



Use of Pupil Images Policy

Date	Revision & Amendment Details	By Whom
January 2023	Approved	Central Executive Team

1 Introduction

- 1.1 Peterborough Diocese Education Trust (“the Trust”) is obliged to comply with data protection law when it takes, uses or publishes images of its pupils, and specifically to comply with obligations set out in the UK General Data Protection Regulation (“UK GDPR”), the Data Protection Act 2018 (“DPA 2018”) and other legal and regulatory requirements as applicable.
- 1.2 In this policy reference to the Trust includes the whole Trust, the academies within the Trust or an individual school as appropriate.
- 1.3 In this policy the term ‘images’ includes photographs, digital photographs, film, webcam/video conferencing recordings, CCTV, and photographs and videos captured by mobile/camera phones or other devices such as tablets.
- 1.4 The aim of this policy is to provide information to pupils and their parents, carers or guardians (referred to in this policy as ‘parents’) about how images of pupils are normally used by the Trust. It also covers the Trust’s approach to the use of cameras and filming equipment on any of our school premises or premises used by us by our schools, parents, pupils and the media.
- 1.5 This policy applies in addition to any information the Trust may provide about a particular use of pupil images and other personal data, including the Trust privacy notices. Images of pupils in a safeguarding context are dealt with under the Trust’s safeguarding suite of policies. Use of CCTV images is dealt with in the Trust’s CCTV policy.
- 1.6 The Trust will always act in the best interest of its pupils and, as far as it legally can, will take parental preferences into account.

2 General use of images

- 2.1 Certain uses of images are necessary for the ordinary running of schools (for example in providing an education) and their community and unlikely to cause any negative impact on their pupils. Our schools are entitled lawfully to process such images and take decisions about how to use them, subject to any objections raised.
- 2.2 The Trust will respect the wishes of parents wherever reasonably possible, and in accordance with this policy, subject to the data rights of their child. Parents should be aware that when a pupil has sufficient understanding to decide for themselves about how their image is used by the school the law recognises children’s own rights to have a say in how their personal information is used – including images; this is usually around the age of 12

years but could be younger or older depending on the individual child's ability to understand.

2.3 Where consent is required to use a pupil image, and a pupil does not have capacity to understand their own rights under data protection law, parents are invited to indicate if they agree to the Trust using images of their child as set out in this policy. Parents may do this by signing the parental consent form found in the Appendix, and/or from time to time if we request a particular use of a pupil's image.

2.3.1 However, parents and pupils should be aware of the fact that the Trust does not rely on consent for processing certain images, for example, where photographs of pupils are stored within pupil records for identification purposes. This is because the processing of the image is necessary for the performance of a task carried out in the public interest, namely to educate and safeguard the Trust's pupils, or because it is necessary for purposes of the legitimate interests of the Trust.

2.3.2 Individuals have the right to object to the processing of their personal data in these circumstances, and can do so by contacting the Trust's Data Protection Officer on dpo@pdet.org.uk.

3 Use of pupil images in school publications

3.1 The Trust will, with consent when required, use images of pupils to keep our community updated on its activities, and for marketing and promotional purposes, including:

3.1.1 Trust/school publications (e.g. prospectus, newsletters and magazines);

3.1.2 school and Trust marketing (e.g. on leaflets, flyers, posters, videos);

3.1.3 on the school / Trust website;

3.1.4 on various social networking and or photograph/video sharing platforms (e.g. Facebook, Twitter, YouTube); and

3.1.5 in press releases.

3.2 The source of these images will predominantly be by Trust staff (who are subject to policies and rules on how and when to take such images), or an external professional photographer used for marketing and promotional

purposes (including taking photos of pupils for sale to parents), or occasionally pupils themselves. The images will be stored securely.

4 Use of pupil images for identification and security

- 4.1 In some schools, pupils are photographed on entering the school and, thereafter, at regular intervals, for the purposes of internal identification. These photographs identify the pupil by name.
- 4.2 CCTV is in use on some of the Trust's premises, and will capture images of pupils. Images captured on the school's CCTV system are used in accordance with the relevant Privacy Notice and CCTV Policy

5 Use of pupil images in the media

- 5.1 The Trust / academies will fully consider the interests of its pupils when deciding whether to allow external organisations to take photographs or to film. When the media are allowed to be present, this will be on the condition that they observe this policy.
- 5.2 The Trust / academies will notify parents and pupils in advance when the media is expected to attend an event or school activity in which pupils will be participating. If the media entity wishes to capture images of pupils, then they (or the school acting on their behalf) must obtain specific consent from the parents of pupils.
- 5.3 The Trust / academies may record events and training professionally (or engage a professional photographer or film company to do so). Parents of pupils taking part in such events, will be asked to provide their consent.

6 Security of pupil images

- 6.1 Professional photographers and the media are accompanied at all times by a member of staff when on Trust premises. The Trust / academies uses only reputable professional photographers and ensures that any images of pupils are held by them securely, responsibly and in accordance with the Trust's / school's instructions.
- 6.2 The Trust / school takes appropriate technical and organisational security measures to ensure that images of pupils held by the Trust are kept securely on systems, and protected from loss or misuse. The Trust / school will take steps to ensure that staff have access to images of pupils held by the Trust / school only where it is necessary.

- 6.3 All staff are given guidance on this policy, and on the importance of ensuring that images of pupils are made and used responsibly, only for Trust purposes, and in accordance with Trust policies and relevant law.

7 Use of cameras and filming equipment (including mobile phones) by parents

- 7.1 It shall be at the discretion of the individual school whether photographs may be taken at a school event. Family and friends taking photographs for the family album will not be covered by data protection legislation.
- 7.2 Where parents are permitted to take photographs (and where appropriate, film) of their own children, this will be subject to the following guidelines, which the Trust expects all parents to follow:
- 7.2.1 Parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy of others.
 - 7.2.2 Parents are reminded that such images are for personal use only and must not be uploaded to social media.
 - 7.2.3 Parents are reminded that copyright issues may prevent the Trust from permitting the filming or recording of some events. The school will provide a reminder where issues of copyright apply.
 - 7.2.4 Parents may not film or take photographs in other circumstances in which photography or filming may embarrass or upset pupils, or where parents / pupils have made it known to you that they do not wish to be filmed or photographed.
- 7.3 The Trust reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines, or is otherwise reasonably felt to be making inappropriate images.

8 Use of cameras and filming equipment by pupils

- 8.1 All pupils are encouraged to report any concerns about the misuse of technology, or any worrying issues to a member of staff.
- 8.2 The use of cameras or filming equipment (including on mobile phones) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils covertly or otherwise in a manner that may offend or cause upset.

- 8.3 The misuse of images, cameras or filming equipment in a way that breaches this policy, or the Trust's data protection policy, safeguarding policy or the behaviour policy is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant policy as appropriate.

Appendix - PARENT/CARER ON-GOING CONSENT FOR USE OF PHOTOGRAPHS

Sometimes [NAME OF SCHOOL] (the “School”) uses images of pupils in its literature (for example in its prospectus, newsletters and magazines) and online (the School website, e-newsletters and on social media). These images can be viewed by people outside the School including within the UK and overseas. Sometimes, pupil images may also appear in publications to promote the School which are controlled by people outside the School.

Photographs of your child (including video images) that are used as part of providing an education to them are covered in our Pupil Privacy Notice which is available on the school website.

For the purposes listed below we need your on-going consent. **Please therefore complete this form and return to your school.** You can change your photo consents at any point by contacting the school office and you will also be asked to review your consent from time to time.

Name of child: _____

Year and class: _____

Please note: photos used for purposes listed below may be used for up to 2 years after your child has left the school.

Photo / image use	I consent
School newsletters <u>without</u> names	
School newsletters <u>with</u> names	
School website <u>without</u> names	
School website <u>with</u> names	
Class and individual photos for sale to parents and carers (proofs of class / group photos are made available to parents/carers of other children in the photo)	
The school’s social media channels [insert details]	
Marketing & promotional materials used by the school (e.g. brochures, slide shows, presentations and photos on display)	
Marketing & promotional materials used by the Trust (e.g. brochures, slide shows, presentations, posters and banners)	
The Peterborough Diocese Education Trust (PDET) website <u>without</u> names (PDET are the Academy Trust that your child’s school belongs to)	
The Peterborough Diocese Education Trust (PDET) website <u>with</u> names	

For those situations where we need specific one-off consent, the school will contact you directly with details of this.

Signed: _____ Date: _____

Print name: _____ Relationship to child: _____