Photograph/video Policy
March 2019

Introduction
The School is obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when it takes or publishes photographs of its pupils. The Trust will always try to act in the best interest of the pupils and, as far as it legally can, it will take parental preferences into account.

Consent
The Data Protection Act gives children rights over their own data when they are considered to have adequate capacity to understand. Most children will reach this level of understanding at around age 12. For this reason, for most pupils in a secondary school, it will normally be up to the individual child to decide whether or not to be photographed.

In the circumstance where the school considers the child does not have the capacity to make such a decision, the school will take the following action; seek the consent of the child, parent/carer, DSL and SENCO.

For the purpose of this photograph policy, the secondary school will capture the consent of the child at the age of 11 as they start in year 7 to last through until they are 16, the school will also capture the consent and wishes of the parent/carer. Consent will be recaptured at the start of year 12 for existing students and also for students new to the school.

In Trust primary schools, full consent will be with the parents/carers.

If you wish to express a preference for the school to avoid taking or publishing photographs of your child in certain circumstances, then please indicate your preferences using the accompanying form. If no preferences are expressed, then we will act in accordance with the principles expressed in this policy.

The photograph taken specifically to hold on the school Managed Information Systems (MIS) is required for safeguarding purposes.
**Usage**

During your child’s time at the school your child may have their photograph or a video taken, this may be just to record an event or it may be that the school are proud of the event and want to promote it through various platforms. The following are instances of when, where and how this could involve your child:

- in the classroom when your child is taking part in an activity or demonstration and used for internal purposes;
- whilst your child is on a school trip and posted on school authorised Social Media for parents and the community to see what your child and the school have been doing;
- at a sports fixture and posted on school authorised Social Media so parents can see the result;
- a personal accolade where your child has won an award, so a specific press release may be written about your child’s achievement and put on the school website as well as being sent to the local media with your child’s named photograph;
- a large event like sports day, drama production, concert, charity event, leavers ball or awards evening where many photographs are taken, named and unnamed and are posted on school authorised Social Media and the school website and local media.

The above are all typical examples but are not exclusive as there may be many other situations and events where photographs/videos are taken relevant to school.

The typical external local media platforms used are local news websites and social media, local radio, and regional and national newspapers on occasion.

Ordinarily the following rules will apply to photographs in Trust schools:

**Photographs for School Use**

- The school will take photographs for its own use. Usually these will be unnamed photographs and will generally be for internal school use but may also include photographs for publication, such as photos for the prospectus/marketing materials, or to show as slides at an event for parents. Unnamed photographs may also be used on display boards which can be seen by visitors to the school.

- When the photograph is taken, the pupils will be informed that a photograph is being taken and told what it is for so that they can opt out if they wish.

- When using photographs consent will be based on the consent established in this policy.

- Where a parent/carer has declined consent upon entering the school in year 7, consent will be recaptured at the age of 12 from the child. A discussion will take place with the parent/carer, DSL and/or SLT when there is a difference of view.
Media Use

- The school will give proper consideration to the interests of its pupils when deciding whether to allow external organisations to take/use photographs or to film.

- When the press are allowed to be present in school or at school events, this will be on the condition that they observe this policy. Upon doing so, they may publish named or unnamed photographs where consent has been established.

- Where media entities are allowed to be present at a particular event the school will make sure that pupils and their parents or carers are informed of the media presence. If no objection is received, then the school will assume that unnamed and named photographs may be published according to the consent established in this policy.

- All third-party media entities are provided with this policy. Where Trust schools provide an image to a third-party media entity, it is based on consent outlined in this policy. Where an image has not been provided and if the media entity wants to publish named photographs then they must obtain specific consent from those pupils with capacity to consent or the parents of those without capacity. The school will require the media entity to check with the school before publication so that the school can check that any objections have been taken into account.

Family Photographs at School Events

- It shall be at the discretion of each of the schools within the Trust whether photographs may be taken at a school event.

- Family and friends taking photographs for the family album will not be covered by Data Protection legislation.

- Where the school decides to allow such photography, the family and friends will be asked not to publish any photographs showing children other than their own on the internet.
Consent for filming/photography at [school name]

Name of Child ____________________________

Name of the parent/carer______________________

Today’s date______________________________

Age of the child____________________________

I understand that the images/video captured of the above named child are the copyright of [school name].

I understand I can contact [insert school] at any time and request that images/video of the above named child are not used in any future marketing materials internally or externally but may continue to be used in those already published. To withdraw consent it must be put in writing directly to the school FAO the Data Manager.

I agree to my child being photographed or filmed whilst at [insert school] as exampled in the policy.

   o  I consent
   o  I refuse:
       o  I consent to my child’s unnamed photograph being used internally for eg. Wall display   yes/no
       o  I consent to my child’s unnamed photograph being used externally for eg. School prospectus yes/no

Applies to Secondary School only: I, the pupil, consent to being photographed or filmed whilst at [insert school] as exampled in the policy.

   o  I consent
   o  I refuse:
       o  I consent to my child’s named photograph being used internally for eg. Classroom presentation yes/no
       o  I consent to my child’s named photograph being used externally for eg, article in newspaper yes/no