

**Date: October 2023**  
**Next review due: October 2024**  
**Responsibility: Principal/  
Data Protection Coordinator**



## **DAME ALLAN'S SCHOOLS**

### **TAKING, STORING AND USING IMAGES OF CHILDREN POLICY**

#### **1. This Policy**

- 1.1 This Policy is intended to provide information to pupils and their parents, carers or guardians (referred to in this policy as "parents") about how images of pupils are normally used by Dame Allan's Schools ("the Schools"). This policy also covers the Schools' approach to the use of cameras and filming equipment at events organised by the Schools (for example, concerts and other performances whether on the Schools' premises or elsewhere), by parents and pupils themselves and by the media.
- 1.2 It applies in addition to the Schools' terms and conditions set out in their Parents' Contract (paragraph 11 (b) of the Terms and Conditions informs parents about the Schools' use of photographs and video recordings), and any other information the Schools may provide about a particular use of pupil images, including but not limited to signage about the use of CCTV; and more general information about use of pupils' personal data, as set out in the Schools' Data Protection Policy and Privacy Notices for Parents, Pupils, Staff, Governors and Suppliers. Images of pupils in a safeguarding context are dealt with under the Schools' relevant safeguarding policies.
- 1.3 Many of the Schools' activities involve taking and recording images. These may be undertaken as part of the curriculum and/or during extra-curricular activities, in order both to celebrate achievements and to provide records of evidence of the activity. The taking and use of these images is necessary for the ordinary running of the Schools; in addition these images are taken in the legitimate interests of the Schools and their community and are unlikely to cause any negative impact on children. The Schools are entitled lawfully to process such images and decide how to use them, unless a parent expressly informs us that they wish to limit the Schools' use of images of their child, in accordance with paragraph 1.7 below.

1.4 Parents, who accept a place for their child at the Schools, indicate agreement to the Schools using images of that child as set out in the terms and conditions referred to above, by signing the Parents' Contract. These terms and conditions are updated from time to time and parents are notified of any changes. For information, paragraph 11 (b) of the Terms and Conditions (which were updated in March 2023) states:

*"We will need to use information relating to your child, and to you, for certain purposes connected with the running of the Schools. This will include name, contact details, school records, photographs and audio-visual recordings, both whilst your child is at the Schools and after he or she has left for the purposes of:*

- (i) managing relationships between the Schools and current pupils/parents and fulfilling our obligations under the contract with you, including educational and examination purposes, safeguarding, statutory reporting, health and safety, complaints, administration and processing fees;*
- (ii) promoting the Schools to prospective pupils/parents;*
- (iii) publicising the Schools' activities; and*
- (iv) communicating with the Schools' community and body of former pupils.*

*In respect of (ii), (iii) and (iv), this includes use of such information by the Schools in/on the Schools' prospectus (in whatever format or medium it is produced/made available), bulletins, the Schools' website(s) and (where appropriate) the Schools' social media channels.*

*In respect of (ii), (iii) and (iv), we will only use photographs and video recordings of your child in line with your preferences. We require all parents to complete an Image Consent Form to indicate these preferences. In respect of pupils in the Junior School, parental consent is sought. When your child enters the Boys' and Girls' Schools (Years 7 – 11 inclusive), the child and parent will be asked to complete the Image Consent Form. For pupils in Years 12 and 13, pupils only will be requested to complete this Form.*

*You and/or your child have the right to object to certain uses of their personal data. Full details of how we process personal data are set out in the Schools' Privacy Notices which are available on request from the Schools or which can be viewed on our website."*

1.5 We hope parents will feel able to support the Schools in using pupil images to celebrate the achievements of pupils, in all aspects of the life of the Schools; to promote the work of the Schools, and for important administrative purposes such as identification and security.

1.6 However, parents should be aware of the fact that certain uses of their child's images may be necessary or unavoidable (for example if they are included incidentally in CCTV or a photograph).

1.7 Any parent who wishes to limit the use of images of a pupil for whom they are responsible should contact our Communications office by emailing [communications@dameallans.co.uk](mailto:communications@dameallans.co.uk). The Schools will always respect the wishes of parents (and indeed pupils themselves) wherever reasonably possible, and in accordance with this policy.

1.8 Parents should be aware that, depending on a child's age, understanding and maturity, the law recognises pupils' own rights to have a say in how their personal information – including images – is used.

## **2. Use of Pupil Images in School Publications**

2.1 Unless the relevant pupil or his or her parent has requested otherwise, the Schools will use images of pupils to keep the Schools' community updated on the activities of the Schools, and for marketing and promotional purposes, including:

- a. on internal displays (including clips of moving images) on digital and conventional notice boards within the Schools' premises;
- b. in communications with the Schools' community (parents, pupils, staff, governors and alumni) including by email, in newsletters and by post;
- c. on the Schools' website and via the Schools' social media channels. Such images would not normally be accompanied by the pupil's full name and it should not be possible to identify the pupil(s) appearing in the photograph or recording from any text associated with the image (i.e. a caption or editorial content) without permission; and
- d. in the Schools' prospectus, and in online, press and other external advertisements for the Schools. Such external advertising would not normally include pupil's names and in some circumstances the Schools will seek the parent or pupil's specific consent, depending on the nature of the image or the use.

2.2 The source of these images will predominantly be the Schools' staff (who are subject to policies and rules concerning how and when to take such images), or a professional photographer used for marketing and promotional purposes, or occasionally pupils. The Schools will only use images of pupils in suitable dress and the images will be stored securely in accordance with our Data Protection Policy.

2.3 The Schools will also be sensitive to the views of pupils and not photograph or record them if they are unwilling.

2.4 Many parents and pupils provide the Schools with photographs and videos of their child/themselves participating in activities at home or at events outside of the Schools (for example, sporting events, where a child may be representing a club, county or other organisation). Unless the parent and/or child indicate to the Schools, when providing them with the photograph or video, that they do not wish the photograph or video to be used in Schools' publications as described in paragraph 2.1 above, the Schools may use these images for these purposes.

## **3. Use of Pupil Images for Identification and Security**

3.1 All pupils attending the Junior School are photographed annually by a professional photographer. All pupils are photographed by a professional photographer when they join the Girls' and Boys' Schools in Year 7 and again when they enter Year 10. If a pupil joins the Girls' or Boys' Schools in another year group, that pupil will be photographed in their year of entry

and then again in Year 10 (if applicable). Form/class photographs are taken by a professional photographer annually in the Junior School and in Years 7 and 11 in the Girls' and Boys' Schools. Professional photographs are also taken of sports' teams and a Year 13 leavers' photograph is also taken. A professional photograph of all pupils and staff at the Schools is taken every 5 years.

- 3.2 Parents are always notified when photographs are due to be taken and are given the opportunity to purchase photographs of their child. In addition, these individual photographs are used for the purposes of internal identification. These photographs identify the pupil by name, year group and class/form/tutor group.
- 3.3 CCTV is in use on the Schools' premises for safety and security purposes, and will sometimes capture images of pupils. Images captured on the School's CCTV system are used in accordance with the Schools' CCTV Policy, Data Protection Policy and Privacy Notices for Parents, Pupils, Staff, Governors and Suppliers and any other information or policies concerning CCTV, which may be published by the Schools from time to time.

#### **4. Use of Pupil Images in the Media**

- 4.1 Where practicably possible, the Schools will always notify parents in advance when the media is expected to attend an event or school activity in which pupils are participating, and will make every reasonable effort to ensure that any pupil whose parent has refused permission for images of that pupil, or themselves, to be made in these circumstances are not photographed or filmed by the media, nor such images provided for media purposes.
- 4.2 The media often ask for the names of the relevant pupils to be published alongside the images, and these will be provided where parents have been informed about the media's visit and either the parent and/or pupil, if appropriate, has consented.

#### **5. Security of Pupil Images**

- 5.1 Professional photographers and the media are accompanied at all times by a member of staff when on the Schools' premises. The Schools use only reputable professional photographers and make every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the Schools' instructions.
- 5.2 The Schools take appropriate technical and organisational security measures to ensure that images of pupils held by the Schools are kept securely on the Schools' computer systems, and are protected from loss or misuse. The Schools will take reasonable steps to ensure that members of staff only have access to images of pupils held by the Schools where it is necessary for them to do so.
- 5.3 All staff are given guidance on the school's Policy on Taking, Storing and Using Images of Pupils, and on the importance of ensuring that images of pupils are made and used responsibly, only for school purposes, and in accordance with the Schools' policies and the law. Any breaches of this Policy by staff will be dealt with under the Schools' disciplinary procedures.

## **6. Use of Cameras and Filming Equipment (including mobile phones) by Parents at Schools' events**

- 6.1 Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in Schools' events subject to the following guidelines, which the Schools expect all parents to follow:
- a. When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others.
  - b. Flash photography can disturb others in the audience, or even cause distress for those with medical conditions; the Schools therefore ask that it is not used at indoor events.
  - c. Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
  - d. Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be made accessible to others via the internet or on social media (for example on Facebook), or published in any other way.
  - e. Parents are reminded that copyright issues may prevent the Schools from permitting the filming or recording of some plays, performances and concerts. The Schools will always print a reminder in the programme of events where issues of copyright apply.
  - f. Parents may not film or take photographs in changing rooms or backstage during Schools' productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.
  - g. Parents must follow guidance from Schools' staff as to when photography and videoing is permitted and where to stand in order to minimise disruption to the activity.
- 6.2 The Schools sometimes record plays and concerts (or engage a professional photographer or film company to do so), in which case CD, DVD or digital copies may be made available to parents for purchase. Parents of pupils taking part in such plays and concerts will be consulted if it is intended to make such recordings available more widely.
- 6.3 Parents are reminded that the use of mobile phones, including the taking of photographs and video recordings, in the Early Years Foundation Stage unit is strictly prohibited.
- 6.4 The Schools reserve the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines, or is otherwise reasonably felt to be making inappropriate images.

## **7. Use of Cameras and Filming Equipment by Pupils**

- 7.1 All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the Schools' pastoral staff.

- 7.2 The use of cameras or filming equipment (including on mobile phones) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils in a manner that may offend or cause upset.
- 7.3 Pupils are specifically reminded of paragraph 7.2 of the Whole School Policy on the Acceptable Use of Electronic Devices and Information Technology Systems, which states:

*“Use by pupils of the camera and/or microphone function on a Chromebook (including the use of Screencastify), phone or other image/video/audio recording device without permission from a member of staff is a disciplinary offence which attracts sanctions outlined in the Whole School behaviour policy, up to and including exclusion from school. This includes anywhere in the Schools, not just the classroom. Recording audio, video or photographs using a Chromebook at home should only be done for the purposes of schoolwork under instruction by a teacher, and with your parent’s permission. This will be treated as such a serious offence because of the possibility of bullying as a result of such images being manipulated, for example by the possible placement of the images on the Internet, or by images being sent to other people’s phones. Such actions constitute a serious breach of an individual’s human rights. Photographing and recording any member of the School’s staff (teaching or support) without their expressed consent is an extremely serious offence and will incur a serious sanction. Even authorised images of staff may not be uploaded or copied to other devices or sites and must be destroyed/deleted as soon as possible after the authorised use”.*

- 7.4 The misuse of images, cameras or filming equipment in a way that breaches this Policy, or any of the Schools’ other policies, in particular the Anti-Bullying Policy, Data Protection Policy, e-Safety Guidance documents, the Whole School Policy on the Acceptable Use of Electronic Devices and Information Technology Systems, the Safeguarding Policy or the Schools’ Rules is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

## **8. Use of mobiles, cameras and recording equipment by members of staff**

- 8.1 No member of the staff working in the EYFS department may have a camera adapted mobile phone in their possession whilst working with children in the department.
- 8.2 Due to the presence of EYFS children, members of staff working at the Junior School must not have their mobile phone, their own camera or recording equipment in their possession during the School day. Such devices must be locked in classroom desk drawers or in the staff room.
- 8.3 At both the Junior and Senior Schools, members of staff must not use their own mobile phones, cameras and recording devices in the presence of pupils, except in an emergency.
- 8.4 When participating in a visit, trip or tour, only mobile phones, cameras and other recording devices issued by the Schools can be used for the taking of images and recordings.

8.5 The misuse of equipment in a way, which breaches this Policy or any of the Schools' other policies, in particular the Anti-Bullying Policy, the Data Protection Policy, e-Safety Guidance documents, the Whole School Policy on the Acceptable Use of Electronic Devices and Information Technology Systems, and the Safeguarding Policy is always taken seriously, and may be the subject of disciplinary procedures or dealt with in accordance with the procedures set out in the Safeguarding Policy as appropriate.