



BILTON GRANGE

PREPARATORY SCHOOL

Taking, Using and Storing Images of Children Policy

January 2023

Introduction

1. Scope

1.1 This policy has been authorised by the Governors and is addressed to all members of Bilton Grange staff and available to parents and pupils on request. The policy for Little Grange Nursery, which is reviewed separately, is included for information as an annex. The policy relates to the taking, using and storing of images of children:

- on School premises; or
- in connection with School activities; or
- for other legitimate purposes of the School.

It covers the activities of staff, pupils, parents, and visitors to the School; however, it should be noted that within the EYFS setting, the use of personal mobile phones and other potential video recording equipment is not permitted by parents, visitors or staff whilst on the EYFS premises.

1.2 **Images:** this expression in relation to pupils includes:

- photographs and digital photographs;
- video or film clips;
- images captured by mobile phones and tablet devices with a camera facility.

1.3 **Taking images:** This expression includes, unless otherwise stated, making, editing, using, exhibiting and storing images of pupils.

Policy

2. Aims: The aims of this policy are:

- 2.1. to promote safety and welfare and respect for others;
- 2.2. to ensure a sensible balance between privacy, creative self-expression and routine collating of information;
- 2.3. to comply with the law and good practice without adhering to unnecessary bureaucratic procedures.

3. Privacy

3.1 No person is authorised to take images of children that:

- might cause embarrassment or distress; or
- are associated with distressing or sensitive issues; or
- are unnecessarily intrusive.

If there is any doubt about these matters, the person wishing to take the image must obtain the written consent of the child's parent(s) and, where the child is of sufficient maturity and understanding, the written consent of the child.

3.2 Filming and photography by television or newspaper journalists will take place only with the consent of the Headmaster and under appropriate supervision. When images are taken for publication by television or newspaper journalists, children will only be named if there is a particular reason to do so (for example if they have won a prize) and home addresses will not be given out. If it is expected that the press will be attending school events, this will be notified to parents in a letter from the Headmaster.

4. Promotional Material

4.1 It is an implied term of the contract for educational services which exists between the School and the parents of a pupil, that photographs of the pupil may be taken and used by the School in accordance with normal custom and practice. Such custom and practice will include: set piece photographs of the School, house, team, theatre cast and snapshots of School activities. It has also been custom and practice for independent schools to use images of their pupils for marketing purposes, such as in prospectuses and promotional videos or displays on its website.

4.2 Each year parents have the opportunity to opt out of:

- 4.2.1 Consent for their child's photograph and/or name appearing on the school website, internal publications and in local and national publications/media including the school newsletter.

4.2.2 Consent to their child's photograph appearing on the school's Bilton Grange Social Media accounts, links to which may be published on the school website.

4.3 Parents agree that any photographs and/or video recordings taken on school premises, or at school events, of children other than their own, with parents' own personal equipment, will be used for family use only and, understand that in the interests of child protection, such photographs and/or video recordings will not be displayed on any social media in particular, nor made public in any other way.

5. Taking of images by parents and friends

5.1 Parents and friends often wish to take images of their children at school plays and concerts or sporting activities. Courtesy and good manners require that the following rules are respected:

- visitors must use their cameras with consideration and confine their photography to the relevant event;
- if visitors ask whether they can take photographs, they should be reminded that whilst it is permissible under the General Data Protection Regulation 2018 to take photographs for personal use, publication of such images may be unlawful.
- where a play or concert or other event is subject to copyright and performing rights restrictions, visitors will not be permitted to take images, photographs or video film. This will be announced at the start of the event. Official photographs or videos may be available for sale, however.

5.2 In the interests of child protection, parents and friends are not permitted to take photographs or videos of children in the swimming pool area at Bilton Grange.

6. Seeking consent

6.1 Although consent of parent(s) or pupils is not always a legal requirement, the School will seek express prior written consent:

- for use of portrait style images of pupils, other than for a pupil's personal school record;
- where a pupil wishes to use images of other pupils as part of coursework;
- where the School might receive a payment or other tangible benefit for allowing the use of a photograph, for example, providing a photograph to the media where the pupil has subsequently become a celebrity.

6.2 Where consent is required as above we will obtain such consent from at least one parent [and/or] the pupil, provided the pupil is of sufficient maturity and understanding to provide consent. Pupils aged 12 and above will normally be considered to be capable of giving or withholding consent.

7. Photographs as part of pupil records

All pupils are required to supply, or the School will take, a passport-style photograph at the beginning of each academic year which forms part of the pupil's personal record. These images are subject to the Data Protection Act 1998 (see Appendix 1) and will therefore:

- be stored securely;
- not be used for any other purpose without the consent of the pupil or his or her parent(s);
- not be shown, copied or given to any unauthorised person.

8. Use of cameras and mobile phones with camera facility

- 8.1 Pupils are not allowed to operate mobile phones at all during school hours. Boarders are permitted to have a mobile phone at School, but it must be handed to, and securely stored by, the Housemaster/ Housemistress or Matron, and only used at certain times. They may only use cameras with the express permission of the member of staff in charge and with the permission of those appearing in the image.
- 8.2 All pupils must allow staff access to images stored on mobile phones and/or cameras and must delete images if requested to do so.
- 8.3 Using photographic material of any kind to bully, harass or intimidate others will not be tolerated and will constitute a serious breach of discipline.

9. Child Protection

- 9.1 When publishing images of children in school documents or on the website, care will be taken to minimise the risk of such images being modified to create inappropriate or indecent images. The Designated Safeguarding Lead (DSL) can give specific advice as requested.
- 9.2 Staff will be mindful of child protection issues and will raise concerns with the DSL if they become aware of anyone:
 - taking an unusually large number of images;
 - taking images in inappropriate settings such as cloakrooms, toilets or changing areas;
 - taking images of children who are apparently unaware that they are being photographed or filmed.
 - Contravening the guidance in this policy or other school policies in any way.

It is a criminal offence under the *Protection of Children Act 1978 as amended*, to take indecent photographs of children under the age of 18.

10. Staff use of own devices and storage of images

- 10.1 The school provides a number of basic cameras for staff to use to record general school activities. They contain a school owned memory card and images taken with these cameras should be downloaded to a school-owned hard drive or to the network, or deleted. No images should be stored on teachers' personal computers or devices, or on their own home directory. These must be saved on the school's network on the Common Area, within the specific "Media" folder.
- 10.2 For a number of situations, such as sports photography, or those requiring low light such as indoor events (eg plays), for improved quality (images that might be used for marketing purposes) and practical convenience, it is recognised that staff may use their own camera equipment (cameras/lenses), subject to the following guidelines:
- School owned and provided memory cards should be used in the camera. These may be obtained from the ICT department.
 - Images should be downloaded to school-owned/provided storage devices, such as the school network, memory sticks or hard drives for processing.
- 10.3 Tablets and smartphones- if images are taken on the small cameras in these devices of school activities, then they should be transferred to a school owned device as soon as is reasonably practical and deleted from the tablet/phone (and any associated automatic cloud-based storage services).
- 10.4 Trips and visits- it is recognised that staff accompanying trips and visits may wish/need to use tablets or phones to manage images so that they can be uploaded during the trip in order that parents may view activities. Again, upon return, all images should be transferred to school-owned storage and deleted from the individual device (and associated cloud-based services)
- 10.5 Recording evidence: The school has recently subscribed to a cloud based system for gathering profile evidence, initially for use in Pre-prep and Early Years. Evidence (including photos) is gathered by a mobile App. However, the photos are not stored to the device photo library but uploaded to the secure 2Build a Profile Cloud.
- 10.6 The Designated Safeguarding Lead must be consulted if there is any doubt about taking or keeping images of children. The Designated Safeguarding Lead/ Headmaster's decision on these matters is final.

11. Review

- 11.1 This policy will be reviewed as necessary taking into account changes in legal requirements.

Authorised Risk, Compliance and Safeguarding Committee:	
Date:	5 th January 2023

Annex 1

TAKING, STORING AND USING IMAGES OF CHILDREN POLICY – ANNEX 1 LGN

For Little Grange Nursery, parents will be asked, via Family, to give their permission for:

1. Photographs and videos may be taken of their child while in the nursery. These pictures may be used on our display boards and within the nursery site.

2. Photographs and videos may be taken of their child while in the nursery. These pictures and videos may be used in our print and online promotional materials, such as our website, social media etc. A child will not be named without express permission from parents, separate to this agreement. Parents will give their consent for their child's picture to be used externally on our website and other forms of social media.

Other policies that need to be adhered to:
LGN Mobile Phone and Digital Devices Policy

Review: June 2023
Person Responsible: A Biddlestone