



Photography Policy

2024 - 2026



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Statement of intent

At Waterton Academy Trust, we use images and videos for various purposes including prospectuses, display boards, educational purposes, conferences, social media, and the trust and school websites. We recognise that parents may wish to take videos or photos of their children at school events for personal use.

We acknowledge the benefits of photography and videos but also understand the risks involved. Under the Data Protection Act 2018 (GDPR), we have specific responsibilities in how photos and videos are taken, stored, and retained. This policy aims to ensure the safe use of cameras and videos by staff and parents, reflecting our protective ethos regarding pupil safety. It applies to all forms of visual media, including video.

Legal framework

This policy adheres to relevant legislation including:

- General Data Protection Act 2018 (GDPR)
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004

It also references guidance from the Information Commissioner's Office (2018) and aligns with the school's Data Protection Policy and Data Retention Schedule.

Definitions

For the purposes of this policy:

“Camera” is used to refer to mobile phones, tablets, webcams, portable gaming devices and any other equipment or devices which may be used to be take photographs or video.

“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 the DPA 2018 do not apply to images and videos taken for personal use.

“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 the DPA 2018 apply to images and videos taken for official school use.

“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 the DPA 2018 apply to images and videos taken for media use.

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, assessment and workbooks. The principles of the DPA 2018 apply to images and videos taken for educational purposes.

Responsibilities

The headteacher is responsible for:

- Requesting consent from parents, and pupils where appropriate, at the beginning of the academic year with regards to photographs and videos being taken whilst at school or off-site whilst on school activities such as trips, residential or other events managed by the school.
- Ensuring that all photos and videos are stored and disposed of correctly, in line with the DPA 2018 and the Trust Data Retention Schedule.
- Deciding whether parents are permitted to take photographs and videos during school events.
- Communicating this policy to all the relevant staff members and the wider school community, such as parents.

The designated safeguarding lead (DSL) is 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) to ensure there are no data protection breaches.
- Informing the headteacher 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.

Parents are responsible for:

- Completing the [Consent Form](#) on entry to school and through annual consent practices.
- Informing the school in writing if they wish to make any changes to their consent as per their rights under DPA 2018.
- Acting in accordance with this policy.

In accordance with the school’s requirements to have a DPO, the DPO is responsible for:

- Informing and advising the school and its employees about their obligations to comply with DPA 2018 in relation to photographs and videos at school.
- Monitoring the school’s compliance with the DPA 2018 in regard to 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 DPA 2018 and KCSIE impacts photographs and videos at school.

- Overall responsibility for the appropriate use of photography at school and in connection with school events rests with the headteacher and the DSL.

Consent

All photographs and videos are classified as personal data under the DPA 2018. They may only be used for publicity or other purposes with informed parental consent, which has not been withdrawn.

Parents are responsible for providing consent for their children up to age 13.

Parents and pupils must be aware that photographs and videos may be taken at school, and they have the right to withdraw consent for the following:

- Photos or videos taken by staff for school-based communication, marketing, and promotional purposes (e.g., newsletters, prospectuses) or for anonymous use on the school website.
- Photos or videos taken by parents or family members during school events such as concerts, performances, and sports events.
- Photos or videos taken by the press, invited to the school to celebrate individual, group, or school successes.

Consent must be a positive indication and cannot be inferred from silence, inactivity, or pre-ticked boxes.

Consent will only be accepted if it is freely given, specific, informed, and clearly indicates the individual's wishes.

Records of consent, including how and when it was given, will be kept in the School Information Management System.

The school ensures that consent mechanisms comply with DPA 2018 standards. If these standards cannot be met, an alternative legal basis for processing will be found, or processing will cease.

Parents and pupils will be asked to complete a Consent Form upon entry to school to determine participation in photographs and videos.

The Consent Form is valid for the pupil's duration at the school unless circumstances change (e.g., parental separation or withdrawal of consent). New forms are required if circumstances change.

In accordance with DPA 2018 principles, the school will conduct an annual consent check.

If there is a disagreement over consent, or if a parent/pupil does not respond to a consent request, it will be assumed that consent has not been given, and no photographs or videos will be taken or published of the pupil.

Parents and pupils can withdraw or change their consent at any time during the school year.

Withdrawal of consent must be communicated in writing or verbally to the Senior Admin Officer, Headteacher, DSL, or class Teacher.

If consent is withdrawn or changed, or if the DSL reports changes to a pupil's security risk, the consent list will be updated and re-circulated.

For LAC pupils or adopted pupils, the DSL will liaise with the pupil's social worker, carers, or adoptive parents to determine where consent should be sought. Consideration will be given to whether identifying these pupils would risk their security.

Consideration will also be given to pupils with child protection concerns. If the DSL believes that photography or videography would put a pupil's security at further risk, extra precautions will be taken to protect their identity.

A list of pupils for whom consent was not given will be created and circulated to all staff members. This list will be updated annually when new consent forms are provided.

General procedures

Photographs and videos of pupils will be carefully planned before any activity. The Headteacher will oversee the planning of any events where photographs and videos will be taken, with advice from the DPO where appropriate. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the headteacher will liaise with the DSL to determine the steps involved. 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?

The list of pupils who must not be photographed or filmed will be checked before any activity. Staff members, in collaboration with the headteacher and DPO, will

consult with the DSL if any LAC pupil, adopted pupil, or pupil with security concerns is involved. Staff will avoid identifying pupils whenever possible. If identification is necessary, only first names will be used. The school will not use images or footage of any pupil subject to a court order. The school will not use photographs of children or staff members who have left the school without parental consent. Photos and videos that could cause distress, upset, or embarrassment will not be used. Any concerns regarding inappropriate or intrusive photography or publication of content should be reported to the Data Protection Office at dataprotection@watertonacademytrust.org.

Additional safeguarding procedures

The school 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. The DSL will, in known cases of a pupil who is an 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.

School-owned devices

Staff are directed to take photos and videos of pupils using school equipment; however, they may use other equipment, such as school-owned mobile devices, where the DPO has been consulted and consent has been sought from the headteacher prior to the activity.

Where school-owned devices are used, images and videos will be provided to the school at the earliest opportunity and removed from any other devices.

Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.

Storing and retention

Images obtained by the school will not be kept for longer than necessary.

Paper documents will be shredded or pulped, and digital memory cards/devices securely wiped or destroyed by our nominated external WEEE disposals company once the retention period has ended.

The headteacher will delegate responsibility to review stored images and videos on an annual basis to ensure that all material out of scope of the retention period or intended use has been deleted appropriately.

Where a parent or pupil has withdrawn their consent, any related imagery and videos involving their child/the pupil will be removed from the Schools paper based and digital storage systems immediately.

When a parent/carer withdraws consent, the school will endeavour to remove individuals' photos or videos without delay. In some circumstances where photos have been used for internal use to evidence learning, the school may be required to maintain documentation however this will be discussed with the parent/carer.

Where a pupil's security risk has changed, the DSL will inform the headteacher immediately. If required, any related external/public imagery and videos involving the pupil will be removed from the school's external systems immediately and third parties used on behalf of the school for public media will be contacted with the request to have the imagery removed or manipulated so it is not possible to identify and individual. Hard copies will be removed by returning them to the parent/pupil or by shredding, as appropriate.

Official school photos may be held on the school's information management system alongside other personal information and are retained in line with the schools retention period , or longer, if necessary, e.g. due to a police investigation. Images and or video footage taken must be downloaded as soon as possible on to a school computer/laptop. Memory cards should not be used as long-term storage or backups.

Digital images and or videos may at times be altered and enhanced to either, protect the rights of an individual, afford dignity to an individual/s or ensure that premises within the trust are best represented. Digital images will not, by any pupil or staff member be altered which negatively effects the dignity of an individual, smears the character of an individual or brings a negative reputational effect to any of the Trusts establishments.

The school 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.

If the memory card for individual school cameras needs to be replaced, then the replaced memory card will be destroyed to ensure that no images can be recovered.

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.

Appropriate use of images under Data Protection 2018 (GDPR)

Photographs are used in school 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. To judge whether legitimate interest can be used as the basis for processing data, such as using pupils' photographs as part of the school's management information system, the school will carry out three different tests, these are:

- A purpose test - establishing the reasons for using the data, what will be achieved and whether the benefits are justifiable.

- A necessity test - establishing whether the processing of pupils' data will be useful and whether there is a less intrusive way of reaching a means to an end.
- A balance test - establishing the impact it will have on the data subject by processing the data for said reason.

These three tests make up a 'legitimate interest assessment' (LIA) - the school will carry out an LIA prior to obtaining the data and it will be recorded in a physical copy in compliance with the DPA 2018.

Photographs used in identity management - These are likely to be essential for performing the public task of the school, but they will be deleted once the child is no longer in attendance in line with the Trust's data retention period and indented purpose - as it is no longer needed for the purpose for which it was held.

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

Photographs in the school environment relating to education - These photographs may be essential for performing the public task of the school, but once the pupil has left the school this argument is insufficient. If the school wishes to display the image beyond the pupil's time at the school, we will obtain the pupil's permission. If permission is not granted, the image will be removed.

Privacy notices

The school 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.

Sharing of images

All images taken by members of staff or volunteers at school or on school activities remain the property of the school.

Images must not be shared with anyone outside the school or held for private use. No digital image will be uploaded onto any internet/intranet system without the express permission of the child's parent/carer as set out in section 2.

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

Use of a professional photographer

- If the school decides to use a professional photographer for official school photos and school 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'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 DPA 2018 and KCSIE and ensure that the photographer has a suitable and up to date DBS in place.
- Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images and/or videos are not used for anything other than the purpose indicated by the school and will be subject to the same conditions of the above.


Permissible photography and videos during school events

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

- Remain seated while taking photographs or videos during concerts, performances and other events.
- Minimise the use of flash photography during performances.
- In the case of all school 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 school 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.
- Ensure the dignity and character of individuals captured in the images or video is respected.

Monitoring and review

This policy will be reviewed on a two yearly basis by the MAT leadership and the DPO. Any changes to this policy will be communicated to all staff members and, where appropriate, parents.

Document Detail			
Document Name:	Photography Policy		
Version:	4		
Chief Officer Signature:			
Effective From:	01/09/2024		
Approved by:	D Dickinson		
Approval Meeting Reference:	01/06/2024 ELT		
Next Review Date:	01/06/2026		
Version Control			
Version	Date	Author	Change/Reference
1	September 2018	G Bishop	
2	March 2020	D Dickinson	Consent forms to be completed on entry to school only, but can be amended by parents. References to Trust Data retention Schedule included.
3	June 2022	I Burns / V Collins	Updated references to legislation Removal of staff form (to sit with code of conduct) Revision of parent form (appendix 1) Register of no consent to sit with school not DPO Revision of section on photo editing Update on staff responsibility and accountability on device use, storage and transport.
4	July 2024	M Bretherton	Added 'social media' Formatting changes.

Appendix 2 – Parent/Carer consent for photography and Video

Photography and video Parental consent form

Dear Parent/Carer,

Often, we take photographs and videos of the pupils at our school. We use these images in our school displays, newsletter, prospectus or in other printed publications that we produce, as well as the school website and Twitter. We also use photography and video to aid evidence for learning throughout your pupil's time at our school and record celebrations such as assemblies and plays.

From time to time, our School may be visited by the media who will take photographs or film footage of high-profile events which may appear in local and national publications.

We may also use an external photographer for class and individual photos and the start of each new academic year.

What are the conditions of use?

This consent form is valid for the duration of your child's time at school but will be checked annually to ensure our records are accurate.

The school will not use the personal details or full names of any pupil in an image or video on our website, in our school prospectuses or any other printed publications, except in exceptional circumstances where additional consent will be sought.

The school may use pictures of pupils and teachers that have been drawn by pupils.

The school may use group images or videos with general labels, e.g. 'sports day'. The school will only use images and videos of pupils who are suitably dressed, i.e. it would not be suitable to display an image of a pupil in swimwear.

Providing your consent

Please read the following conditions thoroughly and provide your consent as appropriate by ticking either 'Yes' or 'No' for each criterion.

The school will only publish images and videos of your child for the conditions that you provide consent for which you have the right to withdraw at any time by submitting your request in writing to the headteacher or verbally to the Headteacher, Class Teacher, Designated Safeguarding Lead or Senior Admin Officer.

Further consent will be sought where there is a change in circumstances, eg: new requirements for consent such as an additional social media account.

Name of pupil			
Name of parent/carer			
Year group and class number			
I provide consent to:	Yes	No	
Photographing and videoing my child.			
Using images of my child on the school or Trust website.			
Using videos of my child on the school or Trust website.			
Using images of my child on social media, including Facebook and Twitter:			
Using videos of my child on social media, including Facebook and Twitter:			
The local media using images of my child to publicise school events and activities.			
The local media using videos of my child to publicise school events and activities.			
Using images of my child in communication, marketing and promotional materials, e.g. the school brochure and prospectus.			
Sharing my child's data with a school-appointed external photography company for official school images. This includes Name, Class and Roll number.			

Declaration

I, _____ (name of parent), understand:

Why my consent is required and that I can speak to the school at anytime to seek further information regarding this form. The reasons and conditions why **name of school** uses images and videos of my child.

Which other organisations may use images and videos of my child.

I have provided my consent above as appropriate, and the school will use images and videos of my child in line with my requirements.

Consent is refreshed on an annual basis and I must re-provide consent if I consent to images and videos of my child being used in other academic years.

I can amend or withdraw my consent at any time.

Name of Parent _____

Signature _____

Date _____

Important notice: Once signed, please hand back to the School Office so your consent choices can be recorded accurately and timely.

Office use only			
Date received		By (staff initials)	
Date processed		By (staff initials)	
Annual check? Tick		Mid-year change? Tick	