St Mary's Catholic Primary School

Achieving Ambitions

PHOTOS AND VIDEOS POLICY

We guide our pupils on to the path to achieving their ambitions.

On their journey, they **Love** *one another,* **Learn** *to achieve excellence,* **Laugh** *through enriching experiences and* **Live** *life to the full.*

Drafted by	Carl Gendre – Adapted from DPE April 2023
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If you would like a copy of any documentation, please contact the organisation office: **office@stmarys.brighton-hove.sch.uk**

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Contents

Definitions	4
Scope of the Policy	5
Data Protection Principles	5
Roles and Responsibilities	5
General Procedures	6
Consent	7
Data Protection Act and School Events	8
Promotional Materials	8
Photographer Selection	9
Breaches	9
Data Retention	9
Reviewing the Policy	10
Appendix A: Model Photo, Video and Celebrations Consent Form	11
Appendix B: Model Photo Waiver Form	12

Definitions

Camera: Used to refer to mobile phones, tablets, webcams, portable gaming devices and any other equipment or devices which may be used to take photographs.

Office School Use: Photography and videos which are used for school and/or Trust purposes, e.g. for building passes and identity cards. These images are likely to be stored electronically alongside other personal data. The principles of the GDPR and the DPA 2018 apply to images and videos taken for official school use.

Media Use: Photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of the GDPR and the DPA 2018 apply to images and videos taken for media use

Personal Use: Use of cameras to take images and recordings of children by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo and are not intended to be passed on to unknown sources. The principles of the GDPR and the DPA 2018 do not apply to images and videos taken for personal use.

Scope of the Policy

The scope covers the use of photographs in school when taken by the school for official school use by members of staff or individuals authorised to take photographs on behalf of the school.

This policy does not cover the use of devices by students. Students personal devices are not permitted to be used in school or during any internal or external school based events.

The Photo and Video Policy outlines the way(s) in which St Mary's uses photos and video data in line with UK GDPR and the relevant data protection legislation, including the Data Protection Act 2018.

The Photos and Videos Policy works in conjunction with our Data Protection Policy and does not invalidate any of the provisions that are within these policies.

Data Protection Principles

St Mary's will uphold the principles that have been set out in The Data Protection Act 2018 and will only handle photo and video data in accordance with these principles to ensure that the rights and freedoms of individuals under the relevant legislation are protected.

St Mary's will ensure that photos and videos are only processed in a way that:

- Is adequate and only in a way that is necessary in relation to the purposes for which they are processed;
- Is accurate and, where reasonable, steps will be taken to correct any data that is inaccurate;
- Is processed lawfully, fairly and in a transparent manner, only collected for specific, explicit and legitimate purposes, and not in a manner that is in any way incompatible with these values;
- Ensures the security of the data and sufficiently protects the data from unauthorised access and processing. as well as protection against accidental loss, destruction or damage, using measures; and,
- Is retained in a manner in which identification of the data subject is permitted for no longer than is required for the purpose(s) for which the data was originally collected.
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Roles and Responsibilities

1. The Senior Leadership Team is responsible for reviewing this policy every two years.
2. The Executive Headteacher/Head of School is responsible for ensuring that the provisions in this policy are upheld consistently and that the relevant individuals are aware of their roles in upholding the provisions set out in this policy.
3. The Data Protection Officer (DPO) is responsible for monitoring the school's compliance with the provisions set out in this policy in relation to photo and video data and assessing when the school needs to take out a Data Protection Impact Assessment. The DPO will also act as a point of contact for the Information Commissioner's Office (ICO), as well as for individuals who are covered under this policy by having their photo and video data processed by the organisation.

General Procedures

Photographs are used in school for many reasons, and the different uses for the same image should be considered separately, as each photograph and use will potentially have different conditions for processing.

The Head of School and/or the Designated Safeguarding Lead will oversee the taking of photos and videos to ensure all rights are being upheld in accordance with the relevant legislation. In the event that there will be photos and/or videos being taken, there will be careful planning in place before it is carried out.

If there are plans to have photos and/or videos taken of (Post-) Looked After Children, adopted pupils, or pupils where there exists a security concern, the Head of School will liaise with the Designated Safeguarding Lead to ensure the safety of the pupil(s).

If a student is subject to a care order, the school will not display or share any photos or videos with them included. Any photos or videos that may cause distress, harm or embarrassment to any student will not be used.

The following steps will be considered when planning for the taking of photographs and videos:

- Can the photos/videos be taken in a way that prevents the students from being identified?
- Can photos and/or videos of classrooms be taken in a manner that is more general and doesn't show the faces of students?
- Will pupils be suitably dressed to be photographed and videoed?
- Are photos and/or videos of students essential to achieve the end purpose? Can other means be used to achieve the same goal?
- Will the photos and/or videos include pupils from different ethnic backgrounds and abilities to support diversity?

Before any photos or videos are shared externally, including on social media, we will ensure that the list of students who have provided consent will be checked. Only students from whom we have received consent will have photos or videos shared.

Where appropriate, staff will look to avoid the identification of students in photos and videos. Where names will be required, only students' first names will be used.

In the event that a student or parent has concerns about intrusive or otherwise inappropriate photos or videos, they should report their concerns to the Head of School as soon as possible, as well as the Data Protection Officer.

Consent

Not all photos and videos taken by the school will require consent. Where the photograph has been taken as part of the school's public interest processing, consent is neither required, nor sought. The following are examples where consent is not required:

- Displays in classrooms;
- Evidencing learning journeys;
- Records of achievements; and,
- Identification.

Where consent is required, and before any student's data is collected, written consent for a child to be photographed by the school for any school-related activities or events, including class photos, individual portraits, and group photos, should be obtained.

Pupils over the age of 12 are generally considered able to provide consent for themselves. Data protection law doesn't specify an age at which a child is considered capable to exercise their own rights, although 12 years old is typically given as a guideline. However, this should be on a case-by-case basis and consider the ability of the data subject to understand their rights.

If the school only has one of the pupil's parents' contact details on file, the Head of School will decide whether steps should be taken to obtain the contact details of the other parent in order to seek their consent. However, only the consent of one parent is required.

The school is not required to seek the consent of a particular parent if:

- the parent cannot be found;
- it is in the best interests of the student that the parent isn't contacted;
- the parent is unable to give consent or withdraw consent with a sound mind; or,
- if it is not reasonably practicable or appropriate for the school to notify them.

If neither parent can be contacted to obtain consent for the processing of data, the school will seek to obtain consent from the individual(s) who are responsible for the care of the pupil.

When consent is sought from a parent and/or other appropriate individuals, the school will notify them of:

- the types of photo and video data that the school wishes to collect;
- how it will be collected;
- the purposes for which it will be collected;
- the time period it shall be retained for
- the data subject's right to consent and withdraw consent at any point; and,
- the alternative and reasonable arrangements that the school will put in place should consent not be obtained, or if it is withdrawn in the future.

Where consent is required, a review of the processing will be conducted, and no further processing may take place if:

- the pupil objects to the processing of their photo and video data (whether that be in the form of verbal or non-verbal communication)
- no parent or guardian has consented to the processing of the pupil's photo and video data

- or where one parent has objected (even if the other parent has consented).

Where required, the school will also obtain consent from staff before processing their data. Parents and guardians, staff and pupils are permitted to withdraw their consent at any point, and any photo and video data the school has collected up to that point can be requested for deletion.

Our school Photo Consent form is available from the school office.

Data Protection Act and School Events

In accordance with information from the Data Protection Commissioner's Office, 'Photographs taken purely for personal use are exempt from the Data Protection Act.'

This means that parents, friends and family members are permitted to take photographs of their child and friends participating in school activities for the family album.

In these circumstances, the school will issue clear guidelines for those attending such events that photographs should always show the school, children and staff in a positive light and, as they may contain pictures of other children, not shared on social media or in other public forums.

Whenever possible, the school will produce photographs and/or videos of events, and offer them to families, sometimes at a cost.

Where the school restricts the use of cameras by individuals (for example, if there are children who may not be allowed to be photographed, or the occasion or location is unsuitable), the school will endeavour to take photographs themselves and distribute them to parents once checks and safeguards have been completed. In these situations, we would ask for the cooperation of all parents and others to ensure that this request is respected.

Promotional Materials

The school may wish to use photos or videos when marketing or promoting the school. In these circumstances, using consent may not be appropriate due to the risk that an individual may withdraw their consent. The costs and disproportionate effort involved in removing an individual from materials or their current use may be prohibitive.

This does not apply to regular photos or videos of activities uploaded onto the school website (which can easily be removed) but may include:

- Professionally taken photography that is used in "branded" displays in the school's reception and corridors, on the website template or in professionally produced and printed materials, such as a prospectus or in advertising
- Professionally produced videos for use of the website or in media

Photographer Selection

Whilst some photos taken by the school will be done so by a member of staff, there will be occasions when the school hires a professional photographer. These occasions may include annual school photos and one-off events or celebrations.

The school will carefully select the photographer who will be responsible for taking photos of students and staff members. The photographer should be experienced and follow best practices for child safety and respect. The school will have a formal contract in place prior to any photos being taken. Additionally, the photographer must be willing to comply with the school's policies and procedures.

Where parents are able to buy photographs as souvenirs, it must be clear to parents whether these are being purchased from the photographer or the school. Where the school directs parents to the photographer, the photographer will enter into a contract with the parents directly and act as a data controller.

Where any data will be shared between the school, parents and an external photographer, the school will undertake adequate due diligence to ensure adequate safeguards are in place to secure all data throughout the process.

Breaches

The school has policies in place for the protection of data subjects and the data that the school holds on them. In the event of a breach, it will be dealt with in accordance with our Data Breach Procedure.

Data Retention

Data will be retained no longer than necessary (as documented in the organisation's record of processing or retention schedule) or until consent is withdrawn. After this time, the photos will be securely destroyed or permanently deleted.

By default, this will be within six months of the student leaving the setting unless

- an exemption or waiver applies to allow continued use
- selected photographs are retained for archiving and historical purposes (e.g. photographs marking significant events or student achievement)

Reviewing the Policy

This policy will be reviewed every two years by the Senior Leadership Team, and the next scheduled date for renewal is February 2026.

Any changes to this policy will be communicated to pupils, parents and staff.

Appendix A: Model Photo, Video and Celebrations Consent Form

Child's Name: ……

Year Group: ……..

1 Visiting the local area

Children are taken on educational trips and visits during the school year and details and separate opt-in/opt-out consent slips are sent out in advance.

On some occasions we take children out locally to places such as Vale Park; the Beach and Library. We will always inform you when children are being taken out into the local area. Any visits will have suitable adult:children ratios and have a first-aider present.

1	**I opt-in to my child visiting the local area:**	

2 Copyright Permission

In some cases children's work may be exhibited or used outside of the school environment *e.g. a poem written for a National competition, artwork displayed at other Schools.* You child retains copyright over their work, but this allows us to share their work with others. Your child's name, age and school will be shared in this instance.

2	**I opt-in to allow the school to share my child's work whilst retaining copyright. I understand that my child's work may still appear once my child has left St Mary's Primary School:**	

3 Acceptable Use Agreement/Online Safety Rules

St Mary's Primary School takes Online Safety extremely seriously. As such it has a wide range of safety features, anti-virus/malware software, firewalls, filters and monitoring systems in place to avoid inappropriate, harmful or illegal content or activities taking place.

These online safety rules are designed to keep your child safe online and should be shared at home with your child. Your child could sign this agreement once you have been through these rules with them, otherwise you may sign on their behalf:

For my personal safety:

- I will not let anyone know any of my passwords.
- I will not use any other person's username and password.
- I will never tell someone my last name, date of birth, home address or any phone number when online.
- I will never arrange to meet someone that I have chatted to online.
- I will tell a teacher (or parents/carers if at home) if I see anything that I am unhappy with.
- I know that my teachers can check everything I do when I am using the school's ICT systems and they will talk to my parent/carer if I do something wrong or they are concerned about my e-safety.

I understand that everyone has equal rights to use technology as a resource and:

- I will only use the school's ICT systems for learning activities unless my teacher has let me use it for approved games.
- I will not make large downloads or uploads that might slow the system down and stop others from working, unless my teacher has asked me to. I will not use the school ICT systems for on-line gaming, on-line gambling, Internet shopping, file sharing, or video broadcasting (e.g.YouTube)

I will act as I expect others to act toward me:

- I will not access, copy, remove or change any other user's files, without them knowing and giving me permission.
- I will be polite and responsible when I communicate with others online.
- I will not use strong, aggressive or inappropriate language and I understand that others may have different opinions.
- I will not make or distribute images, video or audio clips of anyone without their permission.

I will respect the security that the school has put in place to keep me and others safe:

- If I need to bring a mobile phone to school (Yr5 and Yr6 only) I will give it to my teacher to then be sent to the office for safe keeping during the school day.
- I will not plug a memory stick into any school ICT device without asking a teacher first.

- I will not try to upload, download or access any materials which are illegal or may cause harm or distress to others.
- I will not try to use any programmes or software that might allow me to bypass the filtering / security systems in place.
- I will tell a teacher immediately if I find any damage or faults with equipment or software.
- I will not open any attachments to emails, unless I know and trust the person who sent the email, due to the risk of the attachment containing viruses or other harmful programmes.
- I will not install or attempt to install programmes of any type on a machine, or store programmes on a computer, nor will I try to alter computer settings.
- I will not access chatrooms and social networking sites in school.

When using the Internet I know that:

- I should ask permission to use the original work of others in my own work.
- Where work is protected by copyright, I will not try to download copies (including music and videos)
- When I am using the Internet to find information, I will check that the information that I access is accurate, as I understand that the work of others may not be truthful and may be a deliberate attempt to mislead me.

I understand that I am responsible for my actions, both in and out of school:

- I understand that the school also has the right to take action against me if I am involved in incidents of inappropriate behaviour, that are covered in this agreement, when I am out of school and where they involve my membership of the school community (examples would be cyber-bullying, use of images or personal information).
- I understand that if I break the rules of this Acceptable Use Agreement, depending on the severity:
  - ✓ I may lose access to the school network / Internet;
  - ✓ My parents will be contacted; I may be excluded;
  - ✓ The police may be involved if my actions are illegal.

3	**I understand and agree to follow the school's online safety rules:**	

4 Parents/Carers Acceptable Use Agreement

In addition to the children's use of technology within school, we also ask that parents/carers agree to the following:

- ✓ I understand the online safety rules and agree to help my child(ren) keep them;
- ✓ I agree to switch my phone or other mobile device to 'silent' when coming into school (other than drop off/pick up).
- ✓ I agree not to use my mobile phone or other mobile device when inside the school buildings to comply with the school's safeguarding policy.
- ✓ I have read and understood the school online safety rules and give permission for my son/daughter to access the internet and use other school ICT systems.
- ✓ I understand that the school will take all reasonable precautions to ensure that pupils cannot access inappropriate materials but I appreciate that this is a difficult task;
- ✓ I understand that the school cannot be held responsible for the content of the materials accessed through the internet despite the high level of security and filtering in place;
- ✓ I agree that the school is not liable for any damages arising from use of the internet facilities.

4	I opt-in to agree to these online safety rules:	

5 The Home-School Agreement

At St Mary's Catholic Primary School we encourage our children to become willing, independent learners through a partnership between the staff, the parents and the wider community. Everybody has the right to expect a welcomin and well-resourced school that is a pleasure to visit and work in. To achieve this it is essential to have your co-opera

The School will:

- Allow the children to learn within a curriculum that is creative, meaningful and fun.
- Encourage children to do their best at all times by promoting good relationships and a love for learning.

- Not tolerate bullying or harassment of any kind.
- Keep parents/carers informed about school activities through newsletters, texting, telephone and our website — www.stmarys.brighton-hove.sch.uk
- Inform parents/carers of their child's progress.
- Be welcoming and encourage parents/carers to become involved in their child's learning and the whole school community.
- Listen to any of your concerns and suggestions.
- Contact you if there is a problem with your child's attendance or punctuality.
- Let you know if we have any concerns in school that is affecting your child's learning.

The Parents/Carers will:

- See that my child comes to school regularly, arrives on time for registration at 8:50am and is picked up promptly at the end of the school day.
- Contact the school as early as possible on the first day of absence if my child will not be attending for any reason and every day my child is off.
- Tell the school about anything that might affect my child's learning or behaviour.
- Support the school's policy on behaviour, including the Code of Conduct.
- Talk to the Headteacher/Assistant Headteachers/Teachers around any issues they may have about the school – not publicly on social network sites.
- Support the school's Online Safety policy and not deliberately upload or add images, video, sounds or text that could upset or offend any member of the school community.
- Help my child with their home learning and in finding opportunities for learning at home.
- Attend parents' evenings and other discussions about my child's learning
- Ensure that my child comes to school wearing appropriate clothing and with appropriate PE kit.

The Children will:

- Arrive at school in good time and not take unnecessary days off
- Bring everything I need every day, particularly my reading book.
- Do as well as I can in all my learning, at school and at home.
- Wear school uniform and have my PE kit in school.
- Show respect for other people, their property and the school environment.
- Tell a grown up if anyone makes me feel sad or frightened in school.
- Keep our Golden Rules.

We will all:
Work together in a partnership of mutual trust and support.



6	I opt-in to the Home School Agreement and agree to share it with my child:	
7	I understand that I opt-in to other school communications such as Teachers2Parents, Parent Pay and the Online Newsletter by providing my own information. If I wish to opt out of these, I understand that I need to delete the app/online system myself:	

IMAGE/AUDIO/VIDEO CONSENT

REVIEWED ANNUALLY

	Signature of Parent/Carer Please opt-in by signing in each blue section

1 **Photographs/Video/Audio Recordings**

Without your consent, the school will not use images and videos of your child. Multi-media recordings are becoming an integral part of school life. How we use these recordings is strictly controlled by our school's Online Safety Policy. We may use images in our school's printed publications or on our website. From time to time the media may visit the school or events where our school is taking part. These images never carry the *full name* of the pupil or other personal details – postal addresses, emails or telephone numbers. As a school, we will only use images or video of pupils who are suitably dressed, i.e. It would not be suitable to display an image of a pupil in swimwear.

Please opt-in to the use of various media below:

1a	**I opt-in to allow my child's image to be used on the school website. I understand the image may still be seen when my child has left St Mary's Catholic Primary School:**	
1b	**I opt-in to allow my child's image to be used on the school newsletter which is published online and sent to other parents/carers via Teachers2Parents. I understand the image may still be seen when my child has left St Mary's Catholic Primary School:**	
1c	**I opt-in to allow my child's image to be used in school displays which will be seen by any visitors to the school. I understand the image may still be seen when my child has left St Mary's Catholic Primary School:**	
1d	**I opt-in to allow my child's image to be used in school books (other than their own) as evidence of their learning. I understand that these books go to the other child's home at the end of the year:**	
1e	**I opt-in to allow my child to have an individual photograph by an external company (which I then have the option of purchasing). I understand that my child's name, class and roll number will be shared with this company:**	
1f	**I opt-in to allow my child to have a class photograph taken by an external company (which I then have the option of purchasing). I understand that my child's name, class and roll number will be shared with this company:**	
1g	**I opt-in to allow my child to be photographed by the press (national and local) and understand this will appear in publications online and in print:**	
1h	**I opt-in to allow my child's image to be used in school marketing such as banners or flyers. I understand these can be viewed by the public at any time. I understand the image may still be seen when my child has left St Mary's Catholic Primary School Primary School:**	
1i	**I opt-in to allow my child's image to be used on social media including the St Mary's PTA Facebook page. I understand the image may still be seen when my child has left St Mary's Catholic Primary School:**	

1j	**I opt-in to allow audio recordings of my child in school. I understand these will be used in school for learning purposes and may be played during assemblies or presentations to parents/carers and visitors in school. I understand the recording may still be heard when my child has left St Mary's Catholic Primary School:**	
1k	**I opt-in to allow video recordings of my child in school. I understand these will be used in school for learning purposes and may be played during assemblies or presentations to parents/carers and visitors in school. I understand the recording may still be seen when my child has left St Mary's Catholic Primary School:**	