



Joy Lane Foundation Primary School

Image Use Policy for Educational Settings

Designated Safeguarding Lead: Ms D Hines

Named Governor with lead responsibility: Chris Graves

Draft Prepared	August 2020
Date Agreed	September 2020
Signed by Executive Headteacher	Ms D Hines
Signed by Chair of Governors	Mrs C Graves
Date Policy to be Reviewed	September 2021

This policy will be reviewed **at least** annually. It will also be revised following any concerns and/or updates to national and local guidance or procedures.

Official use of Images/Videos of Children

Scope and aims of the policy

- This policy seeks to ensure that images, videos and CCTV taken within and by *Joy Lane Primary School* are taken and held legally and the required thought is given to safeguarding all members of the Community.
- This policy applies to all staff including The Governing Body, Teachers, Support Staff, External Contractors, Visitors, Volunteers and other individuals who work for or provide services on behalf of the School (collectively referred to as 'Staff' in this policy) as well as Children and Parents/Carers.
- This policy must be read in conjunction with other relevant school policies including, but not limited to; Safeguarding and Child Protection, Anti-Bullying, Behaviour, GDPR, Image Use, Acceptable Use Policies, Confidentiality, Screening, Searching and Confiscation and relevant Curriculum Policies including Computing, Online Safety, Personal Social and Health Education (PSHE), Citizenship and Sex and Relationships Education (SRE).
- This policy applies to all images, including still and video content taken by *Joy Lane Primary School*.
- All images taken by *Joy Lane Primary School* will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
 - fairly, lawfully and in a transparent manner
 - for specified, explicit and legitimate purposes
 - in a way that is adequate, relevant limited to what is necessary
 - to ensure it is accurate and up to date
 - for no longer than is necessary
 - in a manner that ensures appropriate security

The Data Protection Officer (DPO) within the setting (Mr JM Henderson-Varlin, Business Manager) supported by the DSL and the Senior Leadership Team are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within Joy Lane Primary school. This includes the management, implementation, monitoring and review of the Image Use Policy.

Parental consent

- Written permission from parents or carers will always be obtained before images and/or videos of children are taken, used or published.
- Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.

Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.

- Written consent from parents will be kept by Joy Lane Primary School, where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.
- Parental permission will be sought on an agreed basis annually.
- A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.

Safety of images and videos

- All images taken and processed by or on behalf of Joy Lane Prima will take place using equipment and devices provided by Joy Lane Primary School.
- Staff will receive information regarding the safe and appropriate use of images as part of their Data Protection and Safeguarding training.
- All members of Staff, including volunteers, will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

- Images will not be kept longer than is considered necessary. The designated member of staff will ensure all photographs are permanently wiped from all devices used by staff once the images will no longer be of use.
- All images including CCTV footage will remain the school property whatever the school devices they are stored and shall not be shared outside of the school environment.
 - Should permission be given to take any images off site, then all relevant details will need to be recorded, for example who, what, when and why and data will be kept securely for example with appropriate protection under the responsibility of the staff for work purposes only.
- Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably protected and the responsibility will lie with the registered user of such device.
- The DPO, DSL, Chair of Governor and Safeguarding Governor reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.
- Only official setting owned equipment and cameras will be used by staff to capture images of children for official purposes. Use of personal equipment and cameras by staff is prohibited.
- Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.
Joy Lane Primary School will ensure that images always are held in accordance with the General Data Protection Regulations (GDPR) and Data Protection Act, and suitable child protection requirements, if necessary, are in place.
- Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the DPO and/or DSL and the Parent/Carer.

Publication and sharing of images and videos

- Images or videos that include children will be selected carefully for use, for example only using images of children who are suitably dressed.
- Images or videos that include children will not provide material which could be reused.
- Children's' full names will not be used on the website or other publication, for example newsletters, social media channels, in association with photographs or videos.
- Joy Lane Primary School will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

Usage of apps/systems to share images with parents

- Joy Lane Primary School uses Class Dojo and Facebook to upload and share images of children with parents.
- The use of the system has been appropriately risk assessed and the Governing Body, Executive Headteacher and Head of School has taken steps to ensure all data stored is held in accordance with GDPR and the Data Protection Act.
- Images uploaded to Dojo will only be taken on Joy Lane Primary School devices.
- All users of Joy Lane Primary School are advised on safety measures to protect all members of the community e.g. using strong passwords, logging out of systems after use etc.
- Parents/Carers will be informed of the expectations regarding safe and appropriate use (e.g. not sharing passwords or copying and sharing images) prior to being given access. Failure to comply with this may result in access being removed.

Safe Practice when taking images and videos

- Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.
- Joy Lane Primary School will discuss the use of images with children and young people in an age appropriate way.
- A child or young person's right not to be photographed is to be respected. Images will not be taken of any child or young person against their wishes.
- Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

Use of Closed-Circuit Television (CCTV) for Safety and Security intentions (see Appendix).

- All areas which are covered by CCTV are for the sole use of Safety, Security and Crime prevention These are well signposted.
- These notifications are displayed so that individuals are advised before entering such vicinity, in effect, this means people are consenting their use by entering such area.
- Recordings will be retained for a limited time only, averaging two weeks, dependant on usage (e.g. less traffic during the holidays) and for no longer than their intended purpose.
- Regular auditing of any stored images will be undertaken by the ICT Technician.
- If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the Executive Headteacher, the Police and Insurance company. Right of access to any footage is strictly limited to the above mentioned persons only.
- CCTV cameras will be appropriately placed within the setting.

Use of webcams

- Parental consent will be obtained before webcams will be used within the setting environment for educational purposes.

Use of photos and videos of children by others

Use of photos and videos by parents/carers

- Parents/Carers are permitted to take photographs or video footage of events for private use only.
- Parents/Carers who are using photographic equipment must be mindful of others, including Health and Safety concerns, when making and taking images.
- The opportunity for Parents/Carers to take photographs, and make videos, can be reserved by Joy Lane Primary School on health and safety grounds.
- Parents/Carers are only permitted to take or make recording within designated areas of Joy Lane Primary School. Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.
- The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.
- Parents may contact the Joy Lane Primary School DSL, Ms D Hines, to discuss any concerns regarding the use of images.
- Photos and videos taken by Joy Lane Primary School and shared with parents should not be shared elsewhere, for example posted onto social networking sites. To do so may breach intellectual property rights, data protection legislation and importantly may place members of the community at risk of harm.

Use of photos/videos by children

- Joy Lane Primary School will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children cannot take the camera, for example unsupervised areas, toilets etc.
- The use of personal devices e.g. mobile phones, tablets, children's own digital cameras are not allowed. (See Mobile Technology & Social Media or Online Safety Policy).
- All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
- Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.
- Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with GDPR and the Data Protection Act.
- Children may take photos/videos of other children for internal use by the Joy Lane Primary School only and will not be shared online or via any website or social media tool without permission.
- Photos taken by children for official use will be carefully controlled by Joy Lane Primary School and will be checked carefully before sharing online or via digital screens.

- Still and video cameras provided for use by children and the images themselves will not be removed from the setting.

Use of images of children by the media

- Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's, or other relevant media, requirements can be met.
- A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (such as first names only) will be published along with images and videos.
- The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
- Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability, however, can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

Use of external photographers

- External photographers who are engaged to record any events will be prepared to work according to the terms of the settings Online Safety Policy.
- Photographers will sign an agreement which ensures compliance with GDPR and the Data Protection Act.
- Images taken by external photographers will only be used for a specific purpose, subject to parental consent.
- Photographers will not have unsupervised access to children and young people

Useful Contacts

Kent County Council's Online Safety Guidance and Information for Education Settings: www.kelsi.org.uk/child-protection-and-safeguarding/e-safety

Kent County Council's Access to Information Content

www.kelsi.org.uk/school-management/data-and-reporting/access-to-information

Kent County Council Education Safeguards Team Content:

www.kelsi.org.uk/child-protection-and-safeguarding

ATL Help and Advice on CCTV and other surveillance:

www.atl.org.uk/help-and-advice/school-and-college/CCTV.asp

ICO Code of Practise for CCTV:

<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

ICO Sector Guide for Education:

www.ico.gov.uk/for_organisations/sector_guides/education.aspx

ICO Information on Data Protection Act for Organisations:

www.ico.gov.uk/for_organisations/data_protection.aspx

United Kingdom's Copyright Licensing Agency: <http://www.cla.co.uk/>

International Federation of Reproduction Rights Organisation: <http://www.ifrro.org/>

CCTV Appendix

The school CCTVs are purely for the purpose of safety and security of the children and the staff.

They are also used for crime prevention. (Image Use Policy)

The school is the data controller of all CCTV footage and is the school property.

The CCTV are well signposted and by entering these areas, people are giving their consent.

CCTV footage gets over-ridden on a two weekly rolling basis. This can vary either way and is dependant of traffic usage.

Right of access to footage* is strictly limited to those mentioned below.

The footage can only be reviewed by:

- the Executive Headteacher,
- the Chair of Governors and the Safeguarding Governor.
- the Police or Insurance company for their specific investigations.

*Please note: Footage will only be reviewed as part of an investigation. Following a review, only the outcome will be provided.

We cannot redact out, nor pixelate away, 3rd parties who therefore could be identified. This would contravene their right of confidentiality, which is an exemption in any freedom of information request.

Joy Lane Primary Foundation School follow the ICO code of practice

<https://ico.org.uk/media/1542/cctv-code-of-practice.pdf>

Contact: <https://ico.org.uk/global/contact-us/>

Tel: 0303 1231113

Parental Consent for Images



Dear Parent/carer

This letter explains why we will need to ask for your consent before we are able to take photographs of your child during their time at Joy Lane Primary School.

Generally, photographs are a source of pleasure and pride. We believe that the taking and use of photographs can enhance the self-esteem of children and their families and, therefore, is something to be welcomed and appreciated.

We may take photographs for a number of reasons whilst your child is with us, including:

- documenting and recording education activities
- recording their learning and development progress
- recording and celebrating special events and achievements

We will also encourage children to be active learners, and to become involved in using cameras themselves by taking photos of their surroundings, activities and of each other.

However, we do recognise that with the increase use of technologies, particularly digitally and online, the potential for misuse has become greater and we understand that this can give rise to concern. We will therefore endeavour to put effective safeguards in place to protect children and young people by minimising risk.

We are mindful of the fact that some families may have reasons why protecting a child's identity is a matter of particular anxiety. If you have special circumstances either now or at any time in the future which would affect your position regarding consent, please let us know immediately in writing.

We have a specific policy regarding the use of images and also include the safe use of mobile phones and personal devices as part of our Online Safety Policy, which you are welcome to view on our website <https://www.joylane.kent.sch.uk/community/policies> or take a copy of at any time.

To comply with the General Data Protection Regulations (GDPR) and the Data Protection Act, we need your permission before we can photograph or make any recordings of your child. If your child is old enough to express their own view, you may want to consult with them about categories of consent, and we invite you to use this letter to explore their feelings about being photographed at Joy Lane Primary School.

Please read and complete the attached forms and do not hesitate to contact me should you have any queries.

Yours sincerely,

Ms D Hines, Executive Headteacher



Parental Consent Form for Images

- This form is valid for the period of time your child attends Joy Lane Primary School. The consent will automatically expire after this time. We will not re-use any photographs or recordings after your child leaves Joy Lane Primary School without additional consent.
- We will not use the personal information or full names (first name and surname) of any child in a photographic image or video on our website, online, in our prospectus or in any of our other printed publications. If we use photographs of individual children, we will not use the full name of that child in the accompanying text or photo caption. If we name a child in any text, we will not use a photograph of that child to accompany the article.
- We may use group photographs or footage with general labels.
- We will only use images of children who are suitably dressed.
- We will discuss the use of images with children in an age appropriate way and to role model positive behaviour.
- This consent can be withdrawn by Parent/Carer at any time by informing Joy Lane Primary School in writing.

Please Circle as Appropriate	
I give my consent for my child's image to be stored on SIMS (School Information Management System) as part of their individual data file for identification of specific educational, dietary or medical needs, which need to be communicated to all Staff for Safeguarding purposes. These images will also be kept in our Medical Room, Classrooms, Extended Services' Folder and Kitchen.	Yes / No
I give my consent for my child's photograph to be taken by the School Photographer for individual, group, Class and School photographs.	Yes / No
I give my consent for my child's image in displays around Joy Lane Primary School.	Yes / No
I give my consent for you to record my child's image or use videos for assessments, monitoring or other educational uses within the Joy Lane Primary School. These images or recordings will be used internally only.	Yes / No
I give my consent for my child's image in our prospectus and other printed publications that we produce for educational and promotional purposes.	Yes / No
I give my consent for my child's images and videos on our Official Joy Lane Primary School Website.	Yes / No
I give my consent for my child's image on our official social media channels such as Class Dojo.	Yes / No
I give my consent for my child to be photographed by Staff and fellow parents during School productions and events as long as it is made clear, each time, that these must only be used for personal viewing purposes and must not be published in any format, including online.	Yes / No
I give my consent for my child's image on our official social media channels such as Facebook.	Yes / No
I give my consent for my child to participate in video conferencing for appropriate Curriculum purposes and under the supervision of their Class Teacher for example when Skyping with French Pen Pals, talking to an author etc.?	Yes / No
I give my consent for my child to appear in the media e.g. if a newspaper photographer or television film crew attend an event organised by the setting? [Please note that some newspapers may require the child's first name and may store photographs for online use.]	Yes / No
I give my consent for the School to print images of your child electronically such as school newsletters, Term Times and on our School Facebook to celebrate events and achievements.	Yes / No

- I have read and understood the conditions of use and I am also aware of the following:
 - Websites and social media sites can be viewed worldwide; not just in the United Kingdom where UK law applies.
 - The press are exempt from GDPR and Data Protection Act and may want to include the names and personal details of children and adults in the media.
- I/we will discuss the use of images with our child/children to obtain their views, if appropriate.
- As the child's parents/guardians, we/I agree that if we/I take photographs or video recordings of our child/children which include other children, then we will only use these for our personal use.

Name of Child: _____

Date: _____

Parent/Carer Name: _____

Parent/Carer's signature: _____

Childs Signature (if appropriate): _____

Group Activity Letter and Form

Dear Parent/Carer

We are staging a production/special event of on xxxxxxx. We are sure some Parents/Carers would like to take photographs/videos of the production. As you know we have a policy in place with regards to the taking, making and use of images and you will have previously signed a consent form stating whether or not your child could be photographed. In circumstances, such as productions or special events, we request specific consent before photographs can be taken by a third party. If you wish to take photos at the production there is a strong possibility that other children will also be included within the picture. We therefore need to ensure all Parents/Carers who have children in the production are happy for photographs to be taken, and hence need to request their permission.

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks. This means that we can easily share our photos and video with family and friends. Whilst this can be very useful to all of us we must ensure we protect and safeguard all children and staff, including those who do not want to have their images stored online.

- Some children are at risk and **MUST NOT** have their image put online. Not all members of the Community will know who they are.
 - Once posted and shared online any image or video can be copied and will stay online forever.
 - Some people do not want their images online for personal or religious reasons.
 - Some children and staff may have a complex family background which means that sharing their image online can have unforeseen consequences.
 - Therefore, in order to keep all members of the Community safe we must all '**Think Before We Post**' Online
- At Joy Lane Primary School we are happy for parents and carers to take photos and video of events for personal use but we request that these images are not distributed or put online. This is to protect all members of the community. Please be aware that parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of an event or posting on YouTube). Should any Parent/Carer not agree with their child being photographed, we will consider alternative options including:
- video the event without those children in shots or edit the video at a later stage before providing access to Parents/Carers
 - staging specific photograph opportunities
 - restricting who is involved in the production/special event

Photographs of setting productions are ones which Parent/Carers tend to treasure. We will therefore only prohibit the use of cameras and videos as a last resort. We hope you will support us in this.

We would, therefore, be very grateful if you would complete the slip at the bottom of this letter and return it to me by (date).

Yours sincerely

Headteacher/Manager

Parental Consent for Images as part of Group Activity

Child's name:

Date:

I am / am not * happy for photographs to be taken of the production/special event in which my child is due to appear on **xxxxxx** (date)

(*Please delete as appropriate)

Parent/Carer Name:

Parent/carer's signature:

Childs Signature (if appropriate):

Guide to the Use of Images Online

Using Images Safely and Responsibly

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks, such as Facebook, YouTube and many other websites. This means that we can easily share our photos and videos with family and friends.

Whilst this can be very useful to all of us, we must ensure we protect and safeguard all children and Staff, including those who do not want to have their images stored online.

What should we all think about before posting any images or video online and are there any risks?

- Once posted and shared online any image or video can be copied and will stay online forever.
- Some people do not want their images online for personal or religious reasons.
- Some children and Staff may have a complex family background which means that sharing their image online can have unforeseen consequences.
- Some children are at risk and **MUST NOT** have their image put online; not all members of the Community will know who they are.

Therefore in order to keep all members of the community safe we must all **'Think Before We Post'** Online

At Joy Lane Primary School we are happy for parents and carers to take photos and video of events for personal use but request that these images are not distributed or put online. This is to protect all members of the community.

We thank you for your support

Further Information on the Use of Images and video:

- Information Commissioner's Office: <https://ico.org.uk/for-organisations/education/>
- Think U Know: www.thinkuknow.co.uk/parents
- Get Safe Online: www.getsafeonline.org



Respect and Care for the Whole Community when taking Photos and Videos

We are happy for parents and carers to take photos and video of their child for personal use but we request that these images are not distributed or shared online if they contain images of other children, adults or staff without consent. Sharing images of others online may put our community at risk.

Thank you for your support

Ms D Hines
Executive Headteacher

Consent form for using photographs of Staff

Joy Lane Primary School would like to use your photograph for Staff recognition purposes. These images will appear internally and on our School website ([link](#)). To comply with General Data Protection Regulations (GDPR) and the Data Protection Act, we need your permission to use photographs of you. Please answer the question below, then sign and date the form where shown. We will not use the images taken, or any other information you provide, for any other purpose.

Please return the completed form, even if you have chosen not to give your consent, to (name of contact)

Please circle
your answer

May we use your image on our

School website – viewable by anyone in the World

Display/notice boards in Joy Lane Primary School only

Yes / No

Yes / No

Yes / No

- Official social media channels such...

Facebook

Class Dojo

YouTube

Please confirm that you have read and understand the conditions for use, and the notes relating to the principles of the Data Protection Act.

- I have read and understood the conditions of use.
- I confirm that I understand publication of my picture will mean that my picture will be viewable by those with access, alongside my job title and work contact details and I consent to such processing of my personal data.
- I understand that if my picture and details are placed on the website and/or social media channels potentially this will be accessible by anyone in the world with internet access.

Name:

Signed:

Date:

Conditions of use

1. This form is valid during employment at Joy Lane Primary School. Your consent will automatically not apply to any other usage of the photos (i.e. SIMS and Identification Badges.)
Under the GDPR and the Data Protection Act your rights include:
 - a) Your consent (to the publication of your photo) can be withdrawn at any time (principle 1 of the Act)
 - b) Your photo will not be used for any other purpose without your further consent (principle 2 of the Act)
 - c) Your personal data will be accurately maintained and kept up to date (principle 4 of the Act)
 - d) Publication of your photo will cease and all electronic copies will be deleted when you leave the setting (principle 5 of the Act)

Useful Contacts

Kent County Council's Online Safety Guidance and Information for Education Settings:
www.kelsi.org.uk/child-protection-and-safeguarding/e-safety

Kent County Council's Access to Information Content
www.kelsi.org.uk/school-management/data-and-reporting/access-to-information

Kent County Council Education Safeguards Team Content:
www.kelsi.org.uk/child-protection-and-safeguarding

ATL Help and Advice on CCTV and other surveillance:
www.atl.org.uk/help-and-advice/school-and-college/CCTV.asp

ICO Code of Practise for CCTV:
<https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf>

ICO Sector Guide for Education:
www.ico.gov.uk/for_organisations/sector_guides/education.aspx

ICO Information on Data Protection Act for Organisations:
www.ico.gov.uk/for_organisations/data_protection.aspx

United Kingdom's Copyright Licensing Agency: <http://www.cla.co.uk/>

International Federation of Reproduction Rights Organisation: <http://www.ifrro.org/>