

Richard Avenue Primary School

A Whole School Policy for Photography (Protection of Pupils)

Date policy reviewed: Autumn Annual

In simple terms this policy aims to safeguard all pupils, acknowledge the specific needs of those pupils who may have child protection issues and to seek parental consent for this via a parental consent form.

RAPS have used the Sunderland LA Photography (Protection of Pupils) Guidance document August 2007 in the writing of this policy.

1. Introduction

1.1 Photography of pupils in schools is subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families. As well as these statutory rights, restrictions on photography arise from issues of child protection and copyright in performances (paragraph 4.4).

1.2 In this policy, '*photography*' includes photographic prints and transparencies, video, film and digital imaging and '*in school*' is whenever and wherever pupils and young people are the responsibility of the School Governors/Education Directorate. '*Parent*' means anyone with parental rights and responsibilities in relation to a pupil.

1.3 This policy is intended to:

- facilitate photography for the business purposes of the council (ie. RAPS, Sunderland LA/ City Council);
- respect the rights of the individual;
- safeguard child protection;
- allow personal family photography where possible.

1.4 The School Prospectus makes it clear that the school recognises the issues of child protection and personal privacy and that a policy aimed at safeguarding pupils exists, (see Appendix 1).

1.5 Sensitivity is as important in dealing with photography as it is in processing other personal data. Court cases have occurred because photographs have been used inappropriately. For example, parents objected to a picture of their child with special needs, taken without their knowledge or permission and used to illustrate an 'aids strategy' document. Objections have arisen as a result of photographs being used many years later when the subject's circumstances had significantly changed.

1.6 Staff are not allowed to use their mobile phone in school to take a

Picture. Staff must only use school photographic equipment to take pictures in line with the School Photographic policy.

Pupils are not allowed to bring mobile phones to RAPS.

Parents can only use a mobile phone to take picture in school, when permission has been granted by the school . e.g. School performances, Sports events – as is the case with video cameras.

2. Photography by School Staff

2.1 The business of the council can involve RAPS school staff in the photography of pupils and young people for the following main purposes:

- a) Pupil Administration
- b) Curriculum and course work
- c) Corporate and community

Copyright and use of these photographs is carefully controlled by the authority, i.e. retained safely by the school or issued to the pupil concerned or safeguarded by an officer of the council.

2.2 Photographs held in school must be annotated with the date on which they were taken and stored securely. They should not normally be used other than for their original purpose, unless permission of subject obtained.

2.3 Photographs must be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken. For example, a photograph for identification purposes may endure for several years but should not be retained when replaced or expired. Photographs taken for publicity and promotional purposes should be retained for a maximum of two years. Photographs contributing to the history of the school, its pupils, activities or the community can be retained indefinitely.

3. Photographs by other Authorised Agencies

3.1 The involvement of other agencies may only be authorised by the Headteacher, by The Children’s Services or by Corporate Communications Manager/Press Office. The other agencies are:

- Children’s Services (0191 5205553).
- Commercial photographers commissioned by the council or Headteacher. Copyright rests with the photographer.
- The press and other media. Copyright rests with the photographer.
- Officers of the council, including the Children’s Services. The authority controls copyright.

3.2 Permission is obtained from parents for a photograph by a Commercial photographer by the returned consent form (associated with such occasions) indicating that a photograph is required by the parent.

Permission for all other photography is covered in the RAPS Photographic consent form. (e.g. Digital photographs and Videoing for use in school and on the RAPS website, Echo. This form is completed by the parent/carer when a

pupil commences their education at RAPS. This consent form is valid for the life of the child whilst at RAPS, parents are reminded of this regularly through the school newsletter and as such have the opportunity to notify RAPS of any changes to this consent that a parent/carer may wish to make.

If a pupil is to be videoed individually for TV purposes – a separate signed consent form will be required for this.

- 3.3 Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains copyright. Parents must be given contact details of the agency used.

4. Parental Photography

- 4.1 Photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement as well as being an established social practice.
- 4.2 Where practical, arrangements should allow photographs to be taken by parents and other guests attending school sports, concerts and similar events. Photography must not, though, be allowed to upset the performance or smooth running of the event or affect the health and safety of pupils and others.
- 4.3 The pro-forma will be issued as part of the schools 'parental contact form' to parents at first enrolment to register their permission/non-permission for parental photography – this permission will last the pupil, for their entire time at RAPS.
- 4.4 Parental photography must not include any child whose parent has refused consent for any reason. This may mean offering photography opportunities before or after the event or those who wish to be involved. Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for pupil participation.
- 4.5 Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the Authority or the school for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is strictly forbidden.

APPENDIX 1

Photography Policy Statement

Sunderland schools have a photography policy, which is in accordance with data protection and human rights legislation.

Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose.

Publicity photography is helpful in publicising the success of the school and in promoting educational initiatives. From time to time members of the press and media are invited into schools to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times, as will the views of the senior students, themselves, in secondary schools.

School Trips

Photography by staff on school trips and visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school.

Concerts/Plays/Prize-giving/Sports Days

If photography is permitted, parents and guests should take care to avoid distracting pupils and the audience. They should observe any constraints imposed by school staff. Video or sound recording of a copyright musical or theatrical performance is normally forbidden and photography may also be restricted for reasons of child protection or out of respect for the rights and privacy of individuals. If so, photography opportunities will, instead, be arranged before or after a performance or an event, if possible.

If parents are unsure whether or not permission has been given by staff to record a particular performance or event, parents should ask the Headteacher.

School Photographer

Class and individual or group photographs are annual school events. Parents are asked in advance whether or not they wish their children to be included in these events. Reputable commercial photographers are involved and the law allows them to retain the copyright in the photographs.

Media

From time to time the Echo and other types of Media may well be invited into school by the Head teacher to photograph (Video in the case of the TV) pupils and celebrate the success of the school.

RAPS School Website

From time to time pupils may be invited to have their photograph on the school website to help celebrate the success of the school.

