

## **Guidance on Photographs of Children**

### **Introduction**

This document provides guidance on the appropriate use of images of children in school

We need to make full and proper use of photographic images while meeting the law and preserving the safety of children. Concerns focus on issues around rights of privacy, child protection and copyright ownership. These guidelines address these issues and give advice on good practice.

### **Typical Uses of Photographs**

- For use in the Foundation Stage Profile. – see separate section
- Key skills for PE.
- Performing arts including dance and movement, concerts, drama performances, parent evenings.
- Sports days and sports fixtures and the use of photographic equipment by parents and carers and children from the other school.
- Media including newspapers and television especially when some editors require children's names when publishing photographs.
- Displays in the establishment of children's activities.
- Publications by the school and the LA.
- The school's web site and Blogs
- Staff training and professional development activities.
- Publicity material for contractors

### **Ownership**

Human Rights legislation and the Data Protection Act 1998 give people new rights and it is the right to 'privacy' that is the issue when using photographs. The school must take steps that respect the rights of people in photographs.

### **Good Practice**

The following advice represents good practice in the use of photographic images involving children.

1. When taking a picture the school must obtain the consent of the person in the picture or from their parent or carer.
2. If using a photo from the media or commissioning a photograph, have a signed agreement from the parent/carer (person with parental responsibility). The image must be used for its intended context.
3. When photographing children, ensure that parents and carers of young people have signed and returned the school's consent form for general photography. Any images going beyond the school need additional consent.
4. Ensure all children are appropriately dressed.
  - a. Avoid images that only show a single child with no surrounding context of what they are learning or doing.
  - b. Photographs of three or four children are more likely to also include their learning context.
  - c. Do not use images of a child who is considered very vulnerable, unless parents / carers have given specific written permission.
  - d. Avoid naming young people. If one name is required then use the first name only where possible.
  - e. Use photographs that represent the diversity of the young people participating.
  - f. Report any concerns relating to any inappropriate or intrusive photography to the head teacher.
  - g. Remember the duty of care and challenge any inappropriate behaviour or language.
  - h. Do not use images that are likely to cause distress, upset or embarrassment.
5. Regularly review stored images and delete unwanted material.

## **Parental Permission**

Use of images of children require the consent of the parent / carer. Permission should always be obtained by using the school's permission form in appendix 1, when a child joins the school. The form covers the school when using the photographs in publications and on web-sites. Each year as part of a standard communication, ask parents if they wish to change their permission.

When a parent does not agree to their child being photographed, the head teacher / manager must inform staff and make every effort to comply sensitively. For example, if a child whose parents have refused permission for photography is involved with a sports event, e.g. a football match, it may not be appropriate to photograph the whole team. Careful liaison with parents is therefore essential. With discussion it may be possible to agree other options. The parent may accept a team photograph if names are not published or they may be prepared to relent if it affects the whole team.

## **Inter-School Fixtures**

Apply these guidelines to inter-school events. If a vulnerable child is involved, it will be necessary to liaise with a member of staff from the other establishment so that they are aware of the wishes of the parents or carer of the child and seek the cooperation of the parents of the opposing team.

## **Teacher Training and Portfolios**

During teacher training and with newly qualified staff, colleagues need to compile portfolios with photographs of children during lessons. Staff should act responsibly in compiling these images. A member of the management team may wish to oversee the compiled images as part of the management process and consider their appropriateness.

## **Displays in Schools**

Still photographs shown on displays and video clips available during open / parents' evenings should depict children in an appropriate way. They should not display images of children in inappropriate or revealing clothing so appropriate levels of integrity and decency are maintained. Do not use photographs or images likely to cause embarrassment.

## **Parents Evenings, Concerts, Presentations**

To allow the appropriate recording of children's images by parents / carers:

- ensure that children are appropriately dressed;
- obtain parental permission (written permission)
- be aware of any child who should not be photographed ; and
- monitor the use of cameras and anyone behaving inappropriately.

## **Children Photographing Each Other**

This practice can occur extensively during offsite activities particularly during residential periods. Staff should maintain the supervision and management necessary to ensure compliance with this policy.

## **Newspapers**

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 head teacher 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 the school invites a newspaper to celebrate an event, the head teacher should make every effort IN ADVANCE to ensure that the newspaper's requirements can be met.

- Almost without exception, this means 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 children).
- However newspapers usually prefer to work with smaller groups of children – 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. 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 children 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 children 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.

### **Use of Internet / Intranet Sites**

Photographs should only be used for appropriate purposes. For example, if a child has successfully completed a gymnastics award, it would be appropriate to show the child in a tracksuit rather than leotard. Digital images of children should **not** be taken home on laptops.

### **Us of Mobile phones and Cameras in an Early Years setting**

Personal use of mobile phones

- Personal mobile phones belonging to members of staff are not used on premises during working hours and should be stored away
- In the event of an emergency, personal mobile phones may be used in the privacy of the office or staff room
- members of staff ensure that the telephone of the school is known to immediate family and other people who need to contact them in an emergency
- If members of staff take their own mobile phones on outing, for use in case of an emergency, they must not make or receive personal calls
- Members of staff will not use their personal mobile phone for taking photographs of children on outings
- Parents and visitors are requested not to use their mobile phones whilst on the premises.

Cameras and Videos

- Members of staff must not bring their own cameras or videos recorders into the foundation unit
- Photographs and recordings of children are only taken for valid reasons, i.e. to record their learning and development, or for displays within the setting
- Photographs or recordings are only taken on equipment belonging to the setting
- Camera and video use is monitored by the EYFS manager
- Where parents request permission to photograph or record their own children at special events, permission will be gained by all parents for their children to be included

### **Review of Guidelines**

The content of these guidelines will be reviewed annually/