



Hart Hill Nursery School

Photography and Images Policy

Updated Spring Term 2025

Ratified by SLT on 31/01/2025

Signed 

To be updated Spring Term 2028



Hart Hill Nursery School Photography and Images Policy

Rationale

At Hart Hill Nursery School, we use images and videos for a variety of purposes, including prospectuses, display boards, educational purposes and the school website. We understand that parents may also wish to take videos or photographs 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 UK GDPR and the Data Protection Act 2018, the school has specific responsibilities in terms of how photographs and videos are taken, stored and retained.

Aims

The school has implemented a policy on the safe use of cameras and recording equipment by staff, pupils and parents to reflect the protective ethos of the school with regards to children's safety. With this in mind, we aim to:

- Define the roles and responsibilities that each member of the school community has in regards to photography and images
- Define the different elements of photography and images that the school may partake in with children
- Determine where photographs and images apply to the UK GDPR and DPA 2018 regulations and where they do not
- Confirm what consent looks like and how the school will seek and action on consent given
- Clarify the general procedures the school will take and the safeguarding actions the school will follow in regards to photography and images

Roles and Responsibilities

The Headteacher is responsible for submitting consent forms to parents at the beginning of the academic year, through the use of the admin and class teams, with regard to photographs and videos being taken whilst at school. They will work with all staff to ensure that all photographs and videos are stored and disposed of correctly, in line with the UK GDPR and DPA 2018. The Headteacher will decide whether parents are permitted to take photos and videos during school events and how this will be implemented; they will ensure they communicate this with parents, so rationale is known, where photographs are not permitted. The Headteacher will communicate this policy to all relevant staff members and the wider school community, as needed.

The Designated Safeguarding Lead (DSL) is responsible for liaising with social workers to gain consent for the use of photographs and videos of Looked after Children. They will liaise with the DPO to ensure there are no data breaches. The DSL will inform the Headteacher of any

known changes to a pupil's security, eg child protection concerns, which would mean that participating in photography or video recordings would put them at significant risk.

Parents or Carers of the children on roll at the school are responsible for completing a photography consent form on an annual basis. They agree that they will inform the school, in writing, if they wish to make any changes to their consent. Parents and Carers will act in accordance to this policy and will respect the wishes of the Headteacher, with regards to the use of photographs and images at school events.

All staff are responsible for ensure they are aware of any children who may not be allowed to have their photographs on classroom displays. They will keep an up to date record of permissions related to photographs and images and will respect parents or carers wishes, in regard to the use of photographs. Staff are responsible for storing and disposing of photographs and videos, are completed correctly, in accordance to the school's retention schedule. Staff are responsible for seeking support from the ICT technicians if they are unsure how to complete the task of storing and disposing correctly of images.

Definitions

'Camera' is used to refer to mobile telephones, tablets, webcams, portable gaming devices and any other equipment or device that may be used to take a photograph.

'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, eg a parent taking a group photograph of their child and their friends at a school event. These photographs and videos are only for personal use by the individual taking the photograph and are not intended to be passed on to unknown sources. The principles of the UK GDPR and the DPA 2018 do not apply to images and videos taken for personal use. Staff members are not permitted to take any photography or videos for personal use, as per the Staff Code of Conduct.

'Official school use' is defined as photography and videos which are used for school purposes, eg for use on the SIMS database, the school website, or an external company taking photographs for sale to parents. These images are likely to be stored electronically alongside other personal data. The principles of the UK GDPR and the DPA 2018 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, eg photographs of children taken for a local newspaper. The principles of the UK GDPR and the DPA 2018 apply to images and videos taken for media use.

'Educational purposes' is defined as staff members, employed by the school, taking photographs or videos of pupils, which are not for official school use, however used within school for a number of reasons, including displays, special events, assessments, diaries etc.

The principles of the UK GDPR and the DPA 2018 apply to images and videos taken for educational purposes.

'Personal electronic devices' are defined as devices that are used to store, generate, or transmit information or data in any form, including audio, visual or text. Such devices may include, but are not limited to, the following items:

- Any type of computer or computer-like instrument
- Portable devices, such as tablets, laptops, mobile telephones, personal digital assistants, portable hard drives, USBs, pagers and smart or electronic watches
- The components of any such devices above

Consent

All photo or video content are classified as personal data under the UK GDPR and the DPA 2018; images or video content may be used for publicity or other purposes only once informed consent has been provided, and it has not been withdrawn, in written format. Staff and parents will be encouraged to read the Data Protection Policy for more information on the school's approach to data protection.

Parents are required to provide consent on their child's behalf, except where the processing is related to preventative or counselling services offered directly to the children. Parents will be aware that their child may be photographed at school and they have the right to withdraw consent for:

- Photographs or videos taken by staff members for school-based publicity and promotional purposes or for anonymous use on the school website
- Photographs or videos taken by parents and other family members of children at the school during school events that are organised by the school
- Photographs or videos taken by members of the press who are on the school premises by invitation in order to celebrate individual, group or school success

The school will recognise that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes. Where consent is given, a record will be kept documenting how and when consent was given or when last updated.

Parents will be asked to complete the photography consent form on an annual basis, which will determine whether or not they allow their child to participate in photographs and videos. The photography consent form will be valid for the full academic year, unless the pupil's circumstances change in any way, eg if parents separate, or consent is withdrawn. Additional consent forms will be required if circumstances in a child's life changes. 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 photos and videos will not be taken or published of the child without consent.

Where a child is looked after by a Local Authority, or has serious child protection concerns, the DSL will work in partnership with parents, carers and social workers to determine if consent can be given, and by whom.

General Procedures

Photographs and videos of children will be carefully planned, when used for official school use. Where photographs and videos will involve children who are LAC, PLAC, adopted, or pupils for whom there are security concerns, the Headteacher will liaise with relevant external agencies, as needed, prior to the event taking place.

The list of all children who have not consented to being photographed or recorded will be checked by staff members prior to any photographs or videos being taken, for educational purposes and other uses. The list can be acquired from the admin team, through a report run on the SIMS system, at any point in time. Only pupils for whom consent has been given will be able to participate.

When taking photographs or videos, only a school owned device will be used, unless otherwise discussed, and agreed on by the Headteacher, eg a member of SLT mobile phone, where photographs are downloaded immediately and deleted from the device, or an external services camera or video, for media or sale use.

Staff will ensure that all children are appropriately dressed before any photographs are taken and will make sure a child's dignity is thought about at all points of the photography taking place; no photographs or videos will be taken of children, who are distressed, modelling detrimental behaviours or may be deemed to embarrass a child, at any time.

Any concern relating to inappropriate or intrusive photography or publication of content will be reported to DSL or Headteacher immediately.

Additional Safeguarding Procedures

The school will consider certain circumstances that may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.

The DSL and Designated Teacher for LAC will, in known cases, liaise with the child's social worker, carers or adoptive parents to assess the individual needs and risks for each child and will determine if photographs can be used fully in line with usual procedures, within only the educational and official school use procedures, or cannot be used for any purposes. Any outcomes will be communicated to all staff members and consent will be updated accordingly.

Use of Electronic Devices

Staff members will be issued with school-owned devices to assist with their work, where necessary. Requirements around the use of school-owned devices can be found in the relevant policy. Misuse of cameras, filming equipment or other devices in a way that breaches school policies, will always be taken seriously and may be the subject of disciplinary procedures, or dealt with under the relevant safeguarding policy as appropriate.

Members of staff will not be allowed to bring in personal cameras or devices, without prior permission. If personal devices are allowed to be brought in due to a specialist requirement, memory cards must be shown to be empty of photographs before removing the devices from the school premises, by a member of SLT, and all images taken, will be downloaded to the school server.

We know that, although the children are very young, some may have access to mobile devices, that could take images or videos. No pupils will be allowed mobile devices at school, if found, they will be stored securely, in the classroom cupboard until the end of the school day when they will be returned to the child's parent.

Staff members have access to school-owned flash drives, for the purpose of educational use only; no photographs will be stored on USB drives, as they can be transferred to another device.

As the school is a mobile phone free site, all staff will follow the mobile phone expectations, of only using these in the main office, meeting room and staff room. Parents are informed that we are a mobile free site and so photography and images are only allowed at times of agreement, by the Headteacher, such as for school events. Parents are not allowed to use personal devices to take photographs of their children, in the classroom, playground or on school grounds, without prior agreement of the Headteacher.

Sharing of Images

All images taken by members of staff at the school or during school activities remain the property of the school and images must not be shared with anyone outside the school, or held for personal use.

No digital image will be uploaded onto any internet or intranet system without the express permission of the child's parent, which will be gained in writing. Staff will not post school images on personal pages of social networking sites or other websites. Images will not be emailed or shared via private email accounts unless a parent has asked for particular photograph of their child to be sent to them; this will be completed via the Parentmail system. Where an image is requested to be shared with a social worker, for safeguarding

purposes, permission will be obtained from the parent and this will be sent via a secure email, however only images where a child is not identifiable will be shared.

Storage and Retention

As per the UK GDPR and the DPA 2018, images obtained by the school will not be kept for longer than necessary; retention periods for the different types of personal data are outlined in the school's Retention Schedule.

To be GDPR compliant, digital photographs and videos held on the school's drive will be accessible to staff only. Photographs and videos will be stored in labelled folders, annotated with the date, and only identifiable by year group or class name; no names are associated with videos and images. All photographs will be password protected and only staff members will have access to the passwords set.

Where a parent has withdrawn consent or where a child's security is at risk, it will not normally affect the use of any images or videos used prior to the change in consent, however staff will endeavour to remove any images or video that contain the child, so that no further use of the image will happen; the DSL will oversee this decision, in relation to any children whose consent has been removed due to security risk.

Images taken on school cameras will be downloaded as soon as possible on to a school computer or laptop, and then onto the school server, ideally once a week. Members of staff will maintain responsibility for ensuring that images are safely stored. They will take reasonable measures to ensure that they do not come into the possession of unauthorised persons.

No digital image will be enhanced or altered in any way by a member of staff, other than brightening a photograph, unless given prior permission from the Headteacher to do so. The school may require images to be deleted or edited as appropriate and may choose to use images taken by members of staff for other purposes, provided the processing conditions and consent requirements of this policy are met. Staff members are responsible for ensuring that edited images do not mislead or misrepresent. They must not edit images which result in their subject being vulnerable to embarrassment, teasing, bullying or abuse.

Use of a Professional Photographer

If the school decides to use a professional photographer for official school photographs 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 an identification badge or card, which must be worn at all times

- Let children and parents know a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos and/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 photograph for any other purpose
- Ensure that the photographer will comply with the requirements set out in the UK GDPR and DPA 2018

Monitoring and Review

This policy will be reviewed as part of the three year policy review cycle, by the Headteacher. All changes to the policy will be communicated to all relevant stakeholders.