



Photography & Mobile Phone Policy

This policy meets the requirements of The Data Protection Act (1998), The Copyright, Designs and Patent Act (1988) and Human Rights legislation.

Date approved: November 2016

Date of Next Review: November 2019



Article 16

Every child has the right to privacy.

Article 19

Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

This policy should be read in conjunction with the current:

- Safeguarding Policy
- E-Safety Policy

PURPOSE OF POLICY

With the increasing risk posed to vulnerable individuals by the development of social media and networking sites, it is increasingly necessary to consider how images of children are shared with, and by, parents and the school. Consequently, the main rationale for this Policy is to strengthen the school's safeguarding procedures and to ensure that all of our children, including the most vulnerable, remain safe while in school and taking part in school activities. In addition, we acknowledge the need to be mindful of Copyright in Performance restrictions.

We also recognise that during the school year, there are a number of occasions when school staff or parents will want to take photographs of pupils. These might include:

- Evidence of teaching and learning across the school curriculum;
- Key Skills for PE;
- Performing arts including music, dance and movement, concerts, drama performances;
- Sports days and sports fixtures;
- In school displays of children's activities (e.g. after an IPC unit of work);
- Promotion of the school (e.g. school website, Twitter, newspaper or TV);
- Staff training and professional development activities;
- Assemblies, awards ceremonies and other special events.

Typically, photographs and videos for school and family use are a source of innocent pleasure and pride, which can enhance self-esteem for children and young people and their families.

Consequently, this policy seeks to balance safeguarding and the rights of individual children's privacy with the rights of parents to record their children's achievements.

Throughout this policy, 'photography' refers to digital images, DVDs, videos and photographic prints or slides. 'In school' refers to all occasions, whenever and wherever pupils are the responsibility of the school staff. 'Parent' refers to anyone with parental rights and responsibilities in relation to a pupil.

PARENT / VISITOR USE OF CAMERAS AND MOBILE PHONES

We recognise that parents and carers and family members wish to record school events such as plays, sports days etc. to celebrate their child's achievements. We are happy to allow this to happen on the understanding that the following is agreed:

- Parents take guidance from the school staff regarding the timing and procedures for permitted photography;
- Parents and carers will only use photographs of their children for their own personal use;
- Team or group photographs or photographs including other children should not be shared. Such images cannot be sold and must not be put on the web/internet, including social networking sites such as Facebook;
- Parents and carers must not photograph or video children changing for performances or events;
- That the taking of photographs do not disrupt the event, create a health and safety hazard or negatively impact on the enjoyment of others;
- In certain circumstances, for safeguarding, health & safety or copyright reasons, the headteacher may restrict the use of photography. Where this is the case, parents will be informed in advance and where possible, an 'official' photographer appointed. Photographs from the event will be made available to parents free of charge;

At all events, parents, carers and family members will be reminded of these terms (e.g. by a verbal reminder, posters or other means). **Parents will be deemed to have agreed to them if they take photographs on the school site.**

During the school day and while the breakfast and after school clubs are in operation, mobile phones should not be used in the school building (with the exception of the Reception area and Staffroom) by parents, carers or visitors without the express permission of the Headteacher and, where appropriate, the breakfast / after school club team leader. However, when hosting an event where parents are specifically permitted to take photographs or video footage, subject to the above conditions, mobile phones may be used for this purpose only.

Parents and carers note that they attend school events at the invitation of the Headteacher and Governors. Failure to adhere to the above guidelines may result in parents, carers or visitors being asked to leave the school site.

SCHOOL USE OF CAMERAS AND MOBILE PHONES

The school uses photographs for a number of purposes:

- Assessment of pupils in some class situations;
- Illustrating aspects of learning and teaching;
- Recording events in the life of the school;

- Publicity - From time to time, the media are asked to cover school events. It is an important part of publicising pupil achievement and informing the public about educational initiatives;
- School Website / Twitter - Photographs of pupil activities and achievements may be posted on the school website.

Gaining Permission / Refusal

The school will obtain the permission of parents and carers to use the images of children. In most cases, blanket permission will be gained upon joining the school through a consent form (see Appendix A). **A non-return of the form by parents will be taken as an indication that consent is given.** In some instances (e.g. images used by the press or a third party), however, further, specific, permission will be gained. **Parents may withdraw their consent at any time – this must be in writing and addressed to the Headteacher.**

A record of pupils whose parents have not given consent is kept. **Teachers are responsible for ensuring that only pupils whose parents have given permission for them to appear in images are present when ‘school’ photographs are taken. However, there may be times when it impractical to remove a child.** This might include ‘events’ such as a sports match at another school, sports day or a whole class / school performance / event.

In these cases, the headteacher should decide whether photographs taken by parents, carers or visitors (in any format) might pose a risk to a child. If so, action will be taken to remove the risk. This might include banning photographs completely, placing restrictions on their use (see above) or working with parents / carers to find a compromise. Where the school takes photographs in these circumstances, all images will be reviewed and those including children without permission will be deleted. If an image is used or provided to a parent but it then transpires that a child without consent was in the picture, the school reserves the right to edit or withdraw the image. Photographs of children without consent will be deleted from the camera, digital storage and network as appropriate. The School reviews images they have stored and they are deleted once they are no longer needed.

Data Protection Notification

A sign should be displayed at events where publicity photographs are being taken to allow any visitors who do not want to be included to make this known. This sign must include a line about reporting any suspicious or inappropriate activity to the Headteacher or appropriate member of staff. A sentence must also be included in any programmes and pre-event publicity to make this clear.

Adults appearing in photos taken by an official Council photographer will be asked for their consent. Wildmoor Heath School will endeavour to follow good practice and to ask all staff, and other adults in the school community who are likely to appear in pictures, for their agreement to be photographed should the need arise.

Taking and Storing Photographs

The school provides a variety of devices capable of taking photographs including digital cameras and iPads. Consequently, staff and volunteers should not use their personal mobile phones or cameras to take any photographs or videos of pupils while in school. There may be rare occasions, however, where the headteacher gives permission – in advance - for a member of staff to use their

mobile phone for a specific purpose. For example, to upload a photograph of an offsite event onto the school website or Twitter feed.

All photographs should be stored on the school network (or where appropriate, password protected standalone PC or laptop). They should never be stored on removable USB or Flash drives or any personal devices. Photographs should be removed from cameras as soon as practicable.

Staff / Volunteer Use of Mobile Phones

Staff must give the school telephone number to their next of kin, in case it is necessary for the staff member to be contacted, in an emergency, during session hours.

Mobile phones should be out of sight and turned off or set to silent in classrooms and areas usually used by children (e.g. hall, library, corridors) between 8.40am and 3.15pm. Mobile phones should not be used for personal use during teaching sessions, unless permission has been granted by the Headteacher. Where it is essential for staff to make a personal call during a teaching session, they should do so in an area not usually in use by children (e.g. staffroom, Headteacher's office etc).

Between 7.30am and 8.40am (Breakfast Club) and 3.15pm and 6.00pm (After School Club) and during holiday clubs, staff and volunteers should not use their mobile phones in the school hall.

The caretaker has standing permission to use a mobile phone on site for business purposes.

Teaching staff and volunteers may use their mobile phones during PPA time, management time and break / lunchtimes in the staffroom as they wish.

A mobile phone(s) will be taken on whole-group outings in accordance with guidance. It may sometimes be necessary to use a mobile phone to communicate with other staff or request help or assistance. The use of a personal mobile phone in these circumstances will always be permitted.

Pupil Use of Cameras and Mobile Phones

In certain, limited, circumstances pupils can bring personal mobile phones into school. These must be left in the care of the School Office at the start of the day. Before a child can bring a mobile phone to school, we must have written consent from their parents or carers.

If children are using cameras we 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 (e.g. unsupervised areas, toilets etc);
- Ensure 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;
- Role model positive behaviour to the children by encouraging them to ask permission before they take any photos;
- Ensure that photographs taken by children for official use will only be taken with parental consent and that their use will be carefully controlled and will be checked carefully before sharing online;

- Inform parents/carers that children will be taking photos/videos of other children for personal use on the residential trip;

Using Photographs

The school may use photographs to promote the achievements of the children or to publicise the work of the school. This may include publishing photographs on the school's website, 'tweeting' or issuing press releases etc. Publishing a child's name on the school website, in a newspaper or on other media could easily lead to them being identified and contacted directly, so as a general rule of thumb it is recommended:

- If we use photographs of individual pupils, we will not use the full name (i.e. both first and surname) of that child in any accompanying text or caption. **We may use the first name only, if appropriate / safe to do so.**
- If we use the full name of a pupil in text, we will not use a photograph of that child to accompany the article.
- Ensure that no individual child could be identified or contacted by visitors to the school's website / Twitter feed;

For newspapers and other external media (e.g. outside school control / consent):

- Photographs should not be captioned with the children's full names;
- Personal details of children such as e-mail addresses, home addresses and telephone numbers should not be revealed;
- Where appropriate, additional consent should be gained from parents and carers prior to publication;

School Photographer

- Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains the copyright.
- Parents will be given contact details of the agency used.

CCTV

- The school uses CCTV in some areas of school property as a security measure;
- Cameras will only be used in appropriate areas and there will be clear signage indicating where it is in operation;

MONITORING & REVIEW

The operation of this policy will be regularly monitored by both the member of the Senior Leadership Team (SLT) and governor responsible for Child Protection and Safeguarding.

The Child Protection & Safeguarding Governor will periodically report their findings to the Full Governing Body or delegated committee.

The policy itself will be reviewed every two years to ensure that it is up to date and continues to meet its primary purpose.