

**Attenborough Learning Trust**

**Photographs Policy Version: v1.2**

# 1 Digital Photography

At Attenborough Learning Trust we value each child and every aspect of their education. We create a caring environment which supports and enhances learning for all and provides the opportunity for every individual to fulfil their potential.

This policy applies to all individuals who are to have access to and/ or be users of work-related photographic equipment based in Trust schools. This will include children, parents and carers, staff, volunteers, children, governors, visitors, contractors and any other community users.

The Trust is bound by the Data Protection Act 2018 which affects the official use of photography by the Trust. This is because an image of a child is considered to be personal data and it is a requirement that written consent is obtained from the parent of a child or young person under the age of 18 years for any photographs or video recordings. It is also important for the Trust to ascertain the views of the child regarding their images at any age. The Data Protection Act states that parent consent must be given to take and use any images (still or video) of children for official use both within the Trust and beyond (e.g. to use for publicity purposes or to share online). Consent is given at the point of admission to the individual school but can be withdrawn at any time by writing to the Head Teacher.

In May 2018, the General Data Protection Regulation (GDPR) came into force and data held on children is considered a special category. We will continue to process this personal data with parental consent for photographs published on our website and social media feeds. We will continue to process this personal data and hold photographs on our Management Information System (MIS) to enable the school to identify children in an emergency. This means we will process this data under 6(1) (c) 'processing is necessary for compliance with a legal obligation' which, in this case are the school's statutory safeguarding responsibilities.

Images taken by schools for official use will be kept in accordance with the 6 privacy principles of the GDPR from May 2018.

The Head Teacher of each school is responsible for ensuring the acceptable, safe use and storage of all camera technology and images. This includes the management, implementation, monitoring and review of this policy. The Head Teacher must reserve the right to view any images taken and/ or to withdraw or modify a member of staff's authorisation to take or make images at any time. All staff must ensure that all images are available for scrutiny and be able to justify any images in their possession.

## **Use of Photographs/ Videos by Parents/ Carers**

Any photographs taken for official school use may be covered by the Data Protection Act 2018 and parents/ carers and children should be advised why they are being taken. Any photographs taken purely for personal use (e.g. by parents/ carers at

events to put into a family album) are exempt from the Act. Where parents are permitted to take photographs or digital footage, the School will make it clear from the start that any images taken must be for private use only and ask for them not to be put on the web otherwise Data Protection legislation may be contravened. Parents are informed of this before any event or performance.

Parents are not permitted to take photographs or to make a video recording for anything other than their own personal use (e.g. with a view to selling videos of an 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 Data Protection Act 2018 would be breached.

The right to refuse parents and carers the opportunity to take photographs and make videos is however to be reserved on genuine health and safety grounds. This right could be implemented should it be deemed appropriate. For example, if an excessive use of flashlights and/ or bulky and noisy equipment are considered to be a potential health and safety risk.

### **Use of Photographs/ Videos by Children**

The individual schools make use of iPads and tablets which are sometimes used by the children to document their activity and as part of play and learning. This is a useful tool to support children's learning and exploration. However, the use of iPads by children should always be supervised by staff to ensure that appropriate images are taken. It is possible that if children are left unsupervised with an iPad or tablet they may unintentionally take inappropriate, or even indecent/ illegal, images of themselves or other children such as images which may show friends or other children in a state of undress. This could potentially lead to criminal offences occurring and could place the Trust in a very difficult situation, for example if the images are taken off site by a member of staff or accidentally shared online or on a digital screen with parents. This behaviour could also normalise unsafe activity for children at an early age, which could then be taken advantage of by people who abuse children.

If children are taking images for official use by individual schools, rather than for personal use, then they will be covered under the Data Protection Act 2018 and so parental consent will be required.

School Leaders should discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of iPads, such as places children cannot take the camera (e.g. unsupervised areas, toilets etc.). Staff should be fully aware of the acceptable use rules and ensure that children are appropriately supervised when they are using iPads. Staff should also ensure that they role model positive behaviour to the children by encouraging them to ask permission before they take any photographs. These photographs should then be carefully controlled by the School and checked carefully before sharing with parents/ carers online or via digital screens.

Parents should be made aware that children will be taking photographs/ videos of other children and should be informed how these images will be managed by the School e.g. they will be used for internal use by Nursery only (not shared online via any website or social media tool). This is extremely important to safeguard vulnerable children e.g. adopted or looked after children. If parents/ carers do not give consent for their children's images to be taken in this way then the School must ensure those wishes are followed and that images are not taken.

iPads provided for use by children and the images themselves must not be removed from the School.

### **Mobile Phones**

Children are not permitted to have mobile phones upon their person in School. Staff are not permitted to use mobile phones in the classrooms.

### **Video Recordings**

Some pupils may be given the opportunity to create oral recordings. Some of these recordings may be made available as videos through the internet so that they can be shared with interested members of the school community.

### **Copyright**

Though there are lots of free to use resources on the internet, the majority of image sound and music files are covered by copyright laws. Some can be used for educational reasons without permission provided that the source is stated and that they are not made available outside the School. Some cannot be used under any circumstances; this is particularly so for music but can apply to other types of file e.g. photographic images. Care therefore needs to be taken with multi-media work which incorporates anything downloaded from the internet or any other published source that it is not uploaded onto the School's website or broadcast through any other technology.

### **Photographs Policy v0.1**

Children are taught that the people who put their work on the internet may not always want people to copy or use their work and that they should check whether they have permission. **We expect all users to respect copyright laws.**

### **General Data Protection Regulation**

The General Data Protection Regulation 2018 (and prior to this, The Data Protection Act 1998) gives you the right to access information held about you or your child by the School. Please also see the Trust's Data Protection Policy for further information.

