

St James' Catholic Primary School



Safe use of images Policy

Reviewed November 2024

Safe Use of Images Policy

Increasingly, technology is making it easier to use pictures and images in news media, printed materials or on the internet. Along with this increased freedom comes the responsibility to ensure that individual and parental rights are respected and that vulnerable individuals are protected from risk of harm or exploitation.

This policy is intended to provide a clear and consistent approach that will be understood and accepted by all involved and will ensure there is proper regard to the law and the protection of vulnerable individuals.

Throughout this policy, photographs (both digital and film) and video are referred to as images.

Context- school use of images

At St James', we often take photographs of children doing a range of activities and the children use digital cameras (iPads) as part of their work. Photographs are used on displays and in pupil books to record work undertaken and are used as part of assessment process. These uses are part of the broad and balanced curriculum offered at St James'. Photographs will be taken of the children outside the classroom and off site such as sporting fixtures, class trips that will include overnight residential opportunities for the older children.

We also take photographs for wider audiences eg. Class photographs sold to families. Occasionally photographs are used in the local press, on the school website and on the school Facebook page. Children are not named. As any new child starts St James' School we seek permission from the family.

The Legal Framework

The 1998 Data Protection Act now covers the use of images and there is common law and case law about the age at which young people can give consent.

Data Protection Act: Data Protection provisions mean that great care is needed about the use of old photographs or any sort of stored image for a new purpose. The express permission of the individuals in the is needed.

Common Law and Case Law:

Common Law holds that a child lacks the legal capacity to give a valid consent and that capacity is generally vested in the parent/guardian of that child.

There is Case Law about when a young person has the capacity to give consent, but for practical purposes it should be regarded as being the age of 18.

Children in Care (CLA): When a child is in the care of the local authority, the council's communication team or social services will always be contacted for clarification.

Blanket Consent

When children start St James' Catholic Primary School, parents/guardians are asked to give written consent to images being taken of their child.

Opportunities to Withdraw

Parents/guardians can at any time withdraw consent of photographs being taken or used for press release, on school website, school Facebook page.

Care Plans

In certain circumstances photographs are used in school to identify children who have certain medical needs. Photographs help staff to identify exactly which children these are. Every year a new photograph of these children are taken to reflect the fact children change over time. Parents of the children concerned know that the Care Plan contains photographs and are available to those who need to know what action to take in a medical emergency. No permission is sought for this use of images.

Naming Children

It is accepted practice that children are not named in photographs (including school Facebook & website). No other personal contact details will be supplied.

Re-using Old Images

Problems can arise when images taken for one purpose are later used for something different. For images other than those covered by in date blanket consent, the school will seek new permission when there is a new use of the images. Where possible new images will be used.

Filming and Photographing by professionals

Twice a year, professional photographers come to St James' to take individual/family/class photographs. These photographs are then offered for sale to families. This is an arrangement between photographer and the family. As a school, we facilitate the arrangement, but cannot be held responsible for issues of copyright or use of the images held by the photographer.

The school will:

- Ensure that only bona fides photographers are allowed to photograph in school;
- Advise families when a photographer is coming to school so that families are able to withdraw their child if they wish.

Unless children are specifically withdrawn from this photography, the school will assume that the blanket consent applies.

Storage of Images

Whether images are stored as photographs or electronically, the school will ensure that they are secure so that they cannot be used without specific and proper consent. Images of children cannot be taken off school premises unless the storage is password protected.
Photographs taken by families

Families are allowed by verbal invitation at school events to take photographs of their own child. Events include sports days, Christmas performances etc.

Monitoring and Review

This policy will be reviewed every two years. October 2024
Review Date: Autumn Term 2026