



Thriftwood School and College

Image Use Policy

July 2022

Statement of intent

At Thriftwood School and College images and videos are used for a variety of purposes, including prospectuses, display boards, educational purposes, conferences and the academy website. We understand that parents may also wish to take videos or photos of their children participating in school events for personal use.

Whilst we recognise the benefits of photography and videos to our school and college community, we also understand that these can have significant risks for those involved. Under the legal obligations of the UK General Data Protection Regulation (UK GDPR), Thriftwood has specific responsibilities in terms of how photos and videos are taken, stored and retained.

In order to ensure that, as far as possible, the use of photography and video is used safely at all times by staff and parents, and that it reflects the protective ethos of the school and college with regard to pupil and staff safety, this policy should be followed and is applicable to all forms of visual media, including film, print, digital, video, DVD and internet.

1. Legal framework

- 1.1. This policy has due regard to all relevant legislation including, but not limited to, the following:
 - The Data Protection Act 2018
 - The Freedom of Information Act 2000
 - The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- 1.2. This policy has been created with regard to the following guidance:
 - Information Commissioner's Office Guide to the UK General Data Protection Regulation (UK GDPR)
- 1.3. This policy also has due regard to the school's policies including, but not limited to, the following:
 - SEAX Data Protection Policy

2. Definitions

For the purposes of this policy:

- 2.1. **“Camera”** is used to refer to mobile phones, tablets, webcams, portable gaming devices and any other equipment or devices which may be used to take photographs.
- 2.2. **“Personal use”** of photography and videos is defined as the use of cameras to take images and recordings of children by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo and are not intended to be passed on to unknown sources. The principles of UK GDPR do not apply to images and videos taken for personal use.
- 2.3. **“Official school use”** is defined as photography and videos which are used for school purposes, e.g. for building passes and identity cards. These images are likely to be stored electronically alongside other personal data. The principles of UK GDPR apply to images and videos taken for official school use.
- 2.4. **“Media use”** is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for a local newspaper. The principles of UK GDPR apply to images and videos taken for media use.
- 2.5. Staff may also take photos and videos of pupils for **“educational purposes”**. These are not intended for official school use, but may be used for a variety of reasons, such as school displays, special events, assessments and workbooks. The principles of UK GDPR apply to images and videos taken for educational purposes.

3. Responsibilities

3.1. The School/College Leads are responsible for:

- Submitting consent forms to parents/carers upon enrolment of their child(ren) and any new employees, with regards to photographs and videos being taken whilst at school or college.
- Ensuring that all photos and videos are stored and disposed of correctly, in line with UK GDPR.
- Deciding whether parents and staff are permitted to take photographs and videos during school events.
- Communicating this policy to all relevant staff members and the wider school community, such as parents/carers.

3.2. The designated safeguarding leads (DSL) are responsible for:

- Liaising with social workers to gain consent for the use of photographs and videos of LAC pupils.
- Liaising with the data protection officer (DPO) and data protection liaison officer to ensure there are no data protection breaches.
- Being aware of any known changes to a pupil's security, e.g. child protection concerns, which would mean that participating in photography and video recordings would put them at significant risk.

3.3. Parents are responsible for:

- Completing the consent Form which lasts for the duration of the student's enrolment with the Academy.
- Informing the school in writing if they wish to make any changes to their consent.
- Acting in accordance with this policy.

3.4. Employees are responsible for:

- Completing the consent form which lasts for the duration of their employment with SEAX Trust.
- Informing the trust in writing if they wish to make any changes to their consent.
- Acting in accordance with this policy and on instruction given by the Executive Head Teacher and Academy/DSL Leads.

3.5. In accordance with the academy's requirements to have a DPO, the SEAX DPO working alongside the Thriftwood Data Protection Liaison Officer is responsible for:

- Informing and advising the Academy and its employees about their obligations to comply with the UK GDPR in relation to photographs and videos at school.
- Monitoring the school's compliance with the UK GDPR when processing photographs and videos.
- Advising on data protection impact assessments in relation to photographs and videos at school
- Conducting internal audits regarding the school's procedures for obtaining, processing and using photographs and videos.
- Providing the required training to staff members in relation to how the UK GDPR impacts photographs and videos at school.

- 3.6. Overall responsibility for the appropriate use of photography across the Academy rests with the School/College Leads and the Designated Safeguarding Leads. This is Claudia Liney for school and Lisa Walker for college. For the remainder of this Policy both shall be referred to as 'Lead'.

4. Consent

- 4.1. All photographs and video content are classified as personal data under UK GDPR. Images or video content may be used for publicity or other purposes only when the parent/carer has provided informed consent and has not withdrawn their consent. This is also applicable for any employees in the images.
- 4.2. Parents and pupils are required to be aware that their child/they may be photographed at school and they have the right to withdraw consent for:
- Photographs or video taken by members of staff for Academy based publicity and promotional purposes (Academy newsletters/prospectuses) or for anonymous use on the academy website.
 - Photographs or video taken by parents and other family members of children at the school or college during school concerts, performances, sports events and other similar events organised by Thriftwood.
 - Photographs or video taken by members of the press who are on the school or college premises by invitation in order to celebrate individual, group or Academy success.
- 4.3. Thriftwood understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.
- 4.4. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.
- 4.5. Where consent is given, a record will be kept documenting how and when consent was given and last updated.
- 4.6. The school and college ensure that consent mechanisms meet the standards of the UK GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.
- 4.7. Parents and staff will be asked to complete Consent Forms, which will determine whether or not they allow their child/themselves to participate in photographs and videos.
- 4.8. The students consent form will be valid for their time with the Academy, unless the pupil's circumstances change in any way, e.g. if their parents separate, or consent is withdrawn. Additional consent forms will be required if the pupil's circumstances change.
- 4.9. The workforce consent form will be valid for the employee's service within SEAX Trust, unless otherwise informed or a new consent form is completed.

- 4.10. If there is a disagreement over consent, or if a parent/carer does not respond to a consent request, it will be treated as if consent has not been given and photographs and videos will not be taken or published of the pupil.
- 4.11. A list of all the names of pupils for whom consent was not given will be created by the admin team with the Data Protection Liaison Officer and will be circulated to all staff members. This list will be updated annually, when new consent forms are received or students leave the Academy.
- 4.12. All parents and employees are entitled to withdraw or change their consent at any time during the school year.
- 4.13. Parents or staff withdrawing their consent must notify the data protection liaison officer in writing, by completing a new consent form and handing it to a member of the Admin Team.
- 4.14. If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.
- 4.15. For any LAC pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of a LAC pupil, or pupils who are adopted, would risk their security in any way.
- 4.16. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.

5. General procedures

- 5.1. Photographs and videos of pupils will be carefully planned before any activity.
- 5.2. The School/College Lead will oversee the planning of any events where photographs and videos will be taken.
- 5.3. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the School/College Lead, who is also the DSL, will determine the steps involved.
- 5.4. When organising photography and videos of pupils, the headteacher, as well as any other staff members involved, will consider the following:
 - Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?
 - Could the camera angle be amended in any way to avoid pupils being identified?
 - Will pupils be suitably dressed to be photographed and videoed?
 - Will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?
 - Would it be appropriate to edit the photos or videos in any way (e.g. to remove logos which may identify pupils)?

- Are the photographs and videos of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?
- 5.5. The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Only pupils for whom consent has been given will be able to participate.
 - 5.6. Academy equipment will be used to take photographs and videos of pupils. Exceptions to this are outlined in [section 7](#) of this policy.
 - 5.7. Where possible, staff will avoid identifying pupils. If names are required, only first names will be used.
 - 5.8. Thriftwood will not use photographs of children or staff members who have left, without parental consent.
 - 5.9. Photos and videos that may cause any distress, upset or embarrassment will not be used.
 - 5.10. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the data protection liaison officer.

6. Additional safeguarding procedures

- 6.1. Thriftwood understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.
- 6.2. The DSL will, in known cases of a pupil who is a LAC or who has been adopted, liaise with the pupil's social worker, carers or adoptive parents to assess the needs and risks associated with the pupil.
- 6.3. Any measures required will be determined between the DSL, social worker, carers, data protection liaison officer and adoptive parents with a view to minimising any impact on the pupil's day-to-day life. The measures implemented will be one of the following:
 - Photos and videos can be taken as per usual school and college procedures
 - Photos and videos can be taken within Thriftwood for educational purposes and official school and college use, e.g. on registers, but cannot be published online or in external media
 - No photos or videos can be taken at any time for any purposes
- 6.4. Any outcomes will be communicated to all staff members via a staff meeting and the list outlining which pupils are not to be involved in any videos or photographs, held in the school and college office, will be updated accordingly.

7. Thriftwood-owned devices

- 7.1. Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.
- 7.2. Where school and college-owned devices are used, images and videos will be downloaded to the school/college server at the earliest opportunity and removed from the device.

- 7.3. Photographs and videos taken by staff members on school and college visits may be used for educational purposes, e.g. on displays or to illustrate the work of the academy, where consent has been obtained.
- 7.4. Digital photographs and videos held on the academy's drives are accessible to staff only, and on occasion to pupils for the specific purpose of supporting their learning. Photographs and videos are stored on the academy secure network.

8. General use of digital cameras

- 8.1. Members of staff may be provided with a camera to record and maintain pictorial evidence of the lessons, behaviour, activities and events related to their pupils.
- 8.2. Photos may only be taken for educational purposes and in "school and college or educational provision settings" as mentioned above.
- 8.3. The use of personal cameras, mobile phone cameras or other recording equipment is prohibited on school and college premises at all times.
- 8.4. Each camera will be clearly labelled with an asset number, and watermark or identified as belonging to the school/member of staff.
- 8.5. Members of staff are not allowed to bring in personal cameras without prior permission. If personal cameras are allowed to be brought in due to a specialist requirement or defective equipment, the memory card should be shown to be empty and images downloaded to the school's server.
- 8.6. Members of staff are not allowed to take school cameras or memory cards home.
- 8.7. Cameras are not permitted to be taken into the toilet, swimming pool or changing area. If necessary (e.g. photographs of pupils washing their hands), then prior permission needs to be sought from the School/College Lead. Staff members are required to be supervised by another member of staff while carrying out this activity.
- 8.8. Staff or other adults are not permitted to take photographs of pupils in vulnerable circumstances, such as when they are upset or inappropriately dressed.
- 8.9. Members of staff and the academy community are required to report inappropriate use of digital cameras and images to the School/College Lead. If it is found that any incidents raise child protection concerns, immediate action will be taken in consultation with the child protection co-ordinators.

9. Use of Closed-Circuit Television (CCTV)

- 9.1. Thriftwood College uses closed circuit television (CCTV) images to reduce crime and monitor the college buildings in order to provide a safe and secure environment for pupils, staff and visitors, and to prevent loss or damage to the college property.
- 9.2. CCTV warning signs will be clearly and prominently placed at the front, side and rear of the college building. In areas where CCTV is used, the college will ensure that there are prominent signs placed at both the entrance of the CCTV zone and within the controlled area.

- 9.3. The college retains CCTV images for 30 days. If there has been a disturbance during the recording period or if the premises/neighbouring premises have been subject to vandalism or a break-in, the college will hold the images for longer periods of time, as necessary, and share them with the police. Once checked, the images will be deleted by means of over-recording.
- 9.4. If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.
- 9.5. Cameras will be sited so they only capture images relevant to the purposes for which they are installed, (as described above), and care will be taken to ensure that reasonable privacy expectations are not violated.

10. Storing and retention

- 10.1. Images obtained by the academy will not be kept for longer than necessary.
- 10.2. Any hard copies of photos and video recordings held by the Academy will be annotated with the date on which they were taken and stored in a secure location. They will not be used other than for their original purpose, unless permission is sought from the school/college lead and parents of the pupils involved and the DPO has been consulted.
- 10.3. Paper documents will be shredded and electronic memories scrubbed clean or destroyed once the retention period has ended.
- 10.4. The DPO will request a review of stored images and videos on a yearly basis to ensure that all unwanted material has been deleted.
- 10.5. Where a parent or pupil has withdrawn their consent, any related imagery and videos involving their child/the pupil will be removed from the academy drives immediately.
- 10.6. When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.
- 10.7. Where a pupil's security risk has changed, the School/College Lead/DSL will inform the Executive Head Teacher immediately and liaise with the DPO and ICT Security Officer. If required, any related imagery and videos involving the pupil will be removed from the academy drive immediately. Hard copies will be removed by returning them to the parent/pupil or by shredding, as appropriate.
- 10.8. Official school and college photos are held on Arbor alongside other personal information and are retained for the length of the pupil's attendance at the school and college, or longer if necessary, e.g. due to a police investigation.
- 10.9. Members of staff are responsible for ensuring that images are safely stored, particularly on memory sticks and hard drives. They must take reasonable measures to ensure that they do not come into the possession of unauthorised persons.
- 10.10. No digital image will be altered or enhanced in any way by any member of staff, unless given prior permission by the Lead to do so (e.g. to conceal a face, person or identifying factor).

- 10.11.** Thriftwood may require images to be deleted or edited as appropriate and may choose to use images taken by members of staff or volunteers for other purposes, provided the processing conditions and consent requirements of this policy are met.
- 10.12.** Staff members are responsible for ensuring that edited images do not mislead or misrepresent. They must not edit images which result in their subject being vulnerable to embarrassment, teasing, bullying or abuse.
- 10.13.** If the memory card for individual academy cameras needs to be replaced, then the replaced memory card will be destroyed to ensure that no images can be recovered.
- 10.14.** Members of staff must remember that, even when images are physically deleted from a camera or memory card, the camera or the memory card has to be appropriately disposed of to ensure that no imprint remains.

11. Appropriate use of images under GDPR

- 11.1.** Photographs are used in school and college for many reasons and the different uses for the same image should be considered separately, as each photograph and use will potentially have different conditions for processing.
- 11.2.** These are likely to be essential for performing the public task of the school and college, but they will be deleted once the child is no longer in attendance – as it is no longer needed for the purpose for which it was held.

Photographs used for marketing purposes

- 11.3.** Photographs will not be used for marketing purposes unless Thriftwood has specific informed consent for the images and the images are only used in line with the consent provided.

Photographs in the academy environment relating to education

- 11.4.** These photographs may be essential for performing the public task of the school and college, but once the pupil has left Thriftwood the photos will be destroyed.

12. Privacy notices

- 12.1.** Thriftwood uses privacy notices with declarations attached to inform pupils and their families about how their personal data may be collected and as one method of gaining consent.

13. Sharing of images

- 13.1.** All images taken by members of staff or volunteers at school or college or on school and college activities remain the property of Thriftwood.
- 13.2.** Images must not be shared with anyone outside the academy or held for private use.
- 13.3.** No digital image will be uploaded onto any internet/intranet system without the express permission of the child's parent/carer.
- 13.4.** Images may under no circumstances be emailed or shared via private e-mail accounts unless a parent has asked for a photo of their child to be sent to them.

13.5. Unless specific prior consent has been obtained, members of staff and volunteers must not post school and college images on personal pages of social networking sites or other websites.

14. Use of a professional photographer

14.1. If Thriftwood decides to use a professional photographer for official school and college photos and events, the headteacher will:

- Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
- Issue the photographer with identification, which must be worn at all times.
- Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos and/or photographs.
- Not allow unsupervised access to pupils or one-to-one photo sessions at events.
- Communicate to the photographer that the material may only be used for the school and college's own purposes and that permission has not been given to use the photographs for any other purpose.
- Ensure that the photographer will comply with the requirements set out in GDPR.

15. Permissible photography and videos during school and college events

15.1. If the headteacher permits parents to take photographs or videos during a school / college event, parents will:

- Minimise the use of flash photography during performances.
- In the case of all events, make the focus of any photographs and/or videos their own children.
- Avoid disturbing others in the audience or distracting pupils when taking photographs or recording videos.
- Ensure that any images and recordings taken at events are exclusively for personal use and are not uploaded to the internet, posted on social networking sites or openly shared in other ways.
- Refrain from taking further photographs and/or videos if and when requested to do so by staff.

16. Monitoring and review

16.1. This policy will be reviewed on an annual basis by the headteachers and the data protection liaison officer.

16.2. Any changes to this policy will be communicated to all staff members and, where appropriate, parents.