



## **PHOTOGRAPHY (PROTECTION OF STUDENTS) POLICY**

**The Principal/Vice Principals, March 2010  
Formal Review Date: March 2011**



## **Photography (Protection of Students) Policy**

### **Rationale**

Photographs of students may be taken for a variety of reasons ranging from Academy records to celebration events such as Academy performances and prize-giving. Whilst the Academy wishes to facilitate photography for business purposes, it also will comply with the Data Protection Act, 1998, respect the rights of each individual and safeguard child protection.

### **1. Introduction**

- 1.1 Photography of students is subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families. As well as these statutory rights, restrictions on photography arise from issues of child protection and copyright in performances (paragraph 4.4).
- 1.2 In this policy, 'photography' includes photographic prints and transparencies, video, film and digital imaging and 'in Academy' is whenever and wherever students are the responsibility of the Academy. 'Parent' means anyone with parental rights and responsibilities in relation to a student.
- 1.3 This guidance is intended to:
- facilitate photography for the business purposes of the Academy
  - respect the rights of the individual;
  - safeguard child protection;
  - allow personal family photography where possible.
- 1.4 The Academy recognises the issues of child protection and personal privacy and that a policy aimed at safeguarding pupils exists, (see Appendix 1).

### **2. Photography by Academy Staff**

- 2.1 The business of the Academy can involve staff in the photography of students for the following main purposes:
- a) Pupil administration
  - b) Curriculum and course work
  - c) Corporate and community

Copyright and use of these photographs is carefully controlled by the Academy, i.e. retained safely by the school or issued to the student concerned.

2.2 Photographs held in school must be annotated with the date on which they were taken and stored securely. They should not normally be used other than for their original purpose, unless permission of subject obtained.

2.3 Photographs must be destroyed or deleted from databases once they are no longer required for the purpose for which they were taken. For example, a photograph for identification purposes may endure for several years but should not be retained when replaced or expired. Photographs taken for publicity and promotional purposes should be retained for a maximum of two years. Photographs contributing to the history of the school, its pupils, activities or the community can be retained indefinitely.

### **3. Photographs by other Authorised Agencies**

3.1 The involvement of other agencies may only be authorised by the Principal. The other agencies are:

- Commercial photographers commissioned by the council or Principal. Copyright rests with the photographer.
- The press and other media. Copyright rests with the photographer.

3.2 The purpose of the pictures must be explained to the parents or the students themselves (if over school leaving age) and written permission sought on each and every occasion. Pupils or students must not be photographed for these purposes under any circumstances unless written permission has been obtained. (Appendix 2)

3.3 Parents should be made aware that, when class or group photographs are taken by a commercial agency, the photographer retains copyright. Parents must be given contact details of the agency used.

### **4. Parental Photography**

4.1 Photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement as well as being an established social practice.

4.2 Where practical, arrangements should allow photographs to be taken by parents and other guests attending school sports, concerts and similar events. Photography must not, though, be allowed to upset the performance or smooth running of the event or affect the health and safety of pupils and others.

4.3 A pro-forma (Appendix 3) should be issued to parents at first enrolment and renewed annually registered their permission/non-permission for parental photography.

4.4 Parental photography must not include any child whose parent has refused consent for any reason. This may mean offering photography opportunities before or after the event or those who wish to be involved. Parental photography is secondary to the main aims and purposes of performances and must not be allowed to interfere with the opportunities for pupil participation.

4.5 Commercial copyright in a dramatic performance or musical will normally exclude any audio or video recording by the public (i.e. other than the Academy for internal purposes) and in that event parents and their guests must be informed that the infringement of copyright is strictly forbidden.

## **5. Mobile Phone Photography**

Mobile phone photography during school time is not acceptable. This will eliminate all risks inherent in such use, which include the existence and/or distribution of photographs contrary to the wishes, welfare and privacy of students and staff.

## **APPENDIX 1**

### **Photography Policy Statement**

Red House Academy has a photography policy, which is in accordance with data protection and human rights legislation.

Photographs taken for curricular, assessment, security, registration, training and development or travel reasons will not be used for any other purpose.

Publicity photography is helpful in publicising the success of the Academy and in promoting educational initiatives. From time to time members of the press and media are invited into the Academy to cover events celebrating success. However, the views of parents who, for any reason, do not wish their children to appear in such photographs will be respected at all times, as will the views of the senior students, themselves, in secondary schools.

### **School Trips**

Photography by staff on Academy trips and visits may be used in the curriculum and displayed within the school or at parents' evenings to illustrate the work of the school. Parents may be allowed to purchase a copy of a photograph of their individual child, or as part of a group, if the parents of the other children in the group are in agreement.

### **Concerts/Plays/Prize-giving/Sports Days**

Parents and guests should take care to avoid distracting pupils and the audience. They should observe any constraints imposed by Academy staff. Video or sound recording of a copyright musical or theatrical performance is normally forbidden and photography may also be restricted for reasons of child protection or out of respect for the rights and privacy of individuals. If so, photography opportunities will, instead, be arranged before or after a performance or an event, if possible.

If parents are unsure whether or not permission has been given by staff to record a particular performance or event, parents should ask the Principal.

### **School Photographer**

Class and individual or group photographs are annual school events. Parents are asked in advance whether or not they wish their children to be included in these events. Reputable commercial photographers are involved and the law allows them to retain the copyright in the photographs.

**APPENDIX 2**

**SPECIAL PHOTOGRAPH CONSENT FORM**

Please find below a form upon which you can give your consent for your child/ward to take part in a photo shoot which is planned to take place at:

.....  
.....

for the purpose of.....

.....

by .....

If you agree that your child/ward may participate in this photo shoot, please complete and sign the form and ensure that you give it to your child/ward to bring with him/her to the event. Without this form, completed and signed by you, your child/ward will not be allowed to take part in the event.



Please fill in/delete where appropriate.

I (insert your name) \_\_\_\_\_ give my permission (as parent)

For (insert child's name) \_\_\_\_\_ to take part in a photo shoot taking

Place at (insert location) \_\_\_\_\_ on (insert date)

Signed \_\_\_\_\_

Date \_\_\_\_\_

I give/do not give (please delete that which is inapplicable) my consent for any photographs of my child/ward taken during this photo shoot to be used.

## APPENDIX 3

Dear Parent/Guardian

### Parental consent form for the use of photographs of children

Pupils/students are photographed in connection with Academy plays, concerts, prize giving, residential, school trips, performances and sports events for Educational purposes.

Parental photography in schools traditionally forms an enduring part of each family's record of their child's progress and a celebration of success and achievement.

We require on an annual basis your permission for these photographs to be taken.

- 'Photography' includes film, video and digital imaging
- 'Parent' means someone who has parental responsibilities for a pupil
- Students over school leaving age may complete this form on their own behalf

Please note: The school may not be able to comply with your request if the record is needed for National Curriculum purposes.



**I give permission** for photographs of my child to be taken.

(Child's name): \_\_\_\_\_

Signed:  
(Parent/Guardian) \_\_\_\_\_

Date: \_\_\_\_\_



**I do not give permission** for photographs of my child to be taken.

(Child's name): \_\_\_\_\_

Signed:  
(Parent/Guardian) \_\_\_\_\_

Reason: \_\_\_\_\_

Date: \_\_\_\_\_