are circulated to parents, for purchase, by way of a secure, password protected website.

VII. Digital photographs are stored securely with permission granted to only those who have an agreed need. Photographs are stored in labelled files and annotated with the date. Identification is by Cohort only and no names are associated with the images.

VIII. Designated staff will regularly review stored images and delete unwanted material.

7. Procedure - Photographs by Other Authorised Agencies

The involvement of other agencies can only be authorised by the Headmaster or in his absence the designated duty manager.

Examples of other agency are:

- Reputable commercial photographers, commissioned by the Headmaster. The law allows them to retain the copyright of the photographs.
- The press and other media. Copyright rests with the photographer.
- Agents - for the purpose of recruitment.

Photographs held by the school must be annotated with the date on which they were taken and stored securely. They should not be used other than for their original purpose, unless permission is obtained.

The purpose of the pictures must be explained to the parents or the pupils themselves and written permission (through the Media Consent Form) must be sought. Pupils must not be photographed for these purposes under any circumstances unless written permission has been obtained.

Everyone should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains the copyright.

8. Procedure - Parent Photography

- Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in school events, subject to the following guidelines, which the school expects all parents to follow:
 - When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others. Flash photography can disturb others in the audience, or even cause distress for those with medical conditions; the school therefore asks that it is not used at indoor events.
 - Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
 - Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be made accessible to others via the internet (for example on Facebook), or published in any other way.
 - Parents are reminded that copyright issues may prevent the school from permitting the filming or recording of some plays and concerts. The school will always print a reminder in the programme of events where issues of copyright apply.
 - Parents may not film or take photographs in changing rooms or backstage during school productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.

- The school reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines.
- The school sometimes records plays and concerts professionally (or engages a professional photographer or film company to do so), in which case CD, DVD or digital copies may be made available to parents for purchase. Parents of pupils taking part in such plays and concerts will be consulted if it is intended to make such recordings available more widely.

9. Procedure – Pupil Photography

Pupils are educated about acceptable behaviour when photographing their peers. There may be incidents where pupils take inappropriate photographs, perhaps showing friends and other pupils inappropriately dressed. Staff must endeavour to discourage this practice, as it is open to abuse, but ultimately parents are responsible for monitoring their child's use of personal cameras and subsequent use of images involved. Each pupil is required to sign the Durham School BYOD Policy & Acceptable Use Agreement at the start of each academic year.

- All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.
- The use of cameras or filming equipment (including on mobile phones) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils in a manner that may offend or cause upset.
- The misuse of images, cameras or filming equipment in a way that breaches this Policy, or the school's Anti-Bullying Policy, Data Protection Policy, Staff IT Terms and Conditions of Use and Durham School BYOD Policy & Acceptable Use Agreement (for Pupils), Safeguarding Policy or the School Rules is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

10. Cross reference to other Policies and Documents

This policy is linked to the following other policies and documents

- School Privacy Notice
- Staff Acceptable Use Terms and Conditions
- Durham School BYOD Policy & Acceptable Use Agreement
- Safeguarding Policy

11. Oversight

Oversight of this policy is undertaken by the Audit Committee of the Governing Body. The policy will be reviewed annually.



Media Consent Form

I hereby consent to the use of photographs/videos/interviews taken of my child by Durham School or the media for the purposes of advertising, marketing fundraising and development or publicising events, activities, facilities, programmes of Durham School in newspapers, newsletters, website, other publications, television, radio and other communications and advertising media.

Media Consent:

Please tick one of the choices below:

Yes, I allow my child to be used for publicity by and for the School (as mentioned in the Photographs and Photography Policy)

No, I do not want my child to be used for publicity by and for the School (as mentioned Photographs and Photography Policy)

There may be occasions where a newspaper or magazine article is written about an event, the success of a sports team or winners of a competition, in these cases the newspaper or magazine will want to publish photographs with names attached.

I hereby consent to the use of photographs taken of my child by Newspapers or magazines to celebrate victories or recognise events to be published with the name of my child associated with the picture.

Specific Media Consent:

Please tick one of the choices below:

Yes, I allow my child to have their name associated with their photograph in newspaper or magazine articles (as mentioned Photographs and Photography Policy)

No, I do not want my child to have their name associated with their photograph in newspaper or magazine articles (as mentioned Photographs and Photography Policy)

Social Media:

Yes, I allow my child to be used on the Bow & Durham School social media sites

No, I do not want my child to be used on the Bow & Durham School social media sites

Printed Name(s) of Child:

Printed Name of Parent or Guardian:

Signature of Parent or Guardian:

Date:

Address:

Town: County:

Post Code: Country:

Telephone: E-mail:

You may withdraw consent at any time in the future, by informing us in writing by emailing GDPR@durhamschool.co.uk subject to the notice* at the bottom of this form.

***Please be aware** that objecting as above will not necessarily mean that the School will not continue to process images of your child that are either necessary for administration of the School, or where the School requires it and is otherwise lawfully entitled to do so. It may not be possible to change printed publications, such as the school magazine or prospectus, or third party publications (for example where we have placed an advert or provided an image to a newspaper). **Please see our Privacy Notice for further details.**

Appendix 1

EYFS: Management of Photographs and Photography

Personal Smartphones:

- Parents and visitors are alerted to the fact that the EYFS is a smartphone-free zone through clear signage to this effect. Visitors using a smartphone will be asked to switch it off and put it away.
- Staff and visitors must never take Smartphones into any pupil cloakroom areas in the setting.
- Personal smartphone usage is kept to a minimum.
- Staff in the EYFS must only use their personal smartphones when on a break and only when in the upstairs staff areas or main school staffroom.
- Personal smartphones are never used by staff in any rooms occupied by pupils and staff are not permitted to use their phones to take photographs of children.
- All personal smartphones are kept securely in the staff area upstairs or in the locked cupboard in the FS2 classroom.
- Members of staff ensure that the main telephone number of the School is known to immediate family should they need to be contacted in an emergency
- If staff take their own smartphones on outings for use in case of an emergency, the making or receiving of personal calls is not permitted.
- Members of staff do not use their personal smartphones to take photographs of children on outings or trips. School devices are available and should be used for this purpose.

Cameras and Use of Photographs

- Staff in the EYFS are not permitted to use their own mobile camera phones to take photographs of pupils. They must use the School iPad or digital camera instead.
- Photographs taken of children in the School are taken for valid reasons: for the recording of curriculum activities in action, recording of the learning and development of pupils for observation records and profiles; including the online learning journal 'Tapestry'
- We also use photographs for displays within the EYFS setting.

Photography at School Events

- The School informs and displays the following statement regarding photography at our school events:

'We are happy for parents and carers to take photographs and video of a school production for personal use, but request that these images are not distributed or put online. This is to protect all members of the school community.'