



BENTFIELD PRIMARY SCHOOL

Photographic and Filming Policy

Rationale

Schools need and welcome publicity. Photographs and film clips of pupils add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs and film clips for publicity materials and to promote the school in the press can increase pupil motivation and staff morale, and help parents and the local community identify and celebrate the school's achievements. Photographs and film clips also play an important role in assessing the academic progress of pupils, especially when recording work or observations of new learning, and reporting this to parents.

However, photographs and film clips must be used in a responsible way. Schools need to respect children's and parents' rights of privacy and be aware of potential child protection issues. At Bentfield Primary School every reasonable effort will be made to minimise risk by following the guidelines detailed in this document and by securing parental consent for the use of photographs and film clips. This policy applies to the use of photographs and film clips in school publicity materials, on its website, on social media and in the press.

This policy reflects the consensus of opinion of the staff and governing body of Bentfield Primary School. Its implementation is the responsibility of all staff. Parents and visitors will be made aware of this policy.

Issues of consent

The General Data Protection Regulation (GDPR) affects our use of photography. This is because an image of a child is personal data for the purpose of the GDPR, and it is a requirement that consent is obtained from the parent of a child or young person under the age of 18 years for any photographs or film recordings for purposes beyond the school's core educational function (e.g. school websites, 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 pupil's school life when the school may wish to photograph or film that pupil, consent is sought when the pupil starts at the school, to last for the duration of their stay.

We request consent through Arbor, our school's information management system. Consent is obtained from the child's parent/guardian, and kept on record, covering all cases where images of children are to be published beyond the parameters of school use (see Appendix A).

Where children in care are concerned, we 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.

Consent gained is for the use of photographs and film clips within school, on the school website, associated school social media platforms, and press articles. Parents retain the right to withdraw consent at any stage, but they need to do so in writing.

Planning photographs of children

Images and details of pupils published together allow for the remote possibility that people outside the school could identify and then attempt to contact pupils directly. The measures described below should help to minimise the risk of such unsolicited attention:

- Where possible, general shots of classrooms or group activities rather than close up pictures of individual children will be used. There will be consideration of the camera angle, e.g. photographs taken over the shoulder, or from behind are less identifiable.
- The use of images of children in suitable dress, and taking care when photographing P.E. events to maintain modesty.

Identifying pupils

We recommend the use of minimum information, for example it would be considered unnecessary to accompany a picture with the pupils' names, the year group, or the school. At Bentfield Primary School we do not give out the names of individual pupils in full.

Using photographs and film clips of children within school

Images or film clips of pupils are often used within school as part of daily teaching and learning. For example, there may be photographs of children used in classroom displays, or pictures of pupils used to indicate partners of the week or dinner choices. Some lessons may be recorded, e.g. P.E. or musical performances, so that pupils can evaluate their own or each other's performance. There may also be the need to have a child's picture as part of their pupil file.

Using photographs and film clips of children to report to parents

At our school we are always exploring ways to share the progress of pupils with parents. A current example of this is Tapestry which is currently being used in the Early Years Foundation Stage (Nursery and Reception). Tapestry is used to record observations and work with parents and carers from individual or groups of pupils. Relevant pictures and film clips would be shared only with the parents of that group of children using the Tapestry website where each parent has their own login to view pictures or film clips that involve their child. The initial parental consent for Tapestry obtained through a hard paper copy (see Appendix B), which is then uploaded to Arbor at a later date.

Websites

This is an area that gives particular concern to parents because of the potential misuse. With digital photography there is the remote possibility that images of children could be produced, manipulated, and circulated, without the parents or children's knowledge. The dual concern which follows such a risk is that children might be exploited, and a school might be criticised or face action. The school will ensure that images on the website are updated and current. The school takes care with identification, and to respect parental views on the use of any photography or film clips of children on a website.

Social media

In addition to our school website we may also use Social Media platforms associated with the school, e.g. the school's YouTube channel or the school's Facebook page, to publicise our school and share pictures and film clips to highlight events and achievements. When this occurs we will follow all safeguarding requirements as highlighted in our eSafety policy. When using social media platforms we will always ensure that the comment section is turned off. When using our school YouTube channel all videos will be unlisted, so only those who are given a link can access them.

Use of images of children by the press

There may be occasions where the press take photographs of pupils at the school. As previously mentioned we recommend the use of minimum information, and do not give out the names of individual pupils in full. The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. However, given our responsibility to parents and pupils, we ensure that broadcasters and press photographers, on school premises, are aware of the sensitivity involved in detailed captioning, one to one interviews, and close or sports photography, where possible.

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. Before using a photograph supplied by a third party we check that the third party owns the copyright in the photograph and obtain their written permission to use it. The use of a photograph by the school, without the copyright owner's permission could result in an action being taken against us for copyright infringement. Images downloaded from the Internet are also subject to copyright.

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

Parental right to take photographs

Parents are not covered by the General Data Protection Regulation (GDPR) if they are taking photographs or making a film recording for their own private use. The GDPR does not, therefore, stop parents from taking photographs or making film recordings at school events, such as nativity plays.

Parents are not permitted, however, to take photographs or to make a film recording for anything other than their own personal use (e.g. with a view to selling filmed recordings of a school event). Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film. Without this consent the General Data Protection Regulation (GDPR) would be breached. Data Protection considerations aside, it is possible to consider banning all filming/recording/photography of school productions, sports days etc. if we felt that this is appropriate. We believe, however, that many parents would consider it to be over-cautious to impose such a ban and we would not, at this stage, recommend this course of action. Should we wish to impose any such ban we would take legal advice in order to ensure that the correct steps are taken, whilst acknowledging that such a ban would be difficult to enforce. The important thing is to be sure that people with no connection with the 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 any device that can record film clips at events and productions.

The storage of photographs

Photographs (hard copy or electronic) will be maintained securely for authorised school use only, and disposed of either by return to the child, parents, or by deletion/shredding as appropriate.

Official school photographs

Schools will periodically invite an official photographer into school to take portraits/photographs of individual children and/or class groups. When considering such an activity the school will undertake their own risk assessment in terms of the validity of the photographer/agency involved and establishing what checks/vetting has been undertaken. GDPR Data Sharing and Processing Contracts are in place between Bentfield Primary School (Data Controller) and Photographers (Data Processors). Procedures also ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present on the school site.

Useful sources of information

'Keeping your child safe on the internet' publication by UK online and the Home Office

www.wiseuptothenet.co.uk

Press Complaints Commission Code of Practice at www.pcc.org.uk/cop/cop.asp

Internet Watch Foundation at www.internetwatch.org.uk

Appendix A



Photograph and filming consent

The following photograph and filming consents can be found on Arbor, our school information management software:

Photo - group school photograph

Description

I give permission for my child to have a group school photograph taken. I understand this printed/digital photograph can be purchased & viewed by other parents

Photo permission for AAC devices - only sent to specific pupils when required

Description

Permission from parents for children to have photo on class members device, which will be used at home and at school.

Photo/Film Clip - External published media

Description

I give permission for my child's photo or a film clip to appear in the published media or associated external websites e.g. Local or National Newspapers and their websites

Photo/Film Clip - In Class use

Description

I give permission for my child's image or a film clip which they are part of to be used within school for display purposes or to form part of my child's record e.g. photo to use in a birthday display in class etc.

Photo/Film Clip - School social media

Description

I give permission for my child's image or film clip to be used on Social Media associated with the school e.g. the school's YouTube channel or the school's Facebook page etc.

Photo/Film Clip - School Website

Description

I give permission for my child's image or film clip to be used on our school website e.g. Newsletter; School Performances; School Visits; Sports Day etc.

Appendix B



Dear Parents and Carers

This letter is to inform you about our use of Tapestry Online Learning Journal in our setting.

Tapestry allows us to make observations for your children where we can attach photos and videos, as well as include assessments which we can use to track children's development and progress.

On Tapestry, Parents/Carers can view, like and comment on the observations we make for your child/ren.

If you give your permission, we will set you up with your own individual login using your email address. This account will be directly linked to your child/ren's account/s, which means you will only be able to see observations that include your child. You will then be able to login with your email address and password to either the browser version of Tapestry (tapestryjournal.com) or to the app.

Tapestry has apps for iOS, Android and Amazon Fire devices. If you choose to use the app, after you login initially, you can use a 4-digit PIN to quickly log back in.

Tapestry securely stores all the data we input to our account on their servers. If you want to find out more information about how Tapestry keeps our data safe and secure, you just need to go to <https://tapestry.info/security.html>.

Please fill in the slip below with your child's name and your email address and then sign. This should be returned to the school.

An account will be set up and we will then provide you with details about how to access and use your Tapestry account.

If you have any questions or queries about this, please get in touch with Mrs Jess via the class email, apple@bentfield.essex.sch.uk

I give permission for a Tapestry account to be created for [name of child]:

The e-mail address I would like to link with the account is:

I give permission for a Tapestry account to be created for me (please sign and date):

Signature:
