

BILLINGHAY CHURCH OF ENGLAND PRIMARY SCHOOL
THE USE OF PHOTOGRAPHS POLICY
September 2024

1. Introduction and Purpose of this Policy

- This policy is a statement of the aims of Billingham Church of England Primary School with regard to the use of photographs. It reflects the consensus of opinion of all the teaching staff, and has the full agreement of the staff and Governors. Its implementation is the responsibility of all the staff.
- The school needs and welcomes positive publicity. Photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs for the school in publicity materials can increase pupil motivation and staff morale and help parents and the local community identify and celebrate the school's achievements. However, photographs must be used in a responsible way. The school needs to respect young people's and parents' rights of privacy and be aware of potential child protection issues.
- At Billingham Church of England Primary School every reasonable effort will be made to minimise the risk by following the guidelines detailed in this document and by securing parental consent for the use of photographs.
- This policy should be used in relation to the use of photographs in school publicity materials, on its website and in the press.
- Parents and visitors will be made aware of this policy.

2. Child Protection

- There may be a risk when individual pupils can be identified in photographs. Providing the name and photograph of a pupil in a publication or on a website allows the possibility of people outside the school identifying and then contacting pupils directly.
- In the event of the inappropriate use of children's photographs the Headteacher will inform the local Child Protection Officer and Social Services and / or the Police.
- The Headteacher should decide whether the publication of a photograph might pose a risk to a child.

3. Data Protection Act and GDPR

- Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998 and GDPR. Therefore, using such images for school publicity purposes requires the consent of either the individual concerned or in the case of pupils, their legal guardians. This means that the school should not display images of pupils or staff on websites, on social media such as Facebook, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.
- The permission of all the people who will appear in the photograph, video or web cam image must be obtained **before** the footage is recorded. This means adults as well as children.
- It must be made clear why the person's image is being used, what it is being used for, and who might want to look at the pictures.
- Where photographs are taken at an event attended by large crowds, this is regarded as a public area so it is not necessary to get permission of everyone in a crowd shot.
- The Data Protection Act does not apply to photographs or films taken by parents / carers or family members for their own private personal use of their children.
- Any images or film taken by parents / carers or family members must be taken for personal use only. Images and or film including others must not be put on the Internet or any social media platform as this is not for personal use, and that if they are Data Protection legislation may be contravened.

4. Use of Images in School Publicity Material

- Wherever an individual can be recognised from an image, the following rules will be adhered to:

- If the child is named in the publicity material, the school will avoid using their photograph.
- If a photograph is used, the school will avoid naming the child.
- Only images of children in suitable dress will be used in order to reduce the risk of inappropriate use. This is a judgement for the Headteacher to make. With activities such as swimming or athletics, the content of the photograph should focus on the activity, not on a particular child, and should avoid full face and body shots.
- The image of a child who is subject to a court order will never be used.
- It will be established whether the images will be retained for further use.
- Images will be stored securely and used only by those authorised to do so.
- Photographs of children (or teachers) will not be re-used after they have left the school without consent. Photographs will be deleted from the secure area a year after a pupil has left school.
- Parental consent will be sought.

5. Use of Images on the School Website

- Billingham Church of England Primary School operates the following policy on its website regarding the use of photographs, to ensure the privacy and safety of pupils at the school:
- Where pupils are named, only their first names are given.
- Where a pupil is named, no photograph of that pupil is displayed.
- Where a photograph is used which shows a pupil, no name is displayed.
- By observing these points the school ensures that visitors to the website cannot link images of pupils to names of pupils. When choosing photographs for the website, the school is mindful of the way pupils may appear in them, and will not include images which are in any way inappropriate, such as close up portrait shots of individual pupils.
- The school follows a policy of seeking parents' permission before using images which show pupils on the website.
- No other private information about pupils is ever published on the website such as surnames or contact details.

6. Use of Images in Newspapers

- Billingham Church of England Primary School will provide names of children to accompany photographs published in newspapers and magazines only where the parent / carer has provided their consent.
- Following Lincolnshire County Council's advice, for photographs of larger groups such as the Year 5/6 class, it is sufficient to state "Year 5/6 from Billingham Church of England Primary School". For smaller groups, e.g. teams individual names can be published where the parent / carer has provided their consent.
- The use of photographs in newspapers is already subject to strict guidelines. The Press Complaints Commission's Code of Practice states that:
- Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child in the absence of or without the specific consent of a parent or other adult who is responsible for the children.
- Pupils are not to be approached or photographed while at school without the permission of the school authorities.
- There is no breach of the Data Protection Act in simply passing on a child's name to a journalist so long as the school has secured parental consent.

7. Filming Events

- Parents or other spectators may want to photograph or video record an event such as sports day or arts performance.
- Parents, and any other spectators should let the Headteacher/event organiser know if they wish to use photographic equipment. Consideration should be given to designating an area in which photographs or filming can take place. The school will then know who is photographing or filming and whether they have permission to do so. Anyone filming

outside the designated area should be challenged and asked to follow school policy or leave the premises.

- If a commercial photographer is used, the following advice from the NSPCC should be followed. The Headteacher or Event Organiser should:
- Provide a clear brief about what is considered appropriate in terms of content and behaviour.
- Issue the photographer with identification which must be worn at all times.
- Let children and parents know that a photographer will be in attendance at an event and ensure that they consent to both the taking and publication of films and photographs.
- Not allow unsupervised access to children or one-to-one photo sessions at events.
- Not approve/allow photo sessions outside the event or at a young person's home.
- If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the Headteacher/event organiser who should record them in the same manner as any other child protection concerns.
- If the school or parents have concerns regarding the use of filmed images by TV companies, they should contact the Office of Communications (Ofcom).

8. Mobile Phones and use of cameras in Schools

- See Pupil Mobile Phone Policy.
- Staff/ visitors/ Governors use of mobile phones. For staff who work directly with children, all mobile phones should be switched off when children are present. Phones can be turned on at break and lunch times. Phones should never be used in cases where children are present. All visitors and Governors will need to turn off their mobile phones when entering the school building if they are to come into direct contact with children e.g. in a classroom. Please see Mobile Phone Policy.

9. Parental Consent

- Billingham Church of England Primary School will seek the consent of parents / carers regarding the use of photographs of children. The consent will include agreement on:
 - How and where the photographs will be used.
 - The period of consent.
 - The storage and deletion of photos.
- Consent will be sought as part of the induction pack sent to new pupils at school.
- Where circumstances change, it is the responsibility of the parent / carer to inform the Headteacher of this in writing.
- Consent forms will be retained as part of a child's individual records while the child is still at school.

10. Monitoring and Review

- The Headteacher and staff will review this policy in Term 2 2026. Any suggested amendments will be presented to the Governors for discussion at their first meeting of Term 3 2027.