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DIGITAL IMAGES POLICY

Requisite: Dorcan Requirement			Responsible Committee: F&P		
	Approval Date	Committee	Head	Chair	Next Review Date
A	18/06/2018	<i>Finance and Premises</i>			October 2021
B	13/01/2022	<i>Finance and Premises</i>			January 2025

Rationale

This policy complies with the requirements of the Data Protection Act 1998 and 2018, General Data Protection Regulations, Freedom of Information Act 2000, Human Rights Act of 1998 and other relevant legislation pertaining to the use of photographic images and children.

The use of video and digital images plays an important part in learning activities. Students and members of staff may use a range of devices to record evidence of activities in lessons and out of the Academy. These images may then be used for a range of educational purposes. It is also recognised that the increased use of technology has increased the potential for devices and images to be misused. This policy aims to minimise this risk.

This policy will apply to any person who has access to and/or is a user of any work-related photographic equipment. This policy includes mobile phones, tablets, gaming devices and any other form of digital technology or resource for storing, printing, sharing or representing.

Policy

The Head Teacher of the Academy holds ultimate responsibility for making sure that all camera technology and images are used in an acceptable and safe way, as well as for the safe storage of all images. However, it is important to recognise that the safe use and storage of digital images and hardware is a whole academy issue. It is important to recognise that it is the behaviours of individuals using the equipment, and not the equipment itself which produces the greatest potential risk.

Any image used or taken must comply with the following principles:

- That it is fairly and lawfully processed
- A user should not take a picture or record an image of a child against their wishes or without consent
- It is processed for limited and specifically stated purposes
- It is used in a way that is adequate, relevant and not excessive
- It is accurate and up to date
- It should be kept on file for no longer than is necessary
- It must be processed in line with an individual's legal rights
- It must be kept securely
- The context of any proposed image should be considered before it is taken

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- Sensitivity must be shown to children or a child who appears to be uncomfortable to avoid any misinterpretation for taking the picture.
- Any user should avoid taking or making an image of a child or young person in a one to one setting whenever possible unless there is an agreed reason for why this would be necessary, in order to avoid misinterpretation.
- Photographs must not be taken of any user if they suffer an injury which is either accidental or non- accidental. The Academy ensures that medical help is sought where necessary and in the case of a suspected injury that is non- accidental, the Academy would follow their safeguarding procedures.
- Images which may cause distress, upset or embarrassment must not be used.
- Images of children and young people must only be taken when they are in full/suitable dress. There are no acceptable circumstances for taking pictures or images of children in a state of undress. During sporting activities, due consideration should be given to appropriateness of the context and angle of the image.
- It is not permitted to take or make images in any sensitive area of the Academy e.g. toilet cubicles and changing areas.
- Images of children and adults available to the public should not include their full name or any information that could identify them or where they live. This aspect applies to:
 - Displays
 - Documentation panels
 - Name Cards
 - Images on the Academy website
 - Academy social media sites

However, with specific consent, images with names may be used.

- Consideration should always be given to where images will be published in terms of the privacy and access to the image. This is particularly important with Social Media accounts, which are designed to push content out to as wide an audience as possible.
- Images and videos taken at group events by parents/carers should only be used for their own or family's personal use.
- The Head Teacher must reserve the right to view any images taken and or to withdraw or modify an individual's permission to take or make images at any time. Any user of technology should be made to understand that all images are available for scrutiny and be able to justify any images in their possession.
- All members of staff must report any concerns relating to potential misuse.
- Cameras and other photographic equipment should be designated for work-related purposes only. The use of personal photographic equipment is to be avoided unless authorised by the Academy's Head Teacher detailed below. If the Head Teacher agrees to this they also acknowledge the associated risks and will ensure staff are made aware of these. Staff will also ensure security is applied to their personal device to minimise the potential for data loss e.g. device lock code or password.

Press Associations

The UK press have their own regulation to control the use of images in order to safeguard children, however the Academy will make sure broadcasters and press photographers are aware

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of the need to respect this policy. This in particular would apply to a one to one interview with a child, a detailed caption of a picture or a close up image used in sports photography.

- When inviting a member of the press to attend an event, the Academy will make every effort to ensure they adhere to this policy but cannot be held responsible if they choose not to.
- The Academy will only provide a list of the child's first names.
- The identity of any press representative must be established before any interview or photography is authorised.
- Press access should only be permitted where the press have been specifically invited.
- No authorisation should be given to any unscheduled visit by the press. In the event that the press turn up uninvited, the Academy must make every reasonable effort to ensure that members of the Academy community are protected from press intrusion.
- Photographers will only be used where they guarantee to act appropriately to prevent unauthorised or unlawful processing of images; and will insure against accidental loss or destruction of, or damage to personal data.
- Photographers should be treated as any other visitor and will be supervised at all times.

Consent

- Signed consent to take photographs or record images of children should be requested from a parent or carer on the child's enrolment to the Academy. Only consent given by a parent or carer will be accepted. Any consent given should be reviewed on an annual basis until the child has left the Academy.
- The parent or carer will have the right to refuse or withdraw consent at any time, or give partial consent in terms of the use of the photograph.
- Specific consent for the use of images that is for more than general purposes should be requested e.g for publicity materials, training or promotional needs.
- Images of children who no longer attend the Academy should not be used unless specific consent has been given.

Parents and Carers

Parents and carers are not covered by the Data Protection Act or GDPR as long as the image or recording they are making is for their own private use. The law does not prevent parents and carers taking photographs or making recordings of their children within the setting environment, for example, recording an Academy play, as long it is for personal use. However, the Academy reserves the right to refuse any parent, carer or attendee the opportunity to take photographs or make videos.

Website and Social Media

The Academy must obtain consent from the parent or carer before publishing an image of them on the Academy website or social media account. The rules regarding the taking or making of any image will apply to the Academy's website and social media accounts.

Storage and Disposal

Images should be stored and disposed of securely. The aim is to prevent unauthorised access in

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order to protect, ensure wellbeing and protect identity.

Images should not be kept for longer than necessary. Once the image is no longer of use, it should be wiped from the device. If an image needs to be restored from ICT back ups, then permission from the Headteacher is required and will be recorded.

Images should be protectively stored to prevent unauthorised access. Photographs should not be stored on a portable device for any longer than is necessary

Any printed image of a child from the Academy should be disposed of when no longer required.

They should be either:

- returned to the parent or carer
- deleted if an online copy is held
- shredded.

Security

Images should be handled as personal data. Any suspected concern and breach of security must be acted on by the Academy setting in terms of being recorded in the data protection log, reported and acted on in line with the agreed procedure.

Images should be protected digitally and physically to ensure that they are not stolen, including images held on laptops, computers, cameras or any other storage media. The implications of not adhering to this policy could lead to criminal investigations, fines or prosecution.

The process

All stakeholders are responsible and must adhere to this policy.

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Appendix I

The Governing Body's legal responsibility for safeguarding the welfare of children goes beyond basic child protection procedures. The duty is now to ensure that safeguarding permeates all activity and functions. This policy therefore complements and supports a range of other policies

- Complaints
- Safeguarding Children and Young people
- Behaviour
- Anti-Bullying
- Lettings and Use of Premises
- Special Educational Needs
- Academy trips
- Curriculum
- Children in Care
- Health and Safety
- Sex and Relationships Education
- Security
- Equality Diversity and Community Cohesion
- Students with Medical Needs
- Internet Access and Use
- Use of ICT and Website
- e safety
- Young Carers
- Privacy and Confidentiality
- Cloud based
- Password
- Whistle blowing

The above list is not exhaustive but when undertaking development or planning of any kind the Academy will consider safeguarding matters

• Revision Notes

Rev A:	Original agreed and approved by Full Governing Body 04 July 2018
Rev B	Agreed and approved by the Audit, Finance and Premises Committee 11/1/2022