

Friskney All Saints Church of England Aided Primary School

January 2005

INTRODUCTION

Our schools needs and welcomes positive publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs in school publicity materials can increase pupil motivation and staff morale and help parents and the local community identify and celebrate the school's achievements.

However, photographs must be used in a responsible way and subject to legislation. Schools need to respect young people's and parents' rights of privacy and be aware of potential child protection issues.

Many organisations provide advice on the use of images, especially on the Internet, and most would agree on principles to follow to ensure responsible use. However, some organisations (and some local authorities) believe that the only way to be sure of protecting children is to ban the use of photographs in all school publicity materials.

Lincolnshire County Council and our school's view is that we need to balance potential risks against the advantages of promoting the school in a colourful and attractive way. Risk to children particularly, but also to anyone identifiable in the photograph, can be minimised by following the advice in this document and in securing appropriate consent for the use of photographs. This policy relates to the use of photographs in school publicity materials, on its website, and in newspapers; we will use our best endeavours to make sure that parents are aware of this policy.

KEY POINTS

Child Protection Issues

Risk may occur when individual pupils can be identified in photographs. The provision of the name and photograph of a pupil in a publication or on a website allows the possibility of people outside the school identifying and then contacting pupils directly. Care must be taken that the school logo on a shirt or jumper, if it can be read easily, does not identify an individual pupil.

The NSPCC warns that this information could make a child vulnerable to abuse. Also, the content of the photo can be used or adapted for inappropriate use. There is evidence of this adapted material finding its way onto child pornography sites. Their advice is that organisations should develop a policy in relation to the use of images and ensure that the parents support their policy. This is a core purpose of our policy.

Both the DfES and the NSPCC recommend that we have a recognised procedure for reporting the use of inappropriate images in the same way as we do for any other child protection issue - that is that we inform our Child Protection Officer (the Headteacher) and Social Services and / or the Police.

It is for the Headteacher to decide whether the publication of a photograph might pose a risk to a child.

Data Protection Act

Photographs and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998, therefore using such images for school publicity purposes requires the consent of either the individual concerned or in the case of pupils, their parents or legal guardians.

- This means that we will not display images of pupils or staff on websites, in publications or in a public place without such consent. The definition of a public place includes areas where visitors to the school have access.
- In our school we will class the entrance foyer as a public place - permission needs to be obtained to display images of pupils and staff in this area.
- Classrooms and corridors do not routinely have public access and therefore images of staff and pupils may be displayed in these areas without specific consent.
- We will get the permission of all the people who will appear in the photograph, video or web cam image before we record the footage. That means adults as well as children. Our consent form will be included in our Parental Welcome pack so that it forms part of our initial documentation and will last for the time the child remains in the school unless parents/guardians inform us otherwise.
- Our form will require all parents to return it to us indicating their wishes regarding permission for the use of photographs.
- We will make it clear why we are using that person's image, what we will be using it for, who might want to look at the pictures and for how long images will be retained. This is addressed in the parental consent form.
- If we are taking images at an event attended by large crowds, this is regarded as a public area so we do not need to get the permission of everyone in a crowd shot. However, if any individuals are easily identifiable in the foreground, we will get their consent before using it.

Appropriate use of images in school publicity material

When we take photographs for publicity purposes we will:

- Only use images of children in suitable dress to reduce the risk of inappropriate use. This is a judgement for the Headteacher to make but some activities - swimming, gymnastics and athletics - clearly present a greater risk of potential misuse. With these activities, the content of the photograph will focus on the activity, not on a particular child, and will avoid full face and body shots. So for example with swimming, shots of children in a pool would be appropriate or, if possible, seen waist or shoulder up
- Never use an image of a child who is subject to a Court Order
- Establish whether the images will be retained for further use

- Make sure images are stored securely and used only by those authorised to do so
- Not re-use photographs of children (or teachers) after they have left the school.

Websites

The basic advice for using photographs on a website is no different from their use in any other kind of publication or publicity material. However, we are more aware of the potential risk of inappropriate use of images because of the lack of control we have over who might see the image and the wide extent of misuse of the Internet by certain people.

- Our consent form explicitly includes publication on the Internet. It is not sufficient for us to re-use consent for printed publication.
- Simple technology features such as watermarking may stop the misuse or downloading of our images. Care will always be taken to ensure that a file name of a photograph cannot identify a pupil, e.g. marygreen.jpg

Newspapers

We want newspapers to celebrate the successes of our pupils and therefore will want to include the names of pupils in photographs that are to be used. We will ensure that

- We have secured parental consent for naming individuals and
- That parents are quite clear the photograph will appear in a newspaper,

It is Lincolnshire County Council's view that for photographs of larger groups e.g. 'Circles class' it would be sufficient to simply state 'Circles Class from Friskney School'.

For smaller groups, e.g. teams, where individual names may be requested, we will obtain parental consent for the use of names.

The use of photographs in newspapers is already subject to strict guidelines. The Press Complaints Commission's Code of Practice states that:

- Journalists must not interview or photograph a child under the age of 16 on subjects involving the welfare of the child in the absence of or without the consent of a parent or other adult who is responsible for the children.
- Pupils must not be approached or photographed while at school without the permission of the school authorities.

There is no breach of the Data Protection Act in simply passing on a child's name to a journalist so long as you have secured parental consent and the school is specific about the purpose for which the information is requested. If schools or parents have any concerns regarding the use of photographs by the press, they should contact the Press Complaints Commission.

Parental consent for newspaper publicity photographs is absolutely vital. It has been known for children placed in refuges for their own safety, to be located as a result of their photograph appearing in the newspaper.

Filming Events

Parents or other spectators may want to photograph or video record an event such as Sports Day or arts performance. This is a valuable part of school life and can be very rewarding for both the family and school. It should not cause any problems so long as parents are clear about our expectations.

Parents, and any other spectators must let the Headteacher know if they wish to use photographic equipment. The school will then give permission and all parents are informed that filming will take place. We will consider creating a designated area in which photographs or filming can take place. We will then know who is photographing or filming and whether they have permission to do so.

Anyone filming outside the designated area will be challenged and asked to follow the school policy or leave the premises.

If a commercial photographer is used, we will follow this advice from the NSPCC which is helpful:

- Provide a clear brief about what is considered appropriate in terms of content and behaviour
- Issue the photographer with identification which must be worn at all times
- Let children and parents know that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films and photographs
- Do not allow unsupervised access to children or one-to-one photo sessions at events
- Do not approve/allow photo sessions outside the event or at a young person's home.

If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the Headteacher who will record them in the same manner as any other child protection concern.

If schools or parents have concerns regarding the use of filmed images by TV companies, they should contact the Office of Communications (Ofcom) and seek legal advice.

Camera phones in schools

Concerns have been expressed about the risks posed directly and indirectly to children and young people through the use of camera phones on school premises.

The most recent reservations surrounding camera phones have been over the safety, security and well being of children, whether they are the users or victims of the technology.

The risks with camera phones are:

- They are very small and can be used without the subject knowing, and in areas such as changing rooms
- They can be used to bully other children
- They can be used to cheat in tests, exams etc
- It is not obvious a picture is being taken
- Visitors to schools do not have to declare they are carrying one
- Once an image is taken it can be modified and misused
- No flash is given off

At present there is no set law or guidance concerning camera phones as the technology has developed so quickly.

The Scottish Secondary Teachers' Association has called for a ban on camera phones in schools, and in January 2004 a secondary school in Wearside was the first school to ban camera phones within the school site. In March 2004 West Lothian LEA banned the use of camera phones in all of its primary and secondary schools.

- At our school, pupils are not allowed to bring mobile phones to school.
- At this school, using a mobile phone in school during session times by staff is a disciplinary action.
- Staff are expected to carry the school mobile phone when taking groups out of school and use it for emergency contact.

Many schools ban visitors from carrying camera phones on school sites by retaining them at reception until the end of the visit. Lincolnshire County Council supports this view and would strongly advise that all schools adopt such a procedure.

Interim Arrangements

Many mobile phone operators are producing their own guidance for children and adults on the safe use of mobile phones; unfortunately this is not available at present.

Furthermore certain companies have got together to try and create a new product/service called 'Safe Haven' TM, which at present is still under construction, but the principle behind the technology is to apply the product/service to a school site which will then block the camera facility on all mobile telephones. This is a pioneering initiative but progress can be monitored at www.icebergsystems.co.uk/safe-haven.html

Assessment of Pupil Progress

There are many times during the course of school life when staff need to take photographs as a record of work to provide evidence for Ofsted, Records of Achievement and so on. In some subjects such as drama, photographic evidence is the only way in which records can be kept.

- Such photographs/videos will only be taken on school equipment and the photographs will be kept in school in the relevant file.
- On occasions, these photographs may take the form of a class wall display.

School Visits

It would be unreasonable not to take photographs on a school visit.

- Staff will only take photographs which include children on the visit with school equipment. These photographs will be kept in school and only used for classroom purposes either for display or for a record of the visit.
- The school will take a video of the visit where appropriate and parents/carers may obtain copies from the school for a donation to School Funds.

Class Photographs

When the official photographer takes team and class photographs, children's names will appear on the front of the photograph.

Staff Use of Children's Photographs

In keeping with our Staff Protection Policy, staff will only photograph children using school equipment, keeping the photographs in school as outlined above.

Parental Consent

Our Parental consent form will make clear:

- How and where images will be used, including for school Records of Achievement
- The period of consent; and
- The storage and deletion of photographs

We will include consent for photographs to be taken and used, along with other parental permissions as part of our registration process when a child starts at our school. We will ask for consent for the duration of the child's time at the school and avoid the need to ask for parental consent on each and every occasion that we take photographs.

We will record any changed circumstances.

We will retain consent forms on file while the child is still at school.

We also need consent from teachers and any other adults who may appear in the photograph or video.

LEA Contacts

Outdoor Education Adviser	K. Round	01522 553209
Schools Liaison Officer	L. O'Neill	01522 553254
Child Protection Officer	S. Dodsworth	01522 554674

This policy is to be reviewed annually as technology progresses.
Comments from schools would be greatly appreciated.

April 20th 2005