



Striving for Excellence

## **Ark Oval Primary Academy**

# **DIGITAL STILLS AND VIDEO IMAGES POLICY 2015**

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## **Policy for Photographs and Photography**

### **Introduction**

Photography in schools is subject to the Data Protection Act 1998 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.

ARK Oval Primary Academy 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 the academy's environment, whilst also appropriately protecting the individuals associated with the school.

### **Photography Policy Statement**

- Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose.
- Publicity photography is helpful in publicising the success of the students 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 students.
- ARK Oval will judge each situation regarding photographs and video images portraying students on a case by case basis.
- The Academy will use reasonable judgement when using images for the progression of the academy and its students whilst always respecting the wishes of the individual and their parents.

### **Definitions**

- 'Photography' includes photographic prints, streaming media and transparencies, video, film and digital imaging, created using devices such as cameras, video cameras, phones, tablets, etc.
- 'The academy/school' is ARK Oval Primary Academy.
- 'In academy' is whenever and wherever students and staff are the responsibility of or representing the academy.
- 'Parent' means anyone with parental rights and responsibilities in relation to a student, including Guardians, Carers and school House staff (if nominated to do so by the Parent/ Guardian/ Carer).

### **Aims**

The policy aims to:

- Facilitate photography for the business purpose of the academy
- Respect the rights of the individual
- Safeguard individuals
- Allow personal family photography where possible.

### **Use of Digital and Video Images**

The development of digital imaging technologies has created significant benefits to learning, allowing staff and students instant use of images that they have recorded themselves or downloaded from the internet. However, staff and students 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. There are many reported incidents of employers carrying out internet searches for information about potential and existing employees. ARK Oval will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm:

- When using digital images, staff should inform and educate students 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, using school equipment, to support educational aims, but must follow school policies concerning the sharing, distribution and publication of those images.
- Care should be taken when taking digital / video images that students are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute.
- Students must not take, use, share, publish or distribute images of others without their permission
- Photographs published on the website, or elsewhere that include students will be selected carefully and will comply with good practice guidance on the use of such images.
- Students' full names will not be used anywhere on a website or blog, particularly in association with photographs.
- Permission from parents or carers will be obtained before photographs of students are published on the school website or for other promotional material

## **Photography by School Staff**

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

- Student administration.
- Curriculum or course work.
- Corporate and community activities

## **Good Practice**

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

1. Ensure that the commitment made in the consent form (appendix I) is followed:
  - a. Not to name the student
  - b. Not to use the photograph out of context
  - c. Not to use the photograph to illustrate sensitive or negative issues
2. When photographing students:
  - a. Check parents/carers have given permission through the Consent Form. Staff should note that a list of students without Media Consent will be kept centrally in the School Office. It is each member of staff's responsibility to check this list if they intend to use any images of students.
  - b. Ensure all students are appropriately dressed.
  - c. Avoid photographs that only show a single child with no surrounding context of what they are learning or doing with the exception of identity shots used on the PASS system. A photograph for identification purposes may endure for several years but should not be retained when replaced or expired.
  - d. Avoid naming students. If a name is required use only the first name.
  - e. Use photographs that represent the diversity of the students participating.
  - f. Report any concerns relating to any inappropriate or intrusive photography to the Safeguarding Officer.
  - h. Do not use any images that are likely to cause distress, upset or embarrassment.

- 3.a. Staff should use school equipment wherever possible for recording images of children. If exceptionally it is necessary for staff to use their own equipment (eg due to the malfunction of school equipment or an unexpected event) then the image should be handed to the school at the earliest opportunity and deleted from staff equipment, including mobile phones.
- 3.b. Notwithstanding the above the School recognises that students and staff may take their own equipment on trips and expeditions in which case the images should be downloaded onto the school site as soon as possible and then be removed from their own recording device.
4. 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 of the school provided they have the appropriate consent.
5. Parents may be allowed to purchase a copy of a photograph of their individual child, or as part of a group, if the parents of the other students in the group are in agreement.
6. Copyright and use of photographs is carefully controlled by and retained safely by the school.
7. 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.
8. Regularly review stored images and delete unwanted material.

### **Photographs by Other Authorised Agencies**

The involvement of other agencies can only be authorised by the Headmaster(s).  
The other agencies are:

- Reputable commercial photographers, commissioned by the Headmaster(s). The law allows them to retain the copyright of the photographs.
- The press and other media. Copyright rests with the photographer.

The purpose of the pictures must be explained to the parents or the students themselves (if over school leaving age) and written permission (through the Media Consent Form) must be sought. Students must not be photographed for these purposes under any circumstances unless written permission has been obtained.

Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains the copyright. They should be given contact details of the agency used.

## **Parent Photography**

Photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement as well as being an established social practice.

Where practical, arrangements can be made to allow photographs to be taken by parents and other guests attending school events. Photography must not be allowed to upset the performance or smooth running of the event or affect the health and safety of students and others.

When a parent does not agree to their child being photographed, the Head of ARK Oval Primary School or a member of the senior management team must inform staff and make every effort to comply sensitively.

Parental photography must not include any child whose parent has refused consent for any reason. This may necessitate offering photography opportunities before or after the event of those who are authorised to be involved.

Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for student participation.

Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is strictly forbidden.

If parents are unsure whether or not permission has been given by staff to record a particular performance or event, they should ask the person responsible for organising it. If permission is granted it will be for private use only and not for social media sites.

## **Student Photography**

Students will photograph each other extensively during certain activities especially during offsite events and residential periods. Staff should maintain the supervision and management control expected in their "duty of care" role, they must ensure they inform all students of the expectations with regard to photographing their peers.

Students should be educated about acceptable behaviour when photographing their peers. There may be incidents where students take inappropriate photographs, perhaps showing friends and other students 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.

## **Examples of Specific Situations**

### **1. Inter-School Fixtures**

If a student who is vulnerable or does not have consent is involved in such an event, it is necessary to liaise with a member of staff from the other establishment so they are aware of the parent/carers wishes and can seek the cooperation of the parents from the opposing team.

In this situation spectating students must be made aware they cannot take, use, share, publish or distribute images of others without their permission.

### **2. Teacher Training Portfolios**

It will be necessary during teacher training and the NQT year for colleagues to compile portfolios of evidence. Staff must act responsibly when compiling these images and a member of the SLT may wish to see the images in the portfolio to consider their appropriateness.

### **3. Displays**

Displays must depict students in an appropriate way and the relevant permissions must be obtained.

### **4. Practical Examination Evidence**

It is good practice for colleagues to confirm what will happen to video evidence used to assess practical elements of an examination with the external examiner during their visit to the school.

### **5. Newspapers**

Team photographs – if a parent is not happy to have a child's name printed on a photograph or even be included in the photograph then consideration must be given to publishing the team without any names, or without some students.

Photograph Opportunities – newspapers will not normally publish photographs of small groups of students without full names. This means that often ARK Oval will only be able to offer photograph opportunities to those students who parents are happy for them to be photographed or named.

### **6. Internet Sites**

The network manager must only use appropriate images on the website. For example a student who has achieved success in swimming should only be photographed in a tracksuit and not in a swimsuit.

## **Items Pertinent to the Early Years Foundation Stage (EYFS)**

Children have their photographs taken to provide evidence of their achievements for their learning journey. Staff, visitors, volunteers and students are not permitted to use their own mobile phones to take or record any images of preschool children for their own records during session times.

### **Procedures**

- Under the Data Protection Act 1998, the pre-school must seek parental consent to take photographs and use video recorders.
- Photographs may be taken during indoor and outdoor play and displayed in albums or a child's development records for children and parent/carers to look through.
- Often photographs may contain other children in the background.
- Events such as, Sports day, Outings, Christmas and Fundraising Events may be recorded by video and photographs by staff and parent/carers but always in full view of all attending.
- On occasion we might like to use photographs of the children taking part in an activity to advertise/promote our school via our Web site etc.; however in this instance specific parental permission for these events would be required.
- Cameras and mobile phones are prohibited in the toilet areas.