

## Use of Images Policy (Including EYFS and Aftercare)

A Foundation Safeguarding Policy

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**Senior School**  
Princethorpe College  
Princethorpe  
Rugby CV23 9PX

Tel: 01926 634200  
e-mail: [post@princethorpe.co.uk](mailto:post@princethorpe.co.uk)

**Junior School**  
Crescent School  
Bilton, Rugby  
CV22 7QH

Tel: 01788 521595  
e-mail: [admin@crescentschool.co.uk](mailto:admin@crescentschool.co.uk)

**Junior School & Nursery**  
Crackley Hall & Little Crackers  
St Joseph's Park  
Kenilworth CV8 2FT

Tel: 01926 514444  
e-mail: [post@crackleyhall.co.uk](mailto:post@crackleyhall.co.uk)



## Use of Images Policy

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## **Use of Images Policy**

### **1. Introduction**

The Princethorpe Foundation, ('the Foundation') is obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when it takes or publishes images of pupils in its schools. The Foundation will always act in the best interest of its pupils and, as far as legally possible, will take parental preferences into account.

This policy is intended 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 Schools in the Foundation. It also covers the Foundation's approach to the use of cameras and filming equipment on Foundation premises by parents, pupils and the media.

This policy applies in addition to any information the Foundation may provide about a particular use of pupil images and other personal data, including the Foundation's Privacy Notice. Images of pupils in a safeguarding context are dealt with under the Foundation's Safeguarding Policy.

### **2. General use of images**

Certain uses of images are necessary for the ordinary running of the Foundation, are in the legitimate interests of the Foundation and its community and unlikely to cause any negative impact on its pupils. These uses may include security, identification and for safeguarding purposes. The Foundation is lawfully entitled to process such images and take decisions about how to use them, subject to any reasonable objections raised.

The Foundation 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, from around the age of 12 and upwards, the law recognises children's own rights to have a say in how their personal information is used – including images. When a pupil has sufficient understanding to make the decision for themselves, the Foundation will take into account any parental preference expressed and will make a decision based on the best interests of the child, after careful consideration of the circumstances and the data rights of the child. Parents may express their preference by signing the preference form (found at the end of this policy).

Parents who accept a place for their child at the Foundation (where their child does not have capacity to understand their own data rights) are invited to indicate if they agree or wish to limit the Foundation using images of their child as set out in this policy. Parents may do this by signing the consent form found at the end of this policy, and/or from time to time if we request a particular use of a pupil's image. However, parents and pupils should be aware of the fact that certain uses of images may be necessary or unavoidable (for example if an image is incidentally captured in CCTV or a photograph).

All images will be stored electronically and remain the property of the Foundation even after the child has left. The images will be retained for ten years and may be used during this time before being moved to the digital archives, when they may be used on an ad-hoc basis for historical publications.

We hope parents will feel able to support the Foundation in using pupil images to celebrate achievements, to promote the education provided by the Foundation, and for important administrative purposes such as identification and security.

### **3. Use of pupil images by the Foundation**

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

- in internal publications, such as year books, on internal displays (including clips of moving images) and on digital and conventional notice boards
- in communications with the school community (parents, students, staff, Governors and alumni) including by email, on the Foundation's portals and by post
- on the Foundation's websites and, where appropriate, via the Foundation's social media channels, e.g. Twitter, Instagram, Facebook, LinkedIn, YouTube and Vimeo
- in the Foundation's prospectus, information booklets, newsletters and magazines and in online, press and other external advertisements for the school.
- in Foundation marketing (e.g. in leaflets, flyers, posters, videos);
- in press releases, editorial features and for journalistic purposes (e.g. for use in the printed and online press).

Images may also be shared with industry bodies such as HMC, ISA, ISC, IAPS, CISC and shared with media or industry bodies to accompany industry-related award submissions.

The source of these images will predominantly be Foundation staff (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 themselves. The images will be stored securely and centrally.

Images generally will not have pupil names against them. Names will be used with images when, for instance, celebrating a specific pupil's, team's or group's achievement.

Additional specific consent will be sought for instances when a single pupil is the main focus of a press release or on billboard or bus adverts.

### **4. Use of pupil Images for identification and security**

All pupils are photographed on entering the Foundation and, thereafter, at periodic intervals, for the purposes of internal identification. These photographs identify the pupil by name.

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

### **5. Taking of pupil images by external organisations**

The Foundation will give proper consideration to 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.

Where practicably possible, the Foundation will notify parents and pupils in advance when the media is expected to attend an event or Foundation activity in which pupils will be participating. The Foundation will also make every reasonable effort to ensure that any refusal is made known in these circumstances so the pupil is not photographed or filmed by the media, nor such images provided for media purposes.

If the media entity wants to publish named images then they must obtain specific consent from those pupils with capacity to consent or the parents of those without capacity. The

Foundation will require the media entity to check with the Foundation before publication so that the Foundation can check that any objections have been taken into account.

## **6. Security of pupil images**

Professional photographers, film crew and the media are accompanied at all times by a member of staff when on Foundation premises. The Foundation uses only reputable professional photographers and film crew and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the Foundation's instructions.

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

All staff are given guidance on the Foundation's Use of Images policy, and on the importance of ensuring that images of pupils are made and used responsibly, only for Foundation purposes, and in accordance with Foundation policies and the law.

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

It shall be at the discretion of the Foundation whether photographs may be taken at a Foundation event. Family and friends taking photographs for the family album will not be covered by data protection legislation.

Where parents are permitted to take photographs of (and where appropriate, film) their own children, this will be subject to the following guidelines, which the Foundation expects all parents to follow:

- parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy of others;
- parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of the other pupils and/or their 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 Foundation from permitting the filming or recording of some events. The Foundation will provide a reminder where issues of copyright apply;
- parents may not film or take photographs in other circumstances in which photography or filming may embarrass or upset pupils.

The Foundation 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 Foundation may record events and training professionally (or engage a professional photographer or film company to do so). Pupils taking part in such events, and their parents, will be consulted if it is intended to make such recordings available more widely.

## **8. Use of cameras and filming equipment by pupils**

All pupils are encouraged to report any concerns about the misuse of technology, or any worrying issues to a member of 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 Foundation's Data Protection Policy, Safeguarding Policy or the Foundation Rules is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant policy as appropriate.