



Bromley Safeguarding
Children Partnership

BROMLEY SAFEGUARDING CHILDREN PARTNERSHIP

GUIDANCE ON USING PHOTOGRAPHIC IMAGES OF CHILDREN

Introduction

This guidance has been produced to assist educational establishments, and other organisations who work with children and young people, in forming their own policies and procedures regarding the safe photography and the video recording of children and young people.

It is important that schools take practical steps to ensure that pictures and images of children taken, not only by members of the press, school staff, but also by parents/carers, are done in a way that reflects the protective ethos of the school.

Establishments using photographic images of children and young people need to comply with the Data Protection Act 2018 and Freedom of Information Act 2000 as well as preserving the safety of children.

- Always ask for parental/carer consent for photographs to be taken of children, who are under the age of 18 years of age, while in school or on school activities. It is suggested that parents/carers are asked to sign a section of the school's admissions form giving permission for images to be taken, but that also the form indicates that images will be used appropriately. Parents may also be written to before individual trips or events requesting permission with a returnable signed permission slip. Images should not be displayed on websites, in publications or in a public place without consent. The definition of a public place includes areas where visitors to the school have access.
- If two parents disagree over consent for their child to appear in photographs or videos, then it has to be treated as if consent has not been given. Likewise, if the parents give consent but the child does not, then it is safer to assume that consent has not been given. Parents retain the right to withdraw consent at any stage but they need to do so in writing.
- Consent from staff, or any other adults, who may appear in the photograph or video is also required.
- Many school activities involve recording images. These may be undertaken as part of the curriculum, extra school activities, for publicity, or to celebrate achievement. Staff should be aware of the potential for photographs/recordings of children to be

misused for pornographic or 'grooming' purposes or bullying. Careful consideration should be given when they involve young or vulnerable pupils who may be unable to question why or how the activities are taking place.

Good Practice

- It is recommended that when using a photograph, the following guidance should be followed:

If the photograph is used, avoid naming the pupil.

If the pupil is named, avoid using their photograph.

- Schools should establish whether the image(s) will be retained for further use. Images should be securely stored and used only by those authorised to do so. Photographs can be stored electronically but should be in a secure area.
- Staff should remain sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation. Avoid taking images in one-to-one situations.
- Ensure all children are appropriately dressed. For example, if a child has successfully completed a gymnastics award, it would be appropriate to show the child in a tracksuit rather than a leotard.
- Avoid images that show a single child with no surrounding context of what they are learning or doing – a group of three or four children are more likely to show the activity to better effect. Use photographs that represent the diversity of the young people participating. Remember to include images of children from different communities in your communications whenever possible, and to use positive images of disabled children. This will ensure that your photographs are inclusive of the whole community and comply with the Equality Act 2010.
- Do not use images that are likely to cause distress, upset or embarrassment.
- Photographs should not be used after a child, or member of staff appearing in them, has left the school.
- Be clear about the purpose of the activity and about what will happen to the photographs when the lesson/activity is concluded.
- Ensure that a senior member of staff is aware that the school's photography/image equipment is being used and for what purpose.
- Staff should not use their personal photographic/video equipment, nor take images of children and young people using personal mobile telephones.
- Staff should ensure that all images are available for scrutiny and be able to justify images of children in their possession.
- Report any concerns relating to any inappropriate or intrusive photography to the Head Teacher/Manager.
- Accidental/Non-accidental injuries - it is not appropriate to take photographs of a pupil's injuries, as it may cause distress and humiliation. If appropriate seek medical help and in the case of a suspected non-accidental injury contact Social Care as soon as possible.

- School websites should avoid using personal details or full names of any child or adult in a photograph, although first names can be used in some circumstances. Also avoid giving personal e-mail, postal addresses, telephone details.

Parental Permission

As previously mentioned, use of images of children requires the consent of the parent/carer. If a parent fails to return a consent form, do not assume that consent is given.

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.

When photographic images are transmitted or shared beyond the establishment, e.g. television broadcasts, images on intranet or internet sites, images on social media specific permission should be sought.

Teacher Training and Portfolios

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

Children Photographing/Recording Each Other

Every school should have a clear and comprehensive Use of Smart/Mobile Phone Policy in place. Mobile telephones which contain cameras should not be used in changing rooms, toilets, etc.

Schools should ensure their policy includes arrangements for offsite activities, particularly residential activities, as for most children it will be the norm to want to take photographs to record the trip or event. Staff should discuss a code of conduct regarding the taking of photographs/video with the children and parents/carers before the trip.

Schools should be familiar and comply with the latest national guidance on youth produced imagery/sharing nudes and semi-nudes/indecent imagery. Current guidance is [Sharing nudes and semi-nudes: advice for education settings working with children and young people \(December 2020\)](#).

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.

Parents Evenings, Concerts, Presentations

Ensure and make clear to parent(s)/carer(s) in a letter that photography/video recording only takes place in designated areas. For example, in the main school hall where the assembly or school performance is taking place, and not in 'backstage' areas or school classrooms.

Make clear to parents/carers that recordings and photographs they take, which include other people's children, are for their own personal use and not to be shared (including on social media).

Encourage parents/carers with video cameras to sit towards the back of the room during assemblies/performances to prevent obscuring other people's view.

Research the possibility of creating a school video of the event giving parents/carers the option to get/purchase a copy of the school video. For schools that do not have the right equipment to undertake this, an approach could be made to another school who might agree to loan the necessary equipment.

A set of photographs could be taken by the school and orders taken for copies. This is made easier where a school has a digital camera.

Newspapers

Children and young people are usually proud and delighted to see themselves in the paper either through an individual success or as part of a team. It is though not acceptable to invite a newspaper to take photographs and then refuse to provide names. Newspapers are unlikely to print anonymous photographs. When an establishment invites a newspaper to take photographs of an event it would be good practice to discuss the requirements with the newspaper first and to obtain the views/permission of parents/carers.