



Holbrook Academy

IMAGE USE POLICY

September 2016

Effective from	September 2016
Date Approved	Finance & Personnel Committee: 17 th October 2016 Full Governing Body: 31 st October 2016
Date Signed	(Chair of Governors)
Minuted	
Date of Next Review	November 2017 / Annually

Designated Staff

School Data Controller: Dr S R Letman

School/Setting Designated Child Protection Coordinator: Mrs S Cooke

School/Setting e-Safety Coordinator: Mr A Clarke

Governor with lead responsibility: Mark Offord

1. Philosophy

Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs 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.

However, photographs and recorded images 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 Holbrook Academy every reasonable effort will be made to minimise risk by following the guidelines detailed in this policy and by securing parental consent for the use of photographs and recorded images. The Academy will comply at all times with all relevant legislation in respect of the taking, storage and use of images of children.

2. Official use of Images/Videos of Children by the School/Setting

All images taken by the Academy will be used in a manner respectful of the eight Data Protection Principles.

This means that images will be:

- **fairly and lawfully processed;**
- **processed for limited, specifically stated purposes only;**
- **used in a way that is adequate, relevant and not excessive;**
- **accurate and up to date;**
- **kept on file for no longer than is necessary;**
- **processed in line with an individual's legal rights;**
- **kept securely and**
- **adequately protected if transferred to other countries**

The Data Controller/DCPC and Management team is responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the Academy. This includes the management, implementation, monitoring and review of the Academy Image Use Policy.

Written permission from parents or carers will be obtained before images/videos of children are electronically published by the Academy.

Written parental consent will be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.

Written consent from parents will be kept by the Academy where children's images are used for publicity purposes (such as brochures or publications), until the image is no longer in use.

Parental permission will be sought on admission to the Academy by completion of the Photo Permissions for Students form.

3. The use of Cameras and Images within Educational Setting

A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.

Images will not be kept for longer than is to be considered necessary. A designated member of staff (Data Controller or DCPC) will ensure that all photographs are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.

All images will remain on site at all times, unless prior explicit consent has been given by both Data Controller/DCPC and the parent or carer of any child or young person captured in any photograph. Should permission be given to take images off site, all relevant details are to be recorded, for example who, what, when and why and data will be kept securely (e.g. with appropriate encryption).

The Data Controller and/or DCPC reserve the right to view any images taken and/or to withdraw or modify a member of staffs' authorisation to take or make images at any time.

Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably encrypted and will be logged in and out by the Data Controller and/or DCPC and monitored to ensure it is returned within the expected time scale.

Images or videos that include children will be selected carefully when used online and will not provide material that could be reused.

Children's' full names will not be used on the website in association with photographs.

The Academy will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

The Academy will only use images of children who are suitably dressed.

Children's work will only be published with their permission or their parents' consent.

Staff will receive information regarding the safe and appropriate use of images as part of their safeguarding training and responsibilities.

All members of staff (including volunteers) will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

Only official setting owned equipment (e.g. work provided digital or video cameras) will be used by staff to capture images of children for official purposes. Use of personal cameras by staff is prohibited at all times.

Any apps, websites or third party companies used to share, host or access children's images will be risk assessed prior to use. The Academy will ensure that images are held in accordance with the Data Protection Act and suitable child protection requirements (if necessary) are in place.

The Academy will discuss the use of images with children and young people in an age appropriate way.

Images will not be taken of any child or young person against their wishes. A child or young person's right not to be photographed is to be respected.

Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not be taken of any images without relevant authority and consent from the Data Controller and/or DCPC and the parent/carer.

4. Use of Photos/Videos by Parents/Carers

Parents/carers are permitted to take photographs or DVD footage of events for private use only.

Parents/Carers are only permitted to take or make recording within designated areas of the setting.

Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

The opportunity for parents/carers to take photographs and make videos can be reserved by the Academy on health and safety grounds.

Parents and carers who are using photographic equipment must be mindful of others when making and taking images.

The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.

Parents may contact the Academy Data Controller/DCPC to discuss any concerns regarding the use of images.

5. Use of Photos/Videos by Children

The setting 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.).

The use of non-setting provided devices e.g. mobile phones, children's own digital cameras, is covered in the school/settings mobile phone and/or e-Safety policy.

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.

Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.

Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with the Data Protection Act 1998.

Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed by the Academy e.g. will be for internal use by the setting only (not shared online or via any website or social media tool).

Photos taken by children for official use will be carefully controlled by the Academy and will be checked carefully before sharing online or via digital screens.

Still and video cameras provided for use by children and the images themselves will not be removed from the Academy.

6. Use of Images of Children by the Media

Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's (or other relevant media) requirements can be met. A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (e.g. first names only) can be published along with images and videos.

The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.

Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

7. Use of Professional Photographers

Professional photographers who are engaged to record any events will be prepared to work according to the terms of the Academy's e-Safety policy.

Photographers will sign an agreement which ensures compliance with the Data Protection Act and that images will only be used for a specific purpose, subject to parental consent.

Photographers will not have unsupervised access to children and young people.

8. Use of Closed-Circuit Television (CCTV)

The Academy's use of CCTV has been developed in accordance to the CCTV Code of Practice from the Information Commissioner's Office. The Code of Practice was updated in 2008 and provides guidance and advice for CCTV users on how to comply with the Data Protection Act and also includes a simple checklist for users of very limited CCTV systems where the full provisions of the code would be too detailed.

CCTV may be used for the following purposes:

- To control access.
- To monitor security.
- For site management, for example monitoring incorrect parking, manoeuvring vehicles and delivery arrivals.
- For monitoring purposes, particularly within the building, in corridors and areas out of sight or not frequently trafficked by staff, for example in the vicinity of toilets (but not in toilet cubicles).
- For general and focused observations of children and young people and staff
- To act as an effective deterrent to prevent crime and to discourage trespass

All areas which are covered by CCTV will be well signposted, and notifications will be displayed so that individuals are advised before entering such vicinity.

The use of CCTV by settings will ensure that the manufacturer's instructions and data protection and information sharing guidelines are followed at all times. This will include the appropriate storage and disposal of all recordings. Every effort will be made to avoid inadvertently taking inappropriate images and therefore cameras will be placed and positioned sensitively. No cameras will be pointed directly at toilet cubicles or any other sensitive areas within the Academy environment.

Regular checks and audits will be carried out to ensure our continued compliance with this policy and all relevant procedures relating to it. The checklist at Appendix.1 will be applied on each occasion.

Recordings will be retained for a limited time period only and for no longer than their intended purpose. This will generally be a maximum of 30 days. All recordings will be erased before disposal. Regular auditing of any stored images will be undertaken by the Data Controller and/or DCPC or other member of staff as designated by the management team.

If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.

Under the terms of the Data Protection Act 1998 an individual has the right to request a copy of any personal information held about him/her by Holbrook Academy, whether it is in hard copy, electronic or CCTV form. Under the terms of this policy, this right is extended to parents/carers.

Under such circumstances, the Academy will provide this within 40 days, and will charge the sum of £10. A clearly documented process will help guide individuals through such requests.

Requests must be made in writing and must include information to help identify the individual concerned:

- a specific date and time
- proof of identity
- a description of the child

The Academy will provide a copy of the footage the individual can be seen in. The Academy can edit the footage to protect the identities of other people. The Academy may invite the individual to a viewing of the footage if:

- we are unable to provide the footage itself and
- the requester agrees with that arrangement

The Academy reserves the right to refuse the request if sharing the footage will put a criminal investigation at risk.

9. Use of Webcams

Parental consent will be obtained before webcams will be used within the setting environment for curriculum or educational purposes.

All areas which are covered by webcams for security or safeguarding purposes will be well signposted, and notifications are displayed so that individuals are advised before entering such a vicinity.

Recordings will be retained for a limited time period only and for no longer than their intended purpose. This will generally be a maximum of 30 days. All recordings will be erased before disposal.

Appendix 1

Checklist for users of limited CCTV systems monitoring small premises

This CCTV system and the images produced by it, are controlled by the Headteacher who is responsible for how the system is used and for notifying the Information Commissioner about the CCTV system and its purpose (which is a legal requirement of the Data Protection Act 1998).

The Headteacher and Governors have considered the need for using CCTV and have decided it is required for the prevention and detection of crime and for protecting the safety of students, staff and visitors to the Academy. It will not be used for other purposes. We conduct an annual review of our use of CCTV.

	Checked (Date)	By	Date of Next Review
Notification has been submitted to the Information Commissioner and the next renewal date recorded.			
There is a named individual who is responsible for the operation of the system.			
A system has been chosen which produces clear images which the law enforcement bodies (usually the Police) can use to investigate crime and these can be taken from the system when required.			
Cameras have been sited so that they provide clear images.			
There are visible signs showing that CCTV is in operation. Where it is not obvious who is responsible for the system, contact details are displayed on the sign(s).			
Images from this CCTV system are securely stored, where only a limited number of authorised persons may have access to them.			
The recorded images will only be retained long enough for any incident to come to light (eg for a theft to be noticed) and the incident to be investigated.			
Except for law enforcement bodies, images will not be provided to third parties.			
The organisation knows how to respond to individuals making requests for copies of their own images. If unsure the controller knows to seek advice from the Information Commissioner as soon as such request is made.			
Regular checks are carried out to ensure that the system is working properly and produces high quality images.			

This checklist will be retained until the next review has been completed.