

GAD’S HILL SCHOOL

TAKING, STORING AND USING IMAGES OF CHILDREN POLICY

Staff Responsible: Headmaster

Governor Responsible: Chair of Safeguarding Committee

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STATEMENT OF INTENT

This policy is intended to provide information to pupils and their parents, carers or guardians (“parents”) about how images of pupils are normally used by Gad’s Hill School (“the school”). It also covers the school's approach to the use of cameras and filming equipment at school events and on school premises by parents and pupils themselves, by third party photographers and videographers, and the media. It applies in addition to the school's terms and conditions,

and any other information the school may provide about a particular use of pupil images, including e.g. signage about the use of CCTV; and more general information about use of pupils' personal data, e.g. the school's Privacy Notice, which is published on the school's website. We hope parents will feel able to support the school in using pupil images to celebrate the achievements of pupils, sporting and academic; to promote the work of the school; and for important administrative purposes such as identification and security.

1. OUR LAWFUL BASIS

There are six available lawful bases for processing personal data under the UK GDPR. Legitimate interests is one of those lawful bases and can be relied upon when processing data in a way people might expect or can be justified. Certain uses of images are necessary for the ordinary running of the school; other uses are in the legitimate interests of the school and its community and unlikely to cause any negative impact on children. The school is entitled lawfully to process such images and take decisions about how to use them, subject to any reasonable objections raised, therefore, the school will not seek permission from parents to take, store or use images of children because generating and using images are part of Gad's Hill School's legitimate interests i.e. to celebrate success of the pupils and to showcase the school in marketing material.

2. OUR 'OPT-OUT' POLICY

Despite the taking, storing and using of images being part of Gad's Hill School's legitimate interests, parents have the right to opt-out of some uses whenever they wish. Prospective parents are required to read and understand this policy before signing the acceptance form. Any current parent who wishes to limit the use of images of a pupil for whom they are responsible should opt-out by contacting the Headmaster in writing. The school will respect the wishes of parents/carers (and indeed pupils themselves) wherever reasonably possible, and in accordance with this policy.

In addition to the opportunity for parents to opt-out on admission to the school, there may be specific scenarios where the school will provide parents/pupils with the opportunity to opt-out, for example if the marketing department wish to include the child in a targeted media campaign or publication such as a brand film or billboard.

You can ask the school to stop using your child's images/video at any time, in which case it will not be used in future publications but may continue to appear in publications or media campaigns already in circulation because the school is entitled lawfully to process such images and take decisions about how to use them.

Where parents opt-out for images to be taken of their child during school activities, the school will make every reasonable adjustment to ensure the child can still participate.

Please note, offering an opt-out doesn't mean the school is relying on 'consent' as a lawful basis under data protection law. Despite offering parents the opportunity to opt-out the school

still relies on its legitimate interests, the purpose of offering parents the opportunity to opt-out is to balance every party's interests.

3. GENERAL POINTS

- Parents who accept a place for their child at the school should note the relevant clause in the school's terms and conditions relating to the use of pupils' images.
- Parents should be aware that certain uses of their child's images may be necessary or unavoidable, for example, if they are included incidentally in CCTV, a photograph or a video.
- Parents should be aware that school staff will take images at school events such as Prize Givings, Assemblies, CCF activities, school trips and excursions etc that may include their child.
- Parents should be aware that, from the age of around 12 upwards, the law recognises pupils' own rights to have a say in how their personal information is used – including images.
- The school may use surnames for taking or storing images on the school's databases to ensure accurate cataloguing can take place.

4. USE OF PUPIL IMAGES IN SCHOOL PUBLICATIONS

Unless the relevant pupil or his or her parent has opted-out, the school will use images of its pupils to keep the school community updated on the activities of the school, and for marketing and promotional purposes, including:

- on internal displays (including clips of moving images) on digital and conventional notice boards within the school premises;
- in communications with the school community (including current, former and prospective parents, pupils, staff and Governors) by email, printed publications and by post;
- on the school's website and, where appropriate, via the school's social media channels, e.g. Instagram, Facebook and LinkedIn. Such images would not normally be accompanied by the pupil's full name without permission; and
- in the school's print and digital materials and in online, press and other external advertisements for the school. Such external advertising would not normally include a pupil's full name but may include a pupil's first name.

The source of these images will predominantly be the school's staff or volunteers (who are subject to policies and rules in how and when to take such images), or a professional photographer used for marketing and promotional purposes, or occasionally pupils. The school will only use images of pupils in suitable dress and the images will be stored securely and centrally.

5. USE OF PUPIL IMAGES FOR IDENTIFICATION AND SECURITY

All 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, year group, house and form/tutor group.

CCTV is in use on school premises and will sometimes capture images of pupils. Images captured on the school's CCTV system are used in accordance with the Privacy Notice any other information or policies concerning CCTV which may be published by the school from time to time.

6. USE OF PUPIL IMAGES IN THE MEDIA

From time to time, the media may attend an event or school activity in which school pupils are participating, and the school will make every reasonable effort to ensure that any pupil whose parent or carer has opted out, are not photographed or filmed by the media, nor such images provided for media purposes.

Pupil images may be used in media releases for marketing purposes, which may include full names of pupils when required, in accordance with our terms and conditions.

7. SECURITY OF PUPIL IMAGES

The media are accompanied at all times by a member of staff when on school premises. The professional photographer used by the school has been subject to all relevant safeguarding checks which are required to be able to work on site unsupervised. The school uses only reputable professional photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the school's instructions.

The school takes appropriate technical and organisational security measures to ensure that images of pupils held by the school are kept securely and protected from loss or misuse. The school will take reasonable steps to ensure that members of staff only have access to images of pupils held by the school where it is necessary for them to do so.

Pupil images may be processed by third parties, eg. contractors engaged to manage the school's social media accounts. Where this is the case, a data protection agreement will be in place to ensure that the data processed by the third party is subject to secure and responsible storage and processing in accordance with all relevant data protection legislation.

8. USE OF CAMERAS AND FILMING EQUIPMENT (INCLUDING MOBILE PHONES) BY PARENTS

Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in school events, subject to the following guidelines, which the school expects all parents to follow:

- When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others. Flash photography can disturb others in the audience, or even cause distress for those with medical conditions; the school therefore asks that it is not used at indoor events.
- Parents are asked to give consideration of the privacy of other students, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
- Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be made accessible to others via the internet (for example on Facebook), or published in any other way.
- Parents are reminded that copyright issues may prevent the school from permitting the filming or recording of some plays and concerts. The school will print a reminder in the programme of events where issues of copyright apply.
- Parents may not film or take photographs in changing rooms, swimming pools, or backstage during school productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.

The school 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.

The school sometimes films events, or films pupils or groups of pupils, records sports fixtures, plays and concerts professionally (or engages a professional photographer or film company to do so), in which case CD, DVD or digital copies may be made available to parents for purchase. Parents of pupils taking part in such events will be consulted if it is intended to make such recordings available more widely.

9. USE OF CAMERAS AND FILMING EQUIPMENT BY PUPILS

All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.

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 in a manner that may offend, or cause upset.

The misuse of images, cameras or filming equipment in a way that breaches this Policy, or the school's AntiBullying Policy, E-Safety Policy, Safeguarding Policy or the Behaviour Management Policy is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.