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# Lanesend Primary School

## Use of Images Policy

Signed: ..... Date:  
(Headteacher)

Signed: ..... Date:  
(Chair of Governors)

Review Date: March 2019 (Yearly)  
Reviewed By: Headteacher and Child-Centred Group

# **Lanesend Primary** **Use of Images Policy**

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### **INTRODUCTION**

Digital technology has vastly increased the use and potential misuse of photographic images (printed, digital and video images) and with this, concerns about allowing the filming of children and young people's events and publishing their pictures to web sites has also increased.

Headteachers, governing bodies and other managers should open the issue for discussion and explanation with families and other stakeholders. It should always be possible to enable those families and staff members with particular concerns to specify that they withhold their consent for whatever reason.

Most abused children are abused by someone they know. The risk of a child being directly targeted for abuse through being identified by a stranger is small. Providing reasonable steps are taken to ensure a photograph is appropriate and the full name and contact details are protected that photography for school and other events by staff, families and the media should be allowed. The widespread use of mobile telephones as digital cameras would make banning difficult to impose and police.

Generally photographs for school and family use and those that appear in the press are a source of pleasure and pride. They usually enhance self-esteem for children and young people and their families and the practice should continue within safe practice guidelines.

These guidelines attempt to raise awareness of the potential dangers to children whilst offering practical advice to schools and services that is reasonable and proportional.

## **1. Issues of Consent**

The Data Protection Act 1998 affects our use of photography. This is because an image of a child is personal data for the purpose of the Act and it is a requirement that consent is obtained from the family of a child or young person under the age of 18 years (or the child him or herself if deemed competent from 12 years old as suggested by the Information Commissioner) for any photographs or video recordings for purposes beyond the school's core educational function. (E.g. school web sites, school productions). It is also important to ascertain the views of the child.

As it is likely that there will be a number of occasions during a child's time in educational activity when the school may wish to photograph or video that child, we recommend that consent is sought when the child starts at the school, to last for the duration of their stay.

There will also be times where organisations will be carrying out off-site activities e.g. activity holidays or educational visits. In these circumstances it is likely that the organisation will want to make some visual record. It is also likely that children and young people will want to make their own visual records so it is important that organisations develop policies and guidelines re use of mobile phone with cameras and digital cameras.

For school events which are photographed for publicity purposes a signed consent form, as attached to this guidance, should be obtained from the child's family and kept on file covering all cases where images of children are to be published beyond the parameters of school use.

Where children are 'Looked After' schools must check consent on the corporate parent's behalf with the social worker and there may be other situations, (in adoption placements or following a resettlement from domestic violence for example), where a child's security is known by the class teacher to be at stake, indicating the need for extra care.

Families retain the right to withdraw consent at any stage, but they need to do so in writing.

## **2. Planning photographs of children**

Images and details of children published together allow for the remote possibility that people outside the school could identify and then attempt to contact children directly.

The measures described below should help to minimise the risk of such unsolicited attention.

Where possible, use general shots of classrooms or group activities rather than close up pictures of individual children. Consider the camera angle; photographs taken over the shoulder, or from behind are less identifiable.

Use images of children in suitable dress, and take care photographing PE or swimming events to maintain modesty, using team tracksuits if appropriate for example.

Remember to include images of children from different ethnic backgrounds in your communications wherever possible, and positive images of children with disabilities to promote your school as an inclusive community, and to comply with the Disability Discrimination Act.

Children can be identified by logos or emblems on sweatshirts etc. Depending on the use to which the photograph will be put, consider airbrushing logos.

Consider alternatives. Is a photograph of the children necessary, or could an article be illustrated by the children's work for example?

### **3. Identifying children and young people**

We recommend that:

You use the minimum information. Ask yourself whether it is really necessary to accompany a picture with the children's names, the year group, or the school.

When fully naming children in any published text, whether in the school's prospectus, website, or in the local press, avoid using their photograph, unless you have consent to do so.

### **4. Using photographs of children supplied by a third party**

Copyright does not apply to images for private family use. However, copyright does exist in commercial photographs and it rests with the photographer. Copyright is a right that the photographer automatically enjoys as the creator of the work to prevent other people exploiting his or her work and to control how other people use it. If you commission photographs for use at school/setting or work include in your contract that the school will own the copyright for items taken on your behalf. Before using a photograph supplied by a third party you should check that the third party owns the copyright in the photograph and you should obtain their written or verbally recorded permission to use it. If you use a photograph without the copyright owner's permission you could find that an action is taken against you for copyright infringement.

Images downloaded from the Internet are also subject to copyright. Do not use sources like Google images to find photographs use a reputable stock images website or take advice.

Third Parties will generally be under the same obligations as your school to obtain parental consent to the use and distribution of photographs. You should therefore ask the third party to guarantee to you that all relevant consents have been given and that they are entitled to provide you with the image.

## **5. Use of Images of children by the Press**

(Please refer to the recommendations in section 3 above; 'Identifying Children')

There may be occasions where the press take photographs of children. Consent forms attempt to highlight the potential risks for families so that they can make an informed decision about whether to agree to their children being featured in the press and whether their full name should accompany the photograph.

The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. However, it is sensible to politely check that broadcasters and press photographers you may be chaperoning on your school premises are aware of the sensitivity involved in detailed captioning, one to one interviews, and close or sports photography.

## **6. School Prospectuses and other literature**

Although most school literature is sent to a specific audience, it would be best to avoid using personal details or full names of any child in a photograph.

## **7. Videos**

You must have parental consent before any child can appear in a video. Families can make video recordings of nativity plays and other such events for their own personal and family use, as they are not covered by the Data Protection Act. (Please refer to section 10).

## **8. Websites**

Web use can be of particular concern to families and staff because of the potential misuse of images by paedophiles. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated without the families or children's knowledge.

The dual concern which follows such a risk is that children might be exploited and a school or setting might be criticised or face legal action. Images on website can be made more difficult to copy by several measures - copy-protection, overlaying with a watermark, or published in low definition.

It is important to take care with identification and to respect parental views on the use of any photography of children on a website.

Increasingly users are generating content for websites e.g. children and adults placing pictures on Facebook, Twitter or other web sites. It is therefore important that schools ensure that children, staff and families understand the risks involved and are encouraged to adopt safe practice when generating content for school related websites.

## **9. Webcams and IRIS (Internal Recording Internet System)**

The regulations for using webcams and IRIS are similar to those for CCTV (closed-circuit television). This means that the area in which you are using the webcam and IRIS must be well signposted and people must know that the webcam and IRIS is there before they enter the area, in order to consent to being viewed in this way. Children should be consulted and adults would need to consent as well as the families of all the affected children.

In gaining consent, you must tell the person why the webcam and IRIS is there, what you will use the images for, who might want to look at the pictures and what security measures are in place to protect access.

Unless a webcam or IRIS is a response to a specific threat or difficulty in relation to either crime or health and safety it may pose more difficulties for the school than it would actually resolve. IRIS can only be viewed by the recording staff member and those people they invite to watch it. Recordings cannot be uploaded onto the Internet.

## **10. Parental right to take photographs**

Families are not covered by the Data Protection Act 1998 if they are taking photographs or making a video recording for their own private use. The Act does not, therefore, stop families from taking photographs or making video recordings at school events, such as nativity plays.

Families are not permitted, however, 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 a school event). Recording and/or photographing other than for private use would require the consent of the other families whose children may be captured on film. Without this consent the Data Protection Act 1998 would be breached. The consent form attached reminds families of this fact.

The important thing is to be sure that people with no connection with your school do not have any opportunity to film covertly. Staff are asked to quiz anyone they do not recognise who is using a camera or video recorder at events and productions.

## **11. The storage of photographs**

Photographs must be maintained securely for authorised school use only and disposed of either by return to the child, families, or shredding as appropriate. Storage should include reference to the permissions obtained and their currency and staff should be aware that images should not be removed from institutional computers and taken home. If permission is withdrawn for a photograph it must be edited from the storage immediately.

## **12. Official School Photographs**

Lanesend Primary School will periodically invite an official photographer into school to take portraits/photographs of individual children and/or class groups. Procedures ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present on the school site.

## **13. Images taken by young people**

Lanesend Primary School has a Mobile Phone Policy, which clearly sets expectations for safe usage and advice on inappropriate usage and possible consequences of misuse. Children and young people will be made aware that taking and distributing inappropriate photographs may be a criminal offence.

Child Exploitation and On-line Protection centre [www.ceop.gov.uk](http://www.ceop.gov.uk)

Think you know - [www.thinkyouknow.co.uk/](http://www.thinkyouknow.co.uk/)

The Information Commission website at [www.dataprotection.gov.uk](http://www.dataprotection.gov.uk)

Press Complaints Commission Code of Practice at [www.pcc.org.uk/cop/cop.asp](http://www.pcc.org.uk/cop/cop.asp)

Internet Watch Foundation at [www.internetwatch.org.uk](http://www.internetwatch.org.uk)



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## USE OF IMAGES OF CHILDREN CONSENT FORM

Child's Name \_\_\_\_\_

Occasionally, we may take photographs of children at our school. We may use these images in our school prospectus or in printed publications that we produce, as well as our website. We may also video or webcam recordings for school-to-school conferences, monitoring or other educational use. From time to time our school may be visited by the media who will take photographs or film footage of a visiting dignitary or other high profile event. Children will often appear in these images, which may appear in local or national newspapers or on televised news programmes.

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your child. Please choose one of the following options, then sign and date the form where shown.

**Option 1: I support the use of my child's image in school and give consent for the use of photographs and video recordings in school**

*This includes:*

- *Images to accompany your child's work*
- *Images to use in displays or on screens around school*
- *Photographs in the school prospectus or other literature about the school, including competitions and events*
- *Photographs in the local press, e.g. the County Press newspaper, with accompanying name*
- *Photographs on the school website, including class blogs and our official school Facebook page*
- *Your child's image may be recorded on video and/or webcam*

*Please note: Photographs/videos may also be taken by families at school events, plays, pantomimes, sports events etc and consequently may be shared with their families and friends. Whilst we advise families not to place images on sites such as Facebook as they do not have consent, there will be times that this may occur.*

**Option 2: I do not support the use of photographs in school and under no circumstances allow photographs of my child to be taken**

**This form will supersede any previous instructions. Unless you inform the school otherwise, we will presume you are NOT happy for your child to be photographed**

Signed: \_\_\_\_\_

Print: \_\_\_\_\_

Parent/Guardian

Date: \_\_\_\_\_