



Archbishop Holgate's School

A Church of England Academy

Photography and Videos Policy

This policy explains the schools policy on the taking, use, storage and disposal of photos and videos within the school. It ensures we are compliant with the GDPR.

Approval Date: April 2018

Next Review Date: April 2019

Member of staff responsible: Fn – Deputy Head Pastoral Care

Governing sub-committee: Pastoral

Archbishop Holgate's School is committed to developing to the full, the potential of each member of the school community, within the context set by its mission, its strategic aims, and its Christian values as a Church of England Academy.

Contents

Vision and Values of Archbishop Holgate’s School	3
Statement of intent	4
1. Legal framework	5
2. Definitions	5
3. Roles and responsibilities	5
4. Parental consent	6
4. General procedures	7
6. Additional safeguarding procedures	8
7. School-owned devices	9
9. Use of a professional photographer	9
9. Permissible photography and videos during school events	9
11. Storage and retention	9
11. Monitoring and review	10

Vision and Values of Archbishop Holgate's School

As a Church of England school we strive to ensure that all of our young people are cared for, given every opportunity to develop through academic study, to grow personally and spiritually and to live into being those Values we hold dear in our community and in wider society. Our role as a Church school is to help nurture both academic excellence and to help shape young people who can make a significant contribution to the community they serve. Key to this is a clear recognition that all students have individual gifts and talents and with support every young person can flourish.

Archbishop Holgate's School is distinctive and effective as a Church of England school because our Christian vision and values are very explicit and drive all areas of school life. Our Vision is one which combines Values, Care and Achievement.

“A threefold cord is not easily broken.” Ecclesiastes 4:12

Through this vision we seek to be a Church of England School which is deeply Christian. As such, the three themes of our vision, Values, Care and Achievement are deliberately expressed in that order, our distinct Christian Values help ensure that every child is cared for as an individual and this in turn will help them to succeed academically.

Our school values of **Justice**, **Compassion**, **Forgiveness** and **Trust** have been embedded across our school community and permeate all areas of school life.



© Archbishop Holgate's School 2011

This policy is to complement our vision and values and to enable the school to allow all members of Archbishop Holgate's community to live them into being every day.

Statement of intent

At Archbishop Holgate's School, we use imagery and videos for a variety of purposes, including prospectuses, display boards, educational purposes, social media, school database and the school website. 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 to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

The school has implemented a policy on the safe use of cameras (including all devices that record images eg mobile phones) and videos by staff and parents to reflect the protective ethos of the school with regard to pupils' safety.

In order to ensure that, as far as possible, the use of photography and video is used safely at all times, the policy provided below should be followed. 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 legislation, including, but not limited to, the following:
- The General Data Protection Regulation (GDPR)
 - The Freedom of Information Act 2000
 - The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
 - The School Standards and Framework Act 1998
 - The Children Act 1989
 - The Children Act 2004
 - The Equality Act 2010
- 1.2. This policy has been created with regard to the following guidance:
- Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'
 - Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'
- 1.3. This policy also has due regard to the school's policies, including, but not limited to, the following:
- GDPR policy
 - GDPR record management policy
 - Data security breach and management policy
 - Photograph and Videos policy
 - Privacy policy for staff
 - Privacy policy for students

2. Definitions

For the purpose of this policy:

- "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, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo, and are not intended to be passed on to unknown sources. The principles of the GDPR do not apply to images and videos taken for personal use.
- "Official school use" is defined as photography and videos which are used for school purposes, e.g. for building passes. These images are likely to be stored electronically alongside other personal data. The principles of the GDPR apply to images and videos taken for official school use.
- "Media use" is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the GDPR apply to images and videos taken for media use.
- Staff may also take photos and videos of pupils for "educational purposes". These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks. The principles of the GDPR apply to images and videos taken for educational purposes.

3. Roles and responsibilities

- 3.1. The headteacher is responsible for:
- Submitting consent forms to parents at the beginning of the academic year with regards to photographs and videos being taken whilst at school.
 - Ensuring that all photos and videos are stored and disposed of correctly, in line with the GDPR.
 - Deciding and communicating whether parents are permitted to take photographs and videos during school events.
 - Communicating this policy to all the relevant staff members and the wider school community, such as parents.
- 3.2. The designated safeguarding lead (DSL) is responsible for:
- Liaising with social workers to gain consent for photography and videos of LAC pupils.
 - Liaising with the data protection officer (DPO), to ensure there are no data protection breaches.
 - Informing the headteacher of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.
- 3.3. Parents are responsible for:
- Completing the Consent Form on an annual basis and as requested throughout the year.
 - Informing the school in writing where there are any changes to their consent.
 - Acting in accordance with this policy.
- 3.4. In accordance with the school's requirements to have a DPO, the DPO is responsible for:
- Informing and advising the school and its employees about their obligations to comply with the GDPR in relation to photographs and videos at school.
 - Monitoring the school's compliance with the GDPR in regards to processing photographs and videos.
 - Advising on data protection impact assessments in relation to photographs and videos at school
 - Conducting internal audits, in regards to the school's procedures for obtaining, processing and using photographs and videos.
 - Providing the required training to staff members, in relation to how the GDPR impacts photographs and videos at school.

4. Parental consent

- 4.1. The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.
- 4.2. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.
- 4.3. Where consent is given, a record will be kept documenting how and when consent was given and last updated.
- 4.4. The school ensures that consent mechanisms meet the standards of the GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.

- 4.5. Where a child is in main school (Year 7 to 11), the consent of parents will be sought prior to the processing of their data, except where the processing is related to preventative or counselling services offered directly to a child.
- 4.6. The Consent Form will be valid for the full academic year, unless the pupil's circumstances change in any way, e.g. consent is withdrawn.
- 4.7. If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented.
- 4.8. All parents are entitled to withdraw or change their consent at any time during the school year.
- 4.9. Parents will be required to confirm on the Consent Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.
- 4.10. For any LAC pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way.
- 4.11. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.
- 4.12. A list of all the names of pupils for whom consent was not is available to all staff members. This list will be updated, when new consent forms are provided.
- 4.13. If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

5. General procedures

- 5.1. Photographs and videos of pupils will be carefully planned before any activity.
- 5.2. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the headteacher will liaise with the DSL to determine the steps involved.
- 5.3. When organising photography and videos of pupils, the headteacher, as well as any other staff members involved, will consider the following:
 - Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?
 - Could the camera angle be amended in any way to avoid pupils being identified?
 - Will pupils be suitably dressed to be photographed and videoed?
 - Will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?

- Would it be appropriate to edit the photos or videos in any way? E.g. to remove logos which may identify pupils?
 - Are the photographs and videos of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?
- 5.5. The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.
 - 5.6. The staff members involved, alongside the headteacher and DPO, will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved. (see section 6 of this policy)
 - 5.7. School equipment will be used to take photographs and videos of pupils. Exceptions to this are outlined in section 7 of this policy.
 - 5.8. Staff will ensure that all pupils are suitably dressed before taking any photographs or videos.
 - 5.9. Where possible, staff will avoid identifying pupils.
 - 5.10. The school will not use images or footage of any pupil who is subject to a court order.
 - 5.11. Photos and videos that may cause any distress, upset or embarrassment will not be used.
 - 5.12. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO.

6. Additional safeguarding procedures

- 6.1. The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.
- 6.2. The DSL will, in known cases of a pupil who is an LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.
- 6.3. Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:
 - Photos and videos can be taken as per usual school procedures
 - Photos and videos can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media
 - No photos or videos can be taken at any time, for any purposes
- 6.4. Any outcomes will be communicated to all staff members via a staff meeting and the list outlining which pupils are not to be involved in any videos or photographs, held in the school office, will be updated accordingly.

7. School-owned devices

- 7.1. Staff are encouraged to take photos and videos of pupils using school equipment; however, they may use other equipment, such as personal mobile devices, where the DPO has been consulted and consent has been sought from the headteacher prior to the activity.
- 7.2. Where personal devices are used, images and videos will be provided to the school at the earliest opportunity, and removed from any other devices.
- 7.3. Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school, where consent has been obtained.
- 7.4. Digital photographs and videos held on the school's drive only. These are organised under specific year groups in order to enable it to be deleted as per the retention policy.

8. Use of a professional photographer

- 8.1. If the school decides to use a professional photographer for official school photos and school events, the headteacher will:
 - Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
 - Issue the photographer with identification, which must be worn at all times.
 - Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos or photographs.
 - Not allow unsupervised access to pupils or one-to-one photo sessions at events.
 - Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.
 - Ensure that the photographer will comply with the requirements set out in GDPR.
 - Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

9. Permissible photography and videos during school events

- 9.1. Photography and videos are not to be taken at school events by anyone other than the official photographer.
- 9.2. Parents are permitted to take photographs at the end of the event, but only of their child, unless they have the specific consent from the parents/guardians of the other child.

10. Storage and retention

- 10.1. Images obtained by the school will not be kept for longer than necessary.
- 10.2. Images/videos will be disposed of in a secure manner.

- 10.3. When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.
- 10.4. Where a pupil's security risk has changed, the DSL will inform the headteacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately.
- 10.5. 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.
- 10.6. Some educational records relating to former pupils of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

11. Monitoring and review

- 11.1. This policy will be reviewed on an annual basis by the headteacher and the DPO. The next scheduled review date for this policy is January 2019.
- 11.2. Any changes to this policy will be communicated to all staff members and, where appropriate, parents.