

Reviewed: April 2018

## Photographing Pupils

### RATIONALE

All schools need and welcome positive publicity. Photographs of pupils at work and at play can help demonstrate the best aspects of any school and can add colour, life and interest to any activity taking place at the school. Making use of photographs in school publicity materials can increase pupil motivation and morale; a photographic record of school events can also be a useful historical record of the school's work over a long period of time. Increasingly, however, technology is making it easier for pictures and images to be used inappropriately as printed material or on the web. Some of the risks associated with photographing children include the collection and passing on of images which may be misused, the identification of individual children to facilitate abuse, and the identification of children in vulnerable circumstances.

### PURPOSE

This document provides guidance on the appropriate use of images (still, video and electronic photographic) of learners at Northumberland PRU that reflects the protective ethos of Northumberland PRU.

### GUIDELINES

#### Typical Uses of Photographs

#### **Only PRU equipment can be used to photograph pupils.**

The majority of occasions when people take photographs of children and young people are valid and do not provide any cause for concern.

- for examination submissions e.g. videos of swimming, trampolining, athletics events
- key skills for PE
- video-based learning e.g. PE
- performing arts including dance and movement, concerts, drama performances, parent evenings
- sports/outdoor activities and the use of photographic equipment by parents and carers and learners from the other school
- media including newspapers and television especially when some editors require learner's names when publishing photographs
- displays in the establishment of children's activities
- publications by Northumberland PRU
- Northumberland PRU and LA web-sites
- staff training and professional development activities
- publicity material for contractors/partners
- time lapse photography for recording of building development
- site security / CCTV

#### Consent and permission

Human Rights legislation and Data Protection give people rights and it is the right to 'privacy' that is the issue when using photographs. Photos and video images of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998. Steps must, therefore, be taken that respect the rights of people in photographs. For this reason, the consent of parents/carers

(and CYP of appropriate age) of Northumberland PRU's learners should be sought before any photographs are taken.

We seek overall consent from parents/carers for photography. (*Appendix 1*)

When photographic images are transmitted or shared beyond the establishment e.g. television broadcasts, images on intranet sites, specific permission should be obtained. (*Appendix 2*)

All requests for images to be taken or recorded of Looked After Children should be referred to the Social Worker responsible for the learner in question. When a parent/carer does not agree to their child being photographed, staff must make every effort to comply sensitively.

### **Reason and purpose**

Guidelines should be clear about the reason and purpose for the taking of the photographs. Unless photographs are taken as part of school activities, they should be used for an individual purpose not a public purpose e.g. not posted on the internet and not passed on to others unconnected with the child.

### **Appropriateness of images**

No images to be taken of children which capture them in what are commonly understood as non-public activities, or which show body parts not usually visible in public settings. Children should be fully clothed. For example, if a child has successfully completed a football award, it would be appropriate to show the child in a tracksuit rather than just shorts; if a photograph is taken of a pupil swimming it should be from the shoulders or waist upwards but photographs of children actually *in* the water are acceptable. Images involving groups should be about the activity, not the individual child. Photographs or images likely to cause embarrassment should not be shown.

### **Identification of subjects**

Any photograph should not allow an unauthorised person to identify a child or their whereabouts. So, if using a full name have no photograph, if using a photograph have no full name. Children in vulnerable circumstances like being in care or victims of parental violence should not be photographed at all unless there is clear consent and no risk.

### **Equal Opportunities**

Assuming consent has been given, Northumberland PRU will ensure that any images displayed or published by the school will represent the broad range of pupils in our school. Girls, boys, pupils from ethnic minority communities and young people with disabilities will obviously be included in any in any photographs or other images of life at Northumberland PRU.

### **Photography for public display by the Press**

You can decide whether you want publicity photographs and if so you should inform the press of your policies before they arrive. It is worth noting that it is not illegal to take photographs at a public event even if asked not to do so, but if the event is private then you can insist that your own policy is followed. Photographs of children in activities should try to include a wide range of types of children, and not show them in breach of rules, or behaving in a reckless or dangerous fashion.

### **Newspapers**

Local newspapers play an important part in reporting the achievements and challenges facing local schools and their pupils and, therefore, a cooperative arrangement is beneficial. Such photographs have been a traditional and popular feature of local newspaper coverage of their communities, appreciated by parents and schools. Newspapers do have their own code of conduct, with strict guidelines, regarding the photographing of children. The Press Complaints Commission (PCC) Code of practice states that:

- journalists must not interview or photograph a child under the age of 16 on any subject involving the welfare of the child or any other child in the absence or without the consent of a parent or other adult responsible for the child
- pupils must not be approached or photographed while at school without the permission of the school authorities

Several scenarios can occur:

#### 1. Team photographs:

- when everyone is prepared to allow team photographs and full names to be published. In this situation publication can occur
- if a parent is not happy to have a child's name printed on a photograph then consideration could be given to publishing the photograph with no names. The HT should make every effort to ensure, in conjunction with the newspaper editors, that this occurs
- if parents of a child have indicated that the child is vulnerable and should not have a photograph printed then a team photograph may not be appropriate

#### 2. Photo opportunities:

- when an establishment invites a newspaper to celebrate an event, the HT will make every effort IN ADVANCE to ensure that the newspaper's requirements can be met
- almost without exception, the paper will prefer to publish the full names of anyone in a photograph they print. The only exception to this might be (as above) in a larger group shot (e.g.: a group of more than 10 learners)
- newspapers usually prefer, however, to work with smaller groups of learners – e.g. three or four – and for this number names would definitely be required
- it is not acceptable to invite a newspaper to take photographs and then refuse to provide any names. The press of our policy before they arrive. Newspapers will not print anonymous photographs. Establishments must give thought to this beforehand – and parental permission/ opinion must be their key guidance
- this might mean offering only those learners whose parents are happy for publication of photographs and names for inclusion in any photo opportunities
- if this is not possible – for instance because a specific group of learners have achieved something, and parental permission re: the publication of full names is withheld for one or more of the group - it might be possible to negotiate a 'first names only' agreement with the newspaper
- otherwise establishments must be prepared to forego newspaper publicity

### **Children Photographing Each Other**

This practice can occur extensively during a range of activities and, in fact, taking photographs is often part of the pleasure of the learning experience. As such, there is no reason why pupils should not be allowed to take photographs so long as anyone photographing respects the privacy of the person being photographed. There may be incidents where learners take inappropriate photographs, perhaps showing friends and other learners inappropriately dressed. Staff should, obviously, endeavour to discourage this practice.

### **Parents taking photographs of pupils**

To allow the appropriate recording of learners' images by parents / carers, staff should:

- ensure that learners are appropriately dressed
- obtain parental permission with the form in *Appendix 1*
- be aware of any child who should not be photographed
- monitor the use of cameras and anyone behaving inappropriately

### **Practical Examination Evidence**

This covers the potential use of video material recording pupils' level of performance in examined practical aspects, which are unable to be assessed during the moderating examiner's school visit. The protocol laid down by the major exam boards is that this material should be returned to the establishment when the examiner has completed his/her judgments. The Exam Officer will establish what will happen to the video evidence in discussion with the external examiner during their visit.

### **Mobile Phones**

Mobile phones are easily used without the subject being aware and their main function is to transmit images to others not to be retained by an authorised person as a keepsake. Their use should be discouraged. The spread of this technology, however, does make this difficult. This is something to be aware of when attending any event. The banning of mobile phones to take photographs proves difficult to police.

### **Concerns and complaints**

The Press.

If parent/carers have concerns regarding the use of photographs by the Press they should contact the HT. If Northumberland PRU has concerns regarding the use of photographs by the Press they will contact the PCC. The PCC publishes a Code of Practice, which includes guidance on the way in which learners should be depicted in newspapers, as well as a document available from their website entitled "Schools and children".

TV coverage.

Northumberland PRU or parents/carers should contact the Office of Communications (OfCom) if they have any concerns regarding the use of filmed images by TV companies. The Ofcom programme code states that programme makers must have due regard to learner's welfare at all times and that interviewing of learners requires that the consent of a parent or guardian, as well as the child be sought beforehand, with exceptions only for the least sensitive interview topics.

### **Northumberland PRU Management Committee**

The Management Committee have formally adopted these guidelines as policy and good practice.

\_\_\_\_\_ **Chair**

\_\_\_\_\_ **Date**

## Appendix 1 – Standard Photography and Media Consent Form

### Northumberland Pupil Referral Unit

Name of Student

Class:

**Name of Parent/Carer:**

Tel. contact number: \_\_\_\_\_

It is important we protect your child/young person's interests, respect your wishes and comply with the Data Protection Act 1998:

[http://www.ico.gov.uk/upload/documents/library/data\\_protection/detailed\\_specialist\\_guides/taking\\_photographs\\_in\\_schools.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/taking_photographs_in_schools.pdf)

The school confirms that it shall only use photographic images of your child /young person in line with its safer images checklist (see *Appendix 3*) and in order to demonstrate or promote activities relating to the schools' curricula and extra-curricular provision.

**Please tick the relevant boxes and sign below in all instances where you give your consent for photographic images of your child being used. Please also indicate whether you consent to your child's name being associated with their image.**

	<b><i>Agree To: Use of Image</i></b>	<b><i>Agree To: My child being named</i></b>
<b>In school materials aimed at the school community</b>		
<b>On the school web site</b>		
<b>On the PRU's Twitter account</b>		
<b>In media coverage of the school</b>		
<b>A specific project involving the media</b>		
<b>(separate details of specific event attached)</b>		

I confirm that I have read and agree to the terms contained within this Consent Form.

Signature: \_\_\_\_\_.

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

(Parent/Carer)

## Appendix 2: CONSENT FORM FOR A SPECIFIC EVENT

### Permission to use your child's photograph or images in a video / film

Occasionally, our school may be visited by the media who will take photographs or film footage of a high profile event, or to celebrate a particular achievement. Pupils will often appear in these images, which may appear in local or national newspapers or on televised news programmes. One such event is to take place and I am writing to inform you of this and ask permission for your child's involvement.

Description of event

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Purposes for which the\* photograph / \*video footage / \*name will be used

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Description of coverage (which newspapers/TV channels)

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(Please note that once a photograph appears in the media the school has no control over who else may use the images / storyline).

It is important we protect your child's interests, respect your wishes and comply with the Data Protection Act 1998. Please read the enclosed Conditions of Use before answering the question below and signing and dating this form. Please return the completed form (one for each child) to school as soon as possible.

May we allow your child to appear in the media coverage as described above ☐ Yes ☐ No

I have read and understand the conditions of use attached to this form.

Parent's or

Guardian's signature: \_\_\_\_\_

Name (block capitals please) \_\_\_\_\_

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

## **CONDITIONS OF USE**

1. This form is valid for \*for the length of your child's placement /\*for this project only. Your consent will automatically expire after this time.
2. The school will not re-use any photographs or recordings of your child /young person that are incompatible with the original purposes explained to you.
3. The school will not include personal e-mail or postal addresses or telephone or fax numbers on video, on our website, in our school prospectus or in other printed publications.
4. If we use photographs of individual students, we will not use their full name in any accompanying text or caption.
5. If we use the full name of a student in the text, we will not use an accompanying photograph of the individual concerned in the article.
6. We may include pictures of students and teachers that have been drawn by pupils. We may use group or class photographs or footage with very general labels, such as 'a science lesson'.
7. We will only use images of students who are suitably dressed.
8. Parents should note that websites can be viewed throughout the world and not just in the United Kingdom, where UK law applies.







### **Notes on Use of Images by the Media**

If you give permission for your child's image to be used by the media then you should be aware that:

- The media will want to use any printed or broadcast media pictures that they take alongside the relevant story;
- It is likely that they will wish to publish the child's name, age and the school name in the caption for the picture (possible exceptions to this are large group or team photographs);

It is possible that the newspaper will re-publish the story on their website, or distribute it more widely to other newspapers.

### **Appendix 3 - Safer images checklist\***

-  Avoid close-up pictures of individual students; use classroom or group activities instead
-  Consider the use of drawings of students or staff or items made by pupils, as opposed to photographs, as a means of exemplifying good work or publicising the school
-  Always ensure that students are dressed appropriately
-  You should state clearly whether an image is to be retained for further use and, if so, what
-  Ensure you store images securely and that they are accessed and/or used only by those with authority to do so (photographs can be stored electronically but this must be within a secure area)
-  Generally, it is not appropriate to amend or manipulate images. (Exceptions may be where a badge has been removed or 'brushed' to protect identity or where an image needs to be 'cropped' to fit)

\*This checklist was obtained from 'Working with the Media – your guide to self-help and to Solihull Council's Press Office.

Permission to refer to this was obtained from Solihull LSCB with acknowledgement and thanks