



IMAGES (PHOTOGRAPHY AND VIDEOS) POLICY

Advice in the School's Code of Conduct

Working with children and young people may involve the taking or recording of images. Any such work should take place with due regard to the law and the need to safeguard the privacy, dignity, safety and well-being of children and young people. Informed written consent from parents or carers (through the parent contract on entry to the School) and agreement, where possible, from the child or young person, should always be sought before an image is taken for any purpose. Staff and volunteers should be aware of those pupils for whom consent has been withheld.

Careful consideration should be given as to how activities involving the taking of images are organised and undertaken. Care should be taken to ensure that all parties understand the implications of the image being taken especially if it is to be used for any publicity purposes or published in the media, or on the Internet. There also needs to be an agreement as to whether the images will be destroyed or retained for further use, where these will be stored and who will have access to them.

Staff and volunteers need to remain sensitive to any children who appear uncomfortable, for whatever reason, and should recognise the potential for such activities to raise concerns or lead to misunderstandings.

It is not appropriate for staff and volunteers to take photographs of children for their personal use.

Downside Policy

Downside recognises that there are occasions when pupils and staff will be photographed on School premises but also knows that every member of the school community has a right to privacy under both human rights and general 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 Head Master. In all such cases where general or specific consent is withheld by a parent or pupil, the Head Master will ensure that all staff are informed and the School will make every effort to comply sensitively with the request. Pupils aged 13 and above are considered old enough to understand their data protection and privacy rights and therefore are capable of giving or withholding consent. **Written consent will be obtained from those over the age of 13 in line with new GDPR legislation.**

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 Designated Safeguarding Lead 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 Head Master 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 GDPR 2018 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 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 Head Master, 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 and the GDPR 2018 to take photographs for personal use, publication of such images may be unlawful. No private devices should be used to take photographs of pupils by staff. Only school devices should be used. This is for the protection of staff as well as students and it maintains the protection of the data under GDPR.

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.

Written by:	Deputy Head Master	
Approved by:	SLT	13TH September 2018
Last Reviewed on:	Deputy Head Master	13TH September 2018
Next Annual Review due by:		13TH September 2019

DOWNSIDE SCHOOL

PHOTO CONSENT FORM (Pupils 13+)

I (full name) _____, grant **Downside School** my permission to use my photograph for any legal use, including but not limited to: internal data systems, the School website, the School social media accounts, marketing publications and advertising.

Pupil Signature: _____

Date: _____

Academic House: _____

Year Group: _____