Photographing

children and young people at school or engaged in educational activities

Guidance for schools, parents and carers 2011-12

East Renfrewshire COUNCIL

1 Legal issues

The photographing of school pupils may, depending on the particular context, be subject to the Data Protection Act 1998 regarding the rights of individuals to have information of a personal nature treated in an appropriate manner and the Human Rights Act 1998, protecting the privacy of individuals and families. As well as these statutory provisions, restrictions on photography arise from issues of child protection and copyright in performances.

2 Consent and permission

The consent of parents/carers (and young people of appropriate age and capacity) should be sought before any photos are taken and displayed. This will be obtained at the beginning of each session and will cover the following categories:

- **Photography and display in school**
- **Public display (local and national press, TV and media)**
- **Personal photography at school events**
- **Online within the school website and Glow**

When consent has not been given the school will consider how best to manage arrangements to ensure this is respected and dealt with sensitively while enabling others to take authorised photos.

3 Reason and purpose

Photos should only be taken by an authorised person who has a suitable reason i.e. they are a parent, a relative or member of staff.

Personal photos of school activities such as; sports day, concerts, trips etc should be used for individual purposes and not public purpose e.g. not posted on the internet and passed to others unconnected to the child.

4 What formats are covered by this guidance?

Photography (including mobile phone) video, film and digital imaging.

5 Identification of subjects

Photographs should not allow children's identity or location to be discovered. This is particularly important in ensuring that children in vulnerable circumstances: who are looked after, affected by child protection concerns or for other legal reasons, are safeguarded. On this basis photos in the public domain should not include full pupil names.

6 Parental photography

School photos are a traditional part of family records celebrating development, progress and achievement. Where possible arrangements should allow photos to be taken by parents and carers attending school events. The Information Commissioner advises that personal photos taken at school events (sports day, concerts, etc) do not breach the Data Protection Act.

Where pupils are performing in drama or musical performances with a commercial copyright in place no audio or video recording will be permitted other than by the school for internal purposes.

7 Press, media and authorised agencies

The press, other media and commercial photographers can be authorised by the Head Teacher and Education Department. In these instances the copyright will rest with the photographer. The purpose of these pictures will have been explained to parents/carers/students and written permission sought on each occasion. Pupils will not be photographed unless permission has been obtained.

8 Photography by school staff

School will legitimately take photos of pupils for administrative, curricular and corporate and community purposes. The school will retain copyright and safeguard such photos issuing them to pupils as appropriate.

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The vast majority of occasions when people take photos of children and young people are valid and do not provide any cause for concern.

Unfortunately there are occasions when this is not the case and which represent some risk:-

- **The identification of individual children to facilitate abuse**
- **The identification of children in vulnerable circumstances**
- **The collection, circulation and misuse of images**

This guidance advises on how best to deal with the tricky issues that can arise.

For further information on data protection issues the Information Commissioner's web address is: ***www.ico.gov.uk***

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East Renfrewshire Council
Education Department