



USE OF PHOTOGRAPHICS AND MEDIA IMAGES OF STUDENTS & STAFF POLICY (Advised)

Aim

Notre Dame School agrees to comply with the requirements of the Data Protection Act 1998 and Human Rights Act 1998 when using or authorising the use of photographic and media images of children, and will ensure that:-

- a) where necessary, consent has been given prior to the taking and use of images of students on school premises;
- b) such images are used in a manner respectful of the eight Data Protection Principles and also of the rights conferred to individuals under these Acts.

Equivalent rights are extended to staff.

Consent

The school will ensure that written permission is obtained from the parent or carer for all children and of members of staff to be photographed (including all media) when participating in a school event or whilst on school premises. This is because the image of a child or member of staff is personal data for the purposes of the Data Protection Act and it is a requirement of the Act that consent is obtained.

Due to the number of occasions during a student's/member of staff's time at school when the school may wish to photograph or video the individual, the school will seek consent when the individual is admitted or commences employment at the school. This policy and consent will cover the whole of the individual's intended time at the school. This consent will normally be obtained in writing however, if this is not possible, verbal consent may be obtained provided it is recorded in writing by the member of staff. Consent forms are annexed at Appendix A (students) and B (staff).

The school will ensure that specific or revised consent will be obtained in the following circumstances:-

- in the event of a personal change of circumstance;
- to use photographs or media images of students who are no longer students of the school;
- to use photographs or media images of students in circumstances not described on the consent form.

Management

When considering the taking and use of images of students the school will ensure that the Conditions of Consent are adhered to (Appendix A).

Before allowing the Press to take and use media images of students (controlled through special rights under the Data Protection Act allowing them to publish material for journalistic purposes and industry Codes of Practice) the school will ensure that press photographers and broadcasters are aware of the sensitivity involved in detailed captioning, one to one interviews and close or sports photography. The school will ensure that only those students for whom consent has been given may be included in a press photo opportunity.

Team photographs may be published, with names, if consent has been obtained for all team members. If a member of the team does not have consent, it is not appropriate for a team photograph to be published.

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Consultants working for the school are directed not to include students in any photographs taken for professional purpose e.g. Education specialists, Visiting Lecturers or Building Surveyors.

The school will make every effort to ensure that people with no connection to the school do not have the opportunity to film covertly.

Before using an image supplied by a Third Party, for which a copyright exists, the school will check that the Third Party owns the copyright and specific permission has been given by the individual(s) or parents/carers to use the photograph or media image.

Parental Right to take Photographs etc

Parents/ Carers are not covered by the Data Protection Act 1998 if they are taking photographs or making media images for their own private use. The Act does not, therefore, stop parents/carers from taking photographs or making media images at school events. However, the school reserves the right to refuse parents this opportunity for health and safety reasons, such as the use of flashlight, bulky or noisy equipment.

Parents/Carers are not permitted to take photographs or make media images for other than their own private use. This would require the consent of other parents/carers whose children may be captured on film. Without this specific consent, the Act would be breached.

Use of Professional Photographers

The school will ensure that any professional photographer engaged to record a school event is aware of school policy and prepared to work according to the terms and Conditions of Consent. In the context of the Act, the photographer will be considered as a "Data Processor" and any agreement with them will be in accordance with the Data Protection Act 1998.

Photographers will be asked to sign an agreement with the school which will include:

- Compliance with the Data Protection Act 1998;
- That material may only be used for the school's own purposes and that permission has not been given to use the images for any other purpose;
- That the photographer may not disclose the photographs to any other party unless specifically required to do so in order to fulfil the requirements under the contract;
- That the photographer guarantees to act appropriately to prevent unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, the personal data including photographs and media images;
- That the photographer will be responsible for keeping his own records as evidence that he has carried out the above.

The agreement is annexed at Appendix C.

Nomination of Non-professional to act as Photographer

Should the school nominate another individual e.g. parent, staff member or governor, to act as photographer for the school it will be made clear by the school that the images must not be used for anything other than the purpose indicated by the school. The school will ensure that the nominated photographer is aware of the Conditions of Consent and that resulting images are the property of the school and must remain on the school site. Such action will protect the parent, member of staff or governor from future allegations of impropriety.

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Charging for Photographs

Where a nominated photographer (professional or otherwise) is used, the proceeds from any sale of photographs or copies of media material will go to the school fund; images will be sold at cost price.

Use of Closed Circuit Television (CCTV)

CCTV is used within the school site as a method of controlling access, to monitor movement of vehicles and parking, to monitor site safety and security, as an effective deterrent for crime and as a means of crime reduction and to discourage trespass.

It may, in future, be used as an aid to staff with particular responsibility for behaviour management e.g. to monitor areas in school that are out of direct sight or not frequently trafficked by staff.

Where CCTV is used within the school site, and recorded as media images, the school will ensure that the following conditions are met:-

- Video or digital images will be retained for a designated period (normally 31 days) and held in secure storage;
- Images will be erased before disposal;
- Regular auditing of stored images will be undertaken by the Senior Leadership Team (SLT) or Premises Manager;
- Only authorised and designated staff will have access to cameras and/or recording equipment;
- Every effort will be made to avoid inappropriate camera sightings - cameras will not be pointed at changing rooms, cloakrooms or other sensitive areas;
- Cameras may record inappropriate activities taking place on the school site, both during school hours and out of school hours, without the school's knowledge or consent. If they are of criminal nature, consideration will be given by the SLT on referring the information to the Police.

OTHER RELEVANT POLICIES

- Data Protection Policy
- Privacy Notice (formerly Fair Processing)
- Site Security policy

By order of the Governing Body of Notre Dame School

Policy first adopted by Governors Premises. Committee: date 12 May 2005

Review Term: 3 yearly

Review Date: 10th May 2011 Signed Chair of Premises

Review Date: 8th May 2012 Signed Chair of Premises

Review Date: 20th May 2015 Signed Chair of Premises

Next Review: May 2018.....



THE USE OF PHOTOGRAPHIC AND MEDIA IMAGES OF STUDENTS STANDARD CONSENT FORM FOR SCHOOLS

For many years the school has recognised the importance of celebrating achievement and promoting the success of our children. Both parents and young people alike gain great pride in seeing photographic images and/or video recordings of family members in the local press or on the television, following sports days, prize-givings, nativity plays etc. and have supported the whole-school ethos in the past. In other circumstances, the taking of photographs or video recordings of students at our school may be for strictly educational purposes or for purposes ancillary to the running of the school, e.g. taking photographs for use in the school's prospectus or on the school website, or as part of coursework for examinations.

There may also be occasions when the local press visit our school to record particular school events (e.g. school productions) and they may wish to publish photographs of children in newspapers or use recordings of the children on television when reporting these events.

Following changes in the law and in order to comply with the Data Protection Act 1998, the school needs your consent in the future before allowing the taking of photographs or making video recordings of your child for purposes which are not part of its core activities. We should therefore, be grateful if you could answer the following questions, sign and date the form and return it to the school as soon as possible.

Name: Date of Birth:
of student

1. I agree that the school can take photographs of my child which may be used in school literature, e.g. the school's newsletters / brochures / prospectus and other promotional materials.
2. I agree that the school can use images of my child on its website. (Please note the Website can be viewed across the world.)
3. I agree that the school can use images of my child in video recordings to promote the school.
4. I agree that the school can take photographs and make video recordings of my child for the school's own records, archives and future interest, e.g. photographs of sports teams.
5. I agree that my child can appear in video recordings or in collections of photographs stored on CD Roms which the school may make of school events and which it may sell to parents of children at the school to raise funds for the benefit of the school.
6. I am happy for the press to take and use images of my child.
7. The school may give the press the first name only of my child for publishing with the child's photograph in a newspaper or for captioning on television, or on school newsletters and displays.
8. I agree that the school may display my child's work in printed publications, on CD Rom or on the website.

If you are not happy for your child's image to be used, then this will apply to numbers 1 – 8.

Please note that further details of these proposed uses of images of your child are given on the back of this form, which you should read.

I have read and understood the conditions on this form. I do*/ do not* give my consent.

Signature: Date:
of Parent/Guardian

Name:
(in block capitals)

USE OF PHOTOGRAPHS AND MEDIA IMAGES POLICY

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CONDITIONS OF CONSENT

1. The information which you provide on the Consent Form is valid from the time when the school receives this form until the time your child leaves the school. If your circumstances change, or you change your mind about any issues addressed in this form, please let the school know immediately.
 2. The school will not use any images of your child once your child has left the school, without obtaining the parent/legal guardian's specific consent.
 3. The school will not itself publish names of students with any images of children without prior consent from parents/legal guardians.
 4. If a student is named in any text which the school publishes, a photograph will not be included with the text, unless this is the wish of the student and parents/legal guardians.
 5. The school will generally avoid publishing close up or individual photographs of students. The school's preference is to publish class or group images of students.
 6. The school will only use images of students who are appropriately dressed.
 7. The school will not pass to the press, the names of any students appearing in photographs or recordings which the press wish to publish or broadcast, unless a parent/legal guardian has consented to this.
 8. If you agree that the media can take and use images of your child, you should note that the media's use of images of children is governed separately by the Data Protection Act, other legislation and industry codes of practice.
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THE USE OF PHOTOGRAPHIC AND MEDIA IMAGES OF STAFF STANDARD CONSENT FORM FOR SCHOOLS

Notre Dame School takes the issue of data protection seriously and we would never knowingly use an image of you without your prior consent.

For many years the school has recognised the importance of celebrating achievement and promoting the success of our children. The taking of photographs or video recordings of staff and students at our school may be for strictly educational purposes or for purposes ancillary to the running of the school, e.g. taking photographs for use in the school’s prospectus or on the school website, as part of coursework for examinations, or to record particular school events such as Sports day, school productions or events. There may also be occasions when the local press visit our school to record particular school events and they may wish to publish photographs in newspapers or use recordings on television when reporting these events.

Following changes in the law and in order to comply with the Data Protection Act 1998, the school needs your consent in the future before allowing the taking of photographs or making video recordings for purposes which are not part of its core activities. We should therefore, be grateful if you could answer the following questions, sign and date the form and return it to the school as soon as possible.

Name: Job Title:

- I give my consent for photographic or video images to be used on Notre Dame School’s website or intranet for up to two years. I understand that at any time I can request that the image be removed.
- I give my consent for photographic or video images to be used for internal publicity.
- I give my consent for photographic or video images to be used in external publicity material used by the school, such as newsletters, printed leaflets and displays, events and exhibitions.

CONDITIONS OF CONSENT

1. The information which you provide in this Consent Form is valid from the time when the school receives this form until the time you leave the school staff. Your specific consent will be sought if the school wishes to use your image after that time.
2. The school will not itself publish names of staff with any images without prior consent from individual members of staff. If you agree that the media can take and use your image, you should note that the media’s use of images is governed separately by the Data Protection Act, other legislation and industry codes of practice
3. The school will not use the image for anything which may be viewed as negative in tone or that may cause offence, embarrassment or distress, e.g. drug/alcohol abuse.
4. If your circumstances change, or you change your mind about any issues addressed in this form, please let the school know immediately.

I have read and understood the conditions on this form.

Signature: Date:

Name:
(in block capitals)



USE OF PHOTOGRAPHS AND MEDIA IMAGES AGREEMENT FOR PROFESSIONAL PHOTOGRAPHERS

Notre Dame School has agreed to comply with the requirements of the Data Protection Act 1998 and Human Rights Act 1998 when using or authorising the use of photographic and media images of children, and will ensure that:-

- where necessary, consent has been given prior to the taking and use of images of students on school premises;
- such images are used in a manner respectful of the eight Data Protection Principles and also of the rights conferred to individuals under these Acts.

Equivalent rights are extended to staff.

CONDITION OF CONSENT (extract) – agreed by Parents/Carers and Staff

- The school will generally avoid publishing close up or individual photographs of students. The school’s preference is to publish class or group images of students.
- The school will only use images of students who are appropriately dressed.
- The school will not make available the names of any students appearing in photographs or recordings which the press wish to publish or broadcast, unless a parent/legal guardian has consented to this. If consent is given, the first name only of the child may be given for publishing with the child’s photograph in a newspaper or for captioning on television.

As a Professional Photographer engaged to record a school event please be aware of school policy and sign the undertaking below which states you are prepared to work according to these terms and the Conditions of Consent above.

1. I am aware of the school’s Conditions of Consent for the use of photographic and media images of students and staff.
2. My working practice is in compliance with the Data Protection Act 1998 and industry Codes of Conduct.
3. I acknowledge that
 - material may only be used for the school’s own purposes and that permission has not been given to use the images for any other purpose;
 - I may not disclose the photographs to any other party unless specifically required to do so in order to fulfil the requirements under the contract;
 - I guarantee to act appropriately to prevent unauthorised or unlawful processing and against accidental loss or destruction of, or damage to, the personal data including photographs and media images.
4. I agree that I am responsible for keeping my own records as evidence that I have carried out the above.

I have read, understood and agree the conditions on this form.

Signature:

Date:

Name:
(in block capitals)