



Dame Alice Owen's School Safe Use of Images Policy

Approved by the Governing Body Personnel & Remuneration Committee:
To be reviewed:
(reviewed every 2 years)

May 2016
Summer 2018

Authors: Mrs M English/Mrs T Cleverley

1. Introduction

1.1 1.1 References

This Policy is based on the Model Policy for ICT Acceptable Use Issue 9 September 2015 (Herts for Learning) which includes Safe Use of Images.

1.2 Scope of the Policy

This Policy deals with situations where images taken for official school use may be covered by the Data Protection Act 1998 and copyright laws. It also takes into consideration our responsibility to ensure, that with today's extensive use of social media (digital technology or computerised forms of communication), it is important to consider how and what images are published. It is much easier for people to amend, manipulate or copy images, which makes them more open to abuse, so the relevant safeguards must be in place.

1.3 Aims

Our aim is for this Policy to meet the requirements of the law whilst avoiding unnecessary restrictions. The filming and photographing of children in schools is becoming an increasingly complex issue - especially as the spread of information and images via websites and the internet is getting faster and more difficult to control. It must also be recognised that new technologies can be very positive tools in helping children's development and all stakeholders need to understand how images are used responsibly in our school.

It should be noted that the previous guidance (Spring 2012) states that the Data Protection Act 1998 is unlikely to apply in many cases where photographs are taken in schools and that fear of breaching the Act should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure. This still applies.

It is also clarified in the guidance, that photographs taken purely for personal use are exempt from the Data Protection Act 1998. The Governors are in agreement (unless specified at the outset of an event), that parents, friends and family members can take images of their children and friends participating in school activities, as long as images are for private use only and will not appear **publically** on the internet. This information is posted on the school website and in School Productions programmes and parents are advised to ensure that the relevant privacy settings are used on web photo stores and other shareware software.

2. Data Protection Act 1998

The Data Protection Act requires us to ensure that we have relevant consent to take and publish images and that we keep all data secure.

2.1 Obtaining permission to publish

It is our policy for staff to check that permission has been obtained for all the students/staff/visitors/volunteers who will appear in an image before it is published. Staff must ensure that they check whether there are reasons that a particular individual cannot be photographed or identified, especially if it is a student. This is done by referencing consent data obtained in the following way:

- a) All new parents, new staff and school visitors/volunteers (if relevant) are requested to complete the manual consent form –**shown in Appendix 1/2/3**. Students over the age of 18 can give their own permission or update their permission if required.
- b) The consent forms clearly state conditions of use of images and new parents, new staff and visitors/volunteers are provided with a range of options to decline use. If parents require help to complete the form, they can contact the School Office.
- c) **Note:** Parents of those students who joined before September 2009 were asked permission on 3 separate occasions to provide written permission. Those students who did not have a form returned are assumed to have denied permission.
- d) Physical records of permission given are kept by the School Office. A report can be produced from SIMS on request for a list of those who have declined permission. If consent is not given, staff are aware to make every effort to comply sensitively and that it may be necessary to liaise with staff from other schools for inter-school events.
- e) **Note** In the situation of images taken at an event attended by large crowds, such as a sports event or concert, this may be regarded as a public area, so staff do not need to get the permission of everyone in a crowd shot, with the exception of any image in which individuals are intended to be clearly identified.

2.2 Storage of data

It is a requirement of the Data Protection Act that we safeguard our images (both digital and hard copies) by storing them securely on school computers and only allow use by school staff.

It is our policy that when staff have finished with images, they are destroyed or deleted. Staff recognise that an image taken at a specific time and in specific circumstances with specific permission can not necessarily be used again at a later date or in a different context and know that doing so can result in legal action. News items on the school website are archived electronically for historical purposes.

2.3 Publishing images

When publishing images of students, staff, visitors/volunteers, we will not associate full

names with images or publish individual close-up portraits, unless specific permission has been given. Faces will not be pixellated (blurred) – alternative images will be used.

We have a duty of care to ensure images are used in the right context and are appropriate.

If a range of student images is displayed, they will aim to be representative of the diversity of the school community by reflecting gender, ethnicity and disability.

3. Copyright

Copyright law applies to almost everything, and can be complex and ambiguous. Our policy is to adhere to guidelines from HCC:

- a) We recognise that it is our responsibility to check with the owner of the copyright of any work that we want to publish as copyright automatically belongs to the person who created the work and to give credit/acknowledge their details.
- b) If we want to use images which are commissioned, we recognise that it is our responsibility to obtain a written copyright agreement with the freelance worker or supplier concerned, which assigns the rights to our school.
- c) Staff understand that if an image is created by a School employee during their work time, copyright rests with the Governors of Dame Alice Owen's.
- d) We recognise that if images are provided by an outside source, we need written permission to publish and to credit the artist with the work. We acknowledge that images are protected for the lifetime of the creator and for 70 years after his/her death.

We do not download images from the internet for use on our school website or VLE (Virtual Learning Environment) without the copyright owners consent as this may breach copyright laws, could be considered a criminal offence and may lead to heavy fines. We are aware that picture agencies and photographers are increasingly using software to track their images.

- e) We understand that if we put outsourced digital images on our website, we must obtain global broadcasting rights from the owner of the copyright.

4. Releasing images to the Media

It is our policy to only release images to the media if all relevant permissions have been obtained and the owner of the copyright agrees to the image being published.

As newspapers do not publish anonymous photos, specific permission will be obtained from parents of students in images where full names will be associated with the photo and made aware that when the press has captured an image, they - and not the school - become the data controller of it. Any objections/ representations about the image will therefore need to be made to the media organisation rather than the school; we do not have jurisdiction over the media.

We recognise that there is an understandable anxiety surrounding the use of images of children in newspapers. We also recognise that local newspapers play an important part in

reporting the achievements and challenges facing local schools and their pupils, and therefore a co-operative arrangement is beneficial and we manage our relationship with the local press and parents accordingly.

If stakeholders have concerns regarding the use of photographs by the press they can contact the new Independent Press Standards Organisation, set up in September 2014 – see their website at: <https://www.ipso.co.uk/IPSO/>

5. External photographers

When hiring external photographer/film-makers, it is our policy to obtain a written contract that sets out mutually agreed terms and conditions where the photographer:

- Agrees to take appropriate measures to prevent unauthorised or unlawful processing of personal data
- Complies with the requirements set out in the Data Protection Act and uses a secure storage area if storing photographs electronically
- Abides by the school's safeguarding procedures when on the school premises.

If we have a photographer who will be visiting the school on a regular basis then appropriate checks will be made by the staff co-ordinator that the relevant DBS (Disclosure Barring Service) documentation is sought or self-certification checked prior to them providing a service to the school. The DBS certificate will be seen by the school along with photographic ID (Identification).

If for any reason we use a photographer on a one-off basis, and they do not have the correct documentation, then they will be supervised at all times.

If a third party is nominated by us to take images, then they are "acting on our behalf" and therefore considered to be a data controller under the terms of the Data Protection Act.

6. Webcams

Our school does use webcams for security reasons (CCTV) and has them installed around the school in selected areas. Video footage captured in this way is only able to be viewed by designated School staff and the company we employ. Teachers may use a webcam or video conferencing in lessons to aid teaching - permission for this, is included on the consent forms available in **Appendix 1/2/3**. Teachers are aware of those students who have opted out of using images taken in this way. Further information on video conferencing can be found at:

<http://www.thegrid.org.uk/learning/ict/technologies/videoconferencing/index.shtml>

7. Digital Devices

Sometimes teachers may encourage students to incorporate video footage or images taken on digital devices (such as flipcams, mobile phones or tablets) to feedback homework or make demonstrations in class. Students should download such images onto the school network and should delete from their personal device and any cloud-based storage.

This use of technology is directed by the teacher and students follow the teacher's instructions. Mobile phones are permitted in school and are turned off in lessons unless otherwise instructed. Staff are not permitted to use personal digital equipment, such as mobile phones and cameras to record images of pupils, this includes when on field trips.

However, with the express permission of the Headteacher, images can be taken provided they are transferred as soon as possible and solely to the school's network and deleted from the staff device. In such cases, staff are permitted to take photographs of students for whom we have appropriate parental consent, using their own personal devices. These photos must be downloaded to an appropriate folder on the shared area and deleted from the personal device as soon as reasonably possible.

8. School Website

The School Office is responsible for monitoring the safe use of images and copy on the school website and will only publish photographs for which staff can confirm permission has been sought. Stakeholders may submit images or articles for publication which are reviewed carefully before publication and do not use students full names unless permission is given.

It is also our Policy to not save images to the website using student's full names and every one is resized appropriately for use on the website, with regard to the fact that high resolution images can be manipulated in a way to change their meaning or context.

Appendices

Appendix 1/2/3: Image consent forms* – New Parents/New Staff/School Visitors and Volunteers dated 2016- 2018

Note: Throughout this Policy, the term "images" refers to photographs (both digital and film) and video/DVD/webcam recordings and applies to adults and children and their work.

***Note:**

1. The image consent form templates can be found in the RM Shared Documents on the School Server, under the Safe Use of Images Folder.
2. Our School Office also updates our student records on the SIMS system under Parental Consent, "Photograph Student". The box is ticked if permission has been given and if declined, a reference note is made in the adjacent box as confirmation. Staff who have declined consent are also recorded on SIMS

APPENDIX 1



Spring 2016-2018

Dear New Parents

Dame Alice Owen's School Safe Use of Images Consent Form

Occasionally, we take photographs of students, members of staff and visitors/volunteers and work produced in school. We may use these images in our school prospectus or in other printed publications that we produce, (such as drama programmes) in displays, on our website and on our password protected Life VLE (Virtual Learning Environment). We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use in the classroom.

We also send images to the news media, or our school may be visited by the media who will take their own photographs or film footage (for example, of a visiting dignitary or other high profile event). Adults, students or their work may appear in these images. The news media may use the images in printed publications (including local or national newspapers), on televised news programmes or on their website.

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your child, so **we would be grateful if you could complete the form overleaf and return to the School Office**. A record is kept of any student, member of staff or visitor/volunteer who opts out of using their image and this is referred to by staff before still or moving images are taken, published or released.

If you have any complaints about images where consent has not been given or you wish to withdraw your consent at any time, please contact the School Office on admin@damealiceowens.herts.sch.uk.

Yours sincerely,

Alan Davison, Head

Please read our conditions of use before completing the form:

1. This form is valid for the period of time students, staff and visitors/volunteers attend school. Images will not be used after this time, unless they are in existing publications, in archived news items on the school website or if individuals have given their permission. Images are stored securely on the School Network.
2. The images we take will be of activities that show the school in a positive light.
3. Embarrassing or distressing images will not be used. The images will not be associated with negative or sensitive issues.
4. We may use group or class photographs or footage with very general labels e.g. 'science lesson'.
5. We will only use images of students, staff and visitors/volunteers who are suitably dressed.
6. We will make every effort to ensure that we do not allow images to be taken of any students for whom we do not have permission or who are 'at risk' or disallowed from having their photographs taken for legal or social reasons.
7. We will take all reasonable measures to ensure the images are used solely for the purposes for which they are intended. However we cannot guarantee this and take no responsibility for the way images are used by other websites or publishers or for any consequences arising from publication.

Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies. In giving your consent you understand that images may be used in printed and electronic form.



Safe Use of Images Consent Form - Spring 2016 to Spring 2018

New Parents

Please tick all boxes that apply:

1. I am happy for my child's image or image of their work to be used in printed materials for the school, for example the school prospectus, drama programmes and sports reports

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

2. I am happy for my child's image or image of their work to be used on the school website, for example when celebrating successes under our Latest News section

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

3. I am happy for my child's image or image of their work to be used on Life VLE (Virtual Learning Environment) – password protected website, for example to aid teachers in their lessons

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

4. I am happy for my child's image or image of their work to be used in a video or on a webcam, for example in lessons to make presentations, take part in video conferencing or for group homework projects

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

5. I am happy for my child's image or image of their work to be used in other media, for example promoting a team in the newspaper or an event in a magazine

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

I have read and understood the information above.

Your child's name:.....

Your child's form:.....

Your signature:.....

Your name (block capitals please):.....

Date:.....

Your email contact for any queries:.....

Thank you for completing our form. **Please return form to our School Office.** If forms are not returned you will be contacted with a reminder as it's essential we have the details on file.

Dame Alice Owen's School
Dugdale Hill Lane, Potters Bar, Hertfordshire, EN6 2DU
Tel no: 01707 643441 Email: admin@damealiceowens.herts.sch.uk

APPENDIX 2



Spring 2016-2018

Dear New Staff

Dame Alice Owen's School Safe Use of Images Consent Form

Occasionally, we take photographs of students, members of staff and visitors/volunteers and work produced in school. We may use these images in our school prospectus or in other printed publications that we produce, (such as drama programmes) in displays, on our website and on our password protected Life VLE (Virtual Learning Environment). We may also make video or webcam recordings for school-to-school conferences, monitoring or other educational use in the classroom.

We also send images to the news media, or our school may be visited by the media who will take their own photographs or film footage (for example, of a visiting dignitary or other high profile event). Adults, students or their work may appear in these images. The news media may use the images in printed publications (including local or national newspapers), on televised news programmes or on their website.

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your image or your work, so **we would be grateful if you could complete the form overleaf and return to the School Office**. A record is kept of any student, member of staff or visitor/volunteer who opts out of using their images and this is referred to by staff before still or moving images are taken, published or released.

If you have any complaints about images where consent has not been given or you wish to withdraw your consent at any time, please contact the School Office on admin@damealiceowens.herts.sch.uk.

Yours sincerely,

Alan Davison, Head

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2. The images we take will be of activities that show the school in a positive light.
3. Embarrassing or distressing images will not be used. The images will not be associated with negative or sensitive issues.
4. We may use group or class photographs or footage with very general labels e.g. 'science lesson'.
5. We will only use images of students, staff and visitors/volunteers who are suitably dressed.
6. We will make every effort to ensure that we do not allow images to be taken of any students for whom we do not have permission or who are 'at risk' or disallowed from having their photographs taken for legal or social reasons.
7. We will take all reasonable measures to ensure the images are used solely for the purposes for which they are intended. However we cannot guarantee this and take no responsibility for the way images are used by other websites or publishers or for any consequences arising from publication.

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Safe Use of Images Consent Form - Spring 2016 to Spring 2018

New Staff

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<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

2. I am happy for my image or image of my work to be used on the school website, for example when celebrating successes under our Latest News section

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

3. I am happy for my image or image of my work to be used on Life VLE (Virtual Learning Environment) – password protected website, for example to aid teachers in their lessons

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

4. I am happy for my image or image of my work to be used in a video or on a webcam, for example in lessons to make presentations, take part in video conferencing or for group homework projects

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

5. I am happy for my image or image of my work to be used in other media, for example promoting a team in the newspaper or an event in a magazine

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

I have read and understood the information above.

Your name:.....

Your department:.....

Your signature:.....

Your name (block capitals please):.....

Date:.....

Your email contact for any queries:.....

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APPENDIX 3



Spring 2016-2018

Dear School Visitors and Volunteers

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We also send images to the news media, or our school may be visited by the media who will take their own photographs or film footage (for example, of a visiting dignitary or other high profile event). Adults, students or their work may appear in these images. The news media may use the images in printed publications (including local or national newspapers), on televised news programmes or on their website.

To comply with the Data Protection Act 1998, we need your permission before we can photograph or make any recordings of your image or your work, so **we would be grateful if you could complete the form overleaf and return to the School Office**. A record is kept of any student, member of staff or visitor/volunteer who opts out of using their images and this is referred to by staff before still or moving images are taken, published or released.

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4. We may use group or class photographs or footage with very general labels e.g. 'science lesson'.
5. We will only use images of students, staff and visitors/volunteers who are suitably dressed.
6. We will make every effort to ensure that we do not allow images to be taken of any students for whom we do not have permission or who are 'at risk' or disallowed from having their photographs taken for legal or social reasons.
7. We will take all reasonable measures to ensure the images are used solely for the purposes for which they are intended. However we cannot guarantee this and take no responsibility for the way images are used by other websites or publishers or for any consequences arising from publication.

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Safe Use of Images Consent Form - Spring 2016 to Spring 2018

School Visitors and Volunteers

Please tick all boxes that apply:

1. I am happy for my image or image of my work to be used in printed materials for the school, for example the school prospectus, drama programmes and sports reports

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

2. I am happy for my image or image of my work to be used on the school website, for example when celebrating successes under our Latest News section

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

3. I am happy for my image or image of my work to be used on Life VLE (Virtual Learning Environment) – password protected website, for example to aid teachers in their lessons

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

4. I am happy for my image or image of my work to be used in a video or on a webcam, for example in lessons to make presentations, take part in video conferencing or for group homework projects

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

5. I am happy for my image or image of my work to be used in other media, for example promoting a team in the newspaper or an event in a magazine

<input type="checkbox"/>	Yes
<input type="checkbox"/>	No

I have read and understood the information above.

Your name:.....

Your department or person you are visiting:.....

Your signature:.....

Your name (block capitals please):.....

Date:.....

Your email contact for any queries:.....

Thank you for completing our form. **Please return form to our School Office.** If forms are not returned you will be contacted with a reminder as it's essential we have the details on file.

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