

DOWNSIDE SCHOOL POLICY ON PHOTOGRAPHIC IMAGES

Introduction

Downside recognises that there are occasions when pupils and staff will be photographed on School premises but also recognises that every member of the school community has a right to privacy under both human rights and data protection legislation and that this right must be respected.

Taking of Images

The taking of images includes the making, editing, using, exhibiting and storing images of pupils. Such photography involves still, video and electronic images. The range of such images includes images taken for personal use; images taken for official School use; images taken by webcams or CCTV; images taken by the media.

Seeking Consent

Consent for photography is assumed in the contract which exists between the School and the parents of a pupil, and in staff contracts of employment, but that any pupil, parent or member of staff is entitled to withdraw such consent either generally or for any specific occasion or purpose by written instruction to the Headmaster. Pupils aged 13 and above will normally be considered to be capable of giving or withholding consent. In all such cases where general or specific consent is withheld by a parent or pupil, the Headmaster will ensure that all staff are informed and the School will make every effort to comply sensitively with the request.

Although consent of a parent or pupil is not always a legal requirement, the School will normally seek express prior written consent for use of pupils' images by or with commercial sponsors and/or where the School might receive a payment or other tangible benefit for allowing the use of a photograph.

Privacy

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. Staff will be mindful of child protection issues and will raise concerns with the Child Protection Officer if they become aware of anyone taking such images.

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.

Images taken and stored by the School are subject to the Data Protection Act 1998 and will therefore be stored securely and not used for any unauthorised purpose. The School will ensure that appropriate controls are imposed on images recorded on its CCTV or webcams. Such images will be retained securely and only viewed by designated members of staff responsible for school security.

Promotional material

It is an implied term of the contract 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 School and group photographs, and snapshots of School and individual 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. Where a pupil's photograph is used in the School's promotional material, the School will generally avoid using the pupil's name in connection with that photograph. Any images of pupils which are used by the school must conform to appropriate standards of integrity and decency, and must avoid any possibility of embarrassment to the subject of the photograph.

Parents who do not want their child's photograph or image to appear in any of the School's promotional material must make sure that their child knows this and must write immediately to the Headmaster, requesting an acknowledgement of their letter.

Private Photography

Parents, pupils, staff and visitors must use their cameras with consideration and should be aware that whilst it is permissible under the Data Protection Act 1998 to take photographs for personal use, publication of such images may be unlawful.

Pupils may only take images with cameras or mobile phones with the express permission of all those appearing in the image or whilst under the appropriate supervision of a member of staff. All pupils must allow staff access to images stored on mobile phones and/or cameras and must delete images if requested to do so.

Pupils must not take any images of each other or other members of the school community which would be regarded as inappropriate. Electronic or mobile phone transmission of such images without consent will constitute a serious breach of discipline. Using photographic material of any kind to bully, harass or intimidate others will never be tolerated and will also constitute a serious breach of discipline.

It is a disciplinary offence for any pupil or member of staff to publish or transmit any image which brings the School into disrepute.

Policy reviewed August 2011 and confirmed as the current Policy.

Dom Leo Maidlow Davis