



Shotton Hall Primary School

Working together to

SHINE

Successful, Happy, Inspired and Nurtured towards Excellence

Electronic Image Policy

Reviewed: 3.3.21

Next review: March 2022

Ratified: 13.3.20

Signed *A.M. Boyd* HT

C Barclay COG



Useful School/Setting Contacts

School Data Controller: Mrs AM Boyd, Mrs J Johnson

School Data Protection Officer - Mrs J Egglestone

School Designated Child Protection Coordinator: Mrs AM Boyd, Mr K Morgan, Mrs J Bowmaker

School Online Safety Coordinator: Mrs J Egglestone

Governor with lead responsibility: Mrs C Barclay

Contents

Background	3
Permission to Take and Use Images	3
Taking, Storing and Retention of Images and Videos	4
Processing Images Off-Site	4
Use of Images/Videos by Children	5
School Trips	5
Appropriate Events and Locations	5
Use of Webcams/Skype etc.	6
School Website/School Managed Social media	6
Parental/Carer Photography	7
Social Media	8
Press Photography	8
School Photographs	9
Photographs by Members of the Public	9
Looked After Children	9
Appendix 1 – Consent	11

Background

- This policy covers the recording, live streaming, use, storage and deletion of still and video images at the school. It should be read in conjunction with the school's data protection, online safety, remote learning, CCTV, acceptable use policies and keeping children safe in education. Any examples used in this policy are not exhaustive and the school is able to make decisions on a case by case basis.
- Legally this area is covered by the following:
 - General Data Protection Regulations May 2018 - The image of a child is personal data covered by the act unless taken by parents/carers for purely personal use. This means that a school must comply with the GDPR. In practice, a school will need to seek permission to take, use and store images.
 - Education Act 2002 - Obligations to safeguard the welfare of pupils. This may have an impact on children whose location cannot be revealed for safeguarding reasons.
 - Article 8 European Convention on Human Rights - Privacy issues/breach of the child's right to respect for private life. For example, a parent/carer may object to their child's image being taken or shared.
 - Article 10 European Convention on Human Rights - The parent/carer's right to freedom of expression. For example, a parent/carer may wish to record the Nativity play.

Permission to Take and Use Images

- Consent shall be obtained from parents/carers at the start of every school year. It is good practice to ensure that the record of consent is approved as accurate and up to date by the parent/carer on a regular basis. See Appendix 1 for an example consent form.
- A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of and the record will be updated accordingly.
- Images will not be taken of any child or young person against their wishes. A child or young person's right not to be photographed is to be respected.
- School visitors may only take photographs with the specific permission of a member of the Senior Management Team.

Taking, Storing and Retention of Images and Videos

- As images and videos are personal data this should be processed in accordance with the school's data protection policy.
- Only official school owned equipment (e.g. work provided digital or video cameras, iPads or webcams) will be used by staff to store images of children for official purposes. Use of personal cameras or phones by staff is not allowed unless express permission has been given by the headteacher ie. residential visits with limited internet access (for further details see the mobile phone and personal devices policy).
- Staff will receive information regarding the safe and appropriate use of images as part of their safeguarding training and responsibilities.
- Images will be stored securely, for example, by using password protection, restricting the number of people who have access to the files, and ensuring adequate firewall and anti-virus software are in place. If the device is portable this will be encrypted.
- Images will be securely deleted from non-encrypted devices on a regular basis (e.g. transferred from a digital camera to the network on a weekly basis).

- Images will not be kept for longer than is to be considered necessary, and in any event, not exceeding a maximum of three years after the child has left the school. A designated member of staff (GDPR Officer) will ensure that all photographs are permanently wiped from memory cards, computer hardware and portable drives or other relevant devices once the images will no longer be of use.
- The school's management team reserve the right to view any images taken. Members of staff (including volunteers) will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

Processing Images Off-Site

- Any image taken off-site will comply with the requirements of the school's data protection policy.
- The school will ensure that any use of a cloud-based storage system complies with the requirements of the school's data protection policy. The school will comply with the Information Commissioner's Office Guidance on the use of cloud computing.

Use of Images/Videos by Children

- The school will discuss and agree age-appropriate acceptable use rules with children regarding the appropriate use of cameras, such as, places children cannot take the camera (e.g. unsupervised areas, toilets etc.).
- All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
- Members of staff will act as role models of positive behaviour to the children by encouraging them to ask permission before they take any photos.
- Photos taken by children for official use will only be taken with parental/carer consent and will be processed in accordance with the General Data Protection Regulations 2018.
- Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be processed.

Educational Visits

- Personally owned tablets, phones and other connected devices are not permitted to be used on school trips (by staff, children or volunteers) due to difficulties supervising the suitability of images shared over the internet, unless express permission has been given by the headteacher ie. residential visits with limited internet access.
-

Appropriate Events and Locations

- There are some risks involved when taking photographs of some sporting occasions when children are not fully dressed. These apply to both the child, whose image may be misused, as well as the adult who could be accused of taking inappropriate images. The general advice is that children should not be photographed unless appropriately dressed.
- It is not permissible to record images when children are changing.
- In general it is advisable not to record images of children in swimming costumes, but under specific circumstances the school may decide it is appropriate for instance :-

- Moderation for PE or Swimming Teacher Assessment
- Celebration of a child showing significant progress with swimming
- The Amateur Swimming Association (ASA) guidance on photography states that **all photographs must observe generally accepted standards of decency, in particular:-**
 - Action shots should be a celebration of the sporting activity and not a sexualised image in a sporting context.
 - Action shots should not be taken or retained where the photograph reveals a torn or displaced swimming costume.
 - Poolside shots of children should normally be above the waist only in a swimming costume, though full length tracksuit shots are approved.
 - Photographs should not be taken from behind swimming blocks at the start of a race or exhibit young swimmers climbing out of the swimming pool.

Use of Webcams/ Video Conferencing / Microsoft Teams etc.

Effective use of video conferencing provides a platform to enable groups of staff and pupils to develop learning opportunities, progress planning, deliver high quality continued professional development and support the well-being of all members of the school community. It will enable activities which enrich teaching and learning to continue to be possible on a virtual platform. Video conferencing is used both in school and for children at home during periods of school closure. Microsoft Teams is our preferred system for hosting virtual meetings.

- Video conferencing should always take place in accordance with our safeguarding policy and guides to using the internet.
- Video conferencing can never replace face to face meetings, but it can offer a positive alternative for communication if the latter is not possible.
- The host of a video conference is responsible for ensuring the meeting is a positive, safe experience for all involved.
- Staff will receive regular training on how to use video conferencing technology. All staff must familiarise themselves with the functions of Microsoft Teams, including the privacy and mute settings.
- Staff must only use their work email and Office 365 account for meetings (for more details on this please see our ICT Acceptable Use policy and mobile phone policy).
- Video-conferencing sessions should take place within the school day (8.30am - 5.00pm) and must be hosted and supervised by a member of staff at all times.
- Video conferences should be held from an environment that is free from distractions ideally with a plain background.
- All staff must be professionally dressed and pupils should be dressed appropriately.
- Staff should report any concerns to the Headteacher.

Video Conferences with pupils at home

- Parents are asked to provide explicit consent for their child to take part in these meetings, they are made aware of the potential risks, and must agree to a protocol to the meeting (Appendix 2)
- A member of the senior leadership team should be invited to the meeting to support safeguarding and any behavioural issues.
- The teacher hosting the meeting is responsible for scheduling the meeting, inviting parents and ensuring the correct security sessions are in place.
- Video-conferencing session should have a minimum of three participants.
- During the session, the interaction should be between teacher and pupils only, just as it would be on school premises. If a parent would like to speak to the teacher or teaching assistant, this must be arranged at a separate time.
- Teachers and teaching assistants should consider and be sensitive to the needs of individuals and to any pupils who may be sensitive to certain topics or issues that may arise during video-conferencing sessions.
- When a video conference finishes, pupils should exit Teams first and the teacher should end the session once complete.
- Teachers should outline their expectations during the first video-conferencing session. Subsequent sessions should include a brief reminder of the expectations and rules that keep pupils and staff safe online.

- Recordings of the meetings are stored in line with our GDPR policy.

School Website/School managed Social media

- Permission will be obtained from parents/carers before a child's image is uploaded to the school website or social media platforms. (See *appendix 1*)
- Children's full names will not be used on the website or Social Media in association with photographs.
- The school will not include any personal addresses, emails, telephone numbers, on videos, on the website, in a prospectus or in other printed publications.
- Children's work will only be published with their permission or their parent's/carer's consent.

Parental/Carer Photography

- Many parents/carers will want to record some of the special moments in their child's school life and the law does not prohibit this. However, it is possible that they will also capture images of children other than their own, with a possible impact on their privacy.
- This is a problematic area with contributory factors:
 - Freedom – some parents/carers will want to take pictures of their child at an event, and some will not.
 - Privacy – it is possible that any image captured may have other children in it.
 - Safeguarding – there is a potential that images may be misused. There can be particular concern regarding looked after children
- Parents/carers have the right to ask for their child not to be photographed. On some occasions that may result in the child being unable to take full part in an activity.
- Parents/carers will be made aware that photography is not allowed during the event, but parents are given time and the end of the event / assembly to take photographs of only their child.

Social Media

- Uploading pictures to social media may cause further complications. A parent/carer publicly sharing images of other people's children with no controls on privacy may be a breach of data protection rules. However, sharing images of their own children is not a breach of data protection rules.
- Parents/ carers will be reminded that the school does not allow any images or videos to be shared on social media, as it considers it to be a risk to individual pupils and parent's/carer's privacy.

Press Photography

- Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's (or other relevant media) requirements can be met. A written agreement will be sought between parents/carers and the press which will request that a pre-agreed and accepted amount of personal information (e.g. first names only) can be published along with images and videos.
- The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
- The photographer will be issued with visitor identification, which must be worn at all times.

- Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the school is to be considered to have acted in good faith

School Photographs

- Professional photographers who are engaged to record any events will be prepared to work according to the terms of the school's Online Safety and safeguarding policies.
- Photographers will be issued with visitor identification, which must be worn at all times.
- Photographers will sign an agreement which ensures compliance with the Data Protection Act and that those images will only be used for a specific purpose, subject to parental/carer consent.
- Photographers will not have unsupervised access to children and young people.

Photographs by Members of the Public

- When children are taken out of the school grounds, for instance, on a visit it is possible that they could be photographed by members of the public. If the child's privacy is of paramount importance the risk of this should be discussed with parents/carers and appropriate steps taken (see Looked After Children section below).

Looked After Children

- Photographs of looked after children should usually only be taken with the agreement of the person who holds parental responsibility. However, in some circumstances, consent could be obtained from the child's social worker, foster carer or a relative. Please see the school/relevant teacher who is part of the child's care team if you are unsure about who can give consent.
- The school/relevant teacher will be part of a looked after child's care team and attend meetings and looked after reviews; they should know any potential risks regarding any adults or if the placement is protected.
- Looked after children should expect to have as normal an experience as they can and they should not be singled out because they are in care.
- If a child's identity or privacy needs to be protected this should be discussed with the parent/carer and appropriate steps could be agreed. This could include:-
 - Restricting parental photography for all at events
 - Subtly removing the child before photographs are taken
 - Sitting the child with the teacher to allow the teacher to take active steps to reduce the possibility of the child being photographed
 - Sensitive withdrawal of the child from the event with an explanation to the child

Appendix 1 – Consent for use of digital images

Dear Parent/carer

This letter explains why we will need to ask for your consent before we are able to take photographs, videos and use video conferencing technology with your child during their time at Shotton Hall Primary School.

We believe that the taking photographs, videos and using video conferencing technology with children can improve a child's wellbeing, enhance their learning and celebrate their successes.

We may take photographs, videos and use video conferencing technology for a number of reasons whilst your child is with us, including:

- documenting and recording education activities
- recording their learning and development progress
- recording and sharing special events and achievements
- Use video conferencing technology when face to face meetings are not possible (for example periods of school closure)

We do however recognise that with the increase use of technologies, particularly digitally and online, the potential for misuse has become greater and we understand that this can give rise to concern. We will therefore endeavour to put effective safeguards in place to protect children and young people by minimising risk.

We are mindful of the fact that some families may have reasons why protecting a child's identity is a matter of particular anxiety. If you have special circumstances either now or at any time in the future which would affect your position regarding consent, please let us know immediately in writing.

To ensure we protect and safeguard all children and staff, including those who do not want to have their images stored online, during school events we request that you only take photographs at the end of the performance of your own child only, for your private use.

We include the safe use of cameras and images as part of our Online Safety Policy, which is available on our school website.

To comply with the General Data Protection Regulations, we need your permission before we can photograph or make any recordings of your child. If your child is old enough to express their own view, you may want to consult with them about categories of consent.

Please read and complete the attached forms and do not hesitate to contact me should you have any queries.

Yours sincerely,

A.M.Boyd

Head Teacher

The use of Cameras and Images within Educational Settings

- This form is valid for the length of time your child attends the setting. However, we will ask you to update your preferences annually. The consent will automatically expire when your child leaves Shotton Hall Primary School.

- We will not use the personal details or full names of any child or adult in a digital image, social media, on video/DVD, on our website, in our prospectus or in any of our other printed publications.
- We will only use images of children who are suitably dressed.
- Parents are required to provide additional consent for children to take part in video conferencing from the home and parents must agree to a protocol for these meetings.
- Parents are not permitted to take photographs during school events and will be given time at the end of the event to take a photograph of only their own child.
- This consent can be withdrawn by parent/carer at any time by informing the school office and completing a new copy of the form below.

Please complete the form below to agree to Shotton Hall Primary School using your child's digital image (photographs, videos or live stream via webcam) whilst they attend the setting.

Please tick	
	I agree to my child's image being used for assessments, monitoring or other educational uses within the setting? (these images or recordings will be used internally only)
	I agree to my child's image being used within Shotton Hall Primary School for display purpose
	I agree to my child's image being used on Shotton Hall Primary School's website
	I agree to my child's image being used on Shotton Hall Primary School's social media pages (Facebook and Class Dojo)
	I agree to my child's image being shown on webcam and video conferencing technology whilst in school ie Microsoft Teams. (NB Additional consent and agreement to a meeting protocol will be obtained if children are to join video conferencing calls from home.)
	I agree to my child's image being used within other printed publication for Shotton Hall Primary School (ie school prospectus)
	I agree to my child's image appearing in the media (ie if a newspaper photographer or television film crew attend an event organised by the setting)

I have read and understood the conditions of use and I am also aware of the following:

- Websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.
- The press are exempt from the General Data Protection Regulations May 2018 and may want to include the names and personal details of children and adults in the media.

Name of Child:

Date:.....

Parent/Carer Name:.....

Parent/carer's signature:.....

Appendix 2 – Consent and Protocol for video conferencing when children are at home

Dear Parents / Carers

Following a successful trial with children in some classes, I am delighted to offer your child the opportunity to take part in weekly live 'class chat' session using 'Microsoft Teams'.

The meeting will be held each *****. The first class chat will be held on *****.

Please be aware that this 'class chat' is **firmly optional** and your child will **not miss out on any learning** if they do not attend. It is an opportunity for your child to see their teachers and their friends and share news. We hope this will improve their well-being and they enjoy some fun time socialising with their friends. We fully understand if, due to your other commitments you will be busy at that time and cannot enable your child to be there.

Replies must be received by***** for children to take part in the first class chat on *****. Replies received after that date will be invited to the following weeks meeting.

If you wish your child to take part in these sessions, we need you to read, understand and agree the protocol set out below:

Protocol for Microsoft Teams Meetings

For the safety of all members of the school community:

1. No 1:1 sessions will take place; the 'class chat' is for the class group only using Microsoft Teams.
2. Pupils must wear appropriate day wear, as should others in the household.
3. Pupils must not be eating food or sweets during the meeting.
4. The computer used must be in appropriately quiet area where your child can concentrate uninterrupted. There must be no background noise.
5. The camera must be opposite a neutral background or an artificial background selected in teams.
6. The meeting is for your child. Parents/ carers and other family members are asked not to make any contribution though you may be present off camera if you wish for the safety of your child.
7. Your child will be expected to use appropriate language as they do in school.
8. We expect adults in the vicinity to speak appropriately while the 'class chat' is live. We expect adults to ensure they cannot be seen on screen.
9. Children will be 'muted' in the meeting until they are given a turn to talk by the class teacher and the 'raise hand' option will be used to contribute to the discussion.
10. In line with GDPR regulations the meeting must not be recorded.
11. SHPS will hold a copy of the 'class chat' for a limited time in a secure area for GDPR/safeguarding purposes.
12. As in school, children must behave well and be respectful of all members of the group including staff.
13. The class teacher will manage the 'class chat' and reserves the right to remove any child from the meeting if they are not behaving as we expect.
14. The school behaviour policy fully applies to the 'class chat'.

15. Acceptance of the invitation is agreement of the terms of the protocol. Anyone not adhering to this will be removed from the class chat and will forgo the opportunity to be included in future.
16. As a school we are unable to influence the behaviour of other family members and therefore cannot take responsibility for what may be seen or heard on screen.
17. All reasonable measures have been taken by SHPS to ensure this activity is as safe as we can possibly make it.

What do I do now?

1. If you have read the above, agree to the protocol and would like your child to join in, please send an e mail to p3527.admin@durhamlearning.net with the following information.

Your child's name

Your child's class

Your name

Your e mail address for the invitation

Copy and return the statement 'I have read, understand and will abide by the protocol and agree to my child taking part in the 'class chat' event and other similar events in future.'

Your electronic signature (type in your name)

2. Download the Teams app to your computer/phone at least two days before the 'class chat' to enable the invitation to arrive.
3. An invitation will be sent from the class teacher to the e mail address you have given us the day before the meeting.
4. Please be aware that depending on your device, your full name, email address or telephone number may be visible to others. To address this you can join the meeting as a 'guest' and choose your name as you join the call.
5. You may receive your class teacher's e mail address – this must not be used for any other correspondence. Staff are advised not to respond. Class Dojo continues to be our first point of contact.

Regards

Mrs Anita Boyd

Headteacher