



RIKKYO SCHOOL IN ENGLAND

Photographic and Video Images and Audio Recordings

| Date | Review Date | Coordinator | Headmaster |
|------------|-------------|-------------|------------|
| 15/04/2019 | 01/11/2019 | Mr.T.Okuno | Dr.T.Okano |

We believe this policy relates to the following legislation:

- Children Act 1989
- Education Act 1996
- Data Protection Act 2018
- Human Rights Act 1998
- Education Act 2002
- Children Act 2004
- Safeguarding Children: Working Together Under the Children Act 2004 (2006) (Wales)
- Safeguarding Vulnerable Groups Act 2006
- Education and Inspections Act 2006
- Children and Young Persons Act 2008
- Equality Act 2010
- Protection of Freedoms Act 2012
- Special Educational Needs and Disability (Detained Persons) Regulations 2015

The following documentation is also related to this policy:

- Equality Act 2010: Advice for Schools (DfE)
- Special Educational Needs and Disability Code of Practice: 0 to 25 Years. Statutory Guidance for Organisations Who Work With and Support Children and Young People with Special Educational Needs and Disabilities (DfE) and (DoH)
- Dealing with Allegations of Abuse against Teachers and other Staff: Guidance for Local Authorities, Headmasters, School Staff, Governing Bodies and Proprietors of Independent Schools (DfE)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children: A Guide to Inter-agency Working to Safeguard and Promote the Welfare of Children

The meaning of photographic and video images and audio recordings in this policy includes photographs, digital photographs, webcam, film, video and audio recordings. Through this policy we aim to protect pupils and school personnel's rights of privacy and minimize the risks to which they can be exposed by the misuse of images or recordings. The policy takes into account data protection, child protection and human rights issues.

We believe that the responsible use of images and recordings can make a valuable contribution to school life as it can increase pupil motivation and celebrates the school's achievements, which also helps to promote the work of the school.



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We only use images that the Senior Leadership Team consider suitable, which represent the ethos of the school and we will not use any images which could be considered to put a child at increased risk. We use images of children in suitable dress. The Senior Leadership Team will decide if images of some activities such as sports or arts are suitable without presenting a risk of potential misuse.

We believe there is no law stopping parents from taking photographs/videos of their children at school events as photographs taken purely for personal use are exempt from the Data Protection Act 2018. However, these photos / videos should not be posted on social media without the consent of the pupils parents. We understand that photographs/videos taken for official school use and stored electronically with other personal data may be covered by the Data Protection Act 2018. We will take a common sense approach by informing and seeking the permission of pupils and their parents before any form of publication.

We understand that Article 8 of the Human Rights Act 1998 might be infringed if a photograph of an individual is taken in a private place without their consent.

We believe this policy complies with the requirements of the Data Protection Act and also allows parents/carers to capture those precious moments when their children are taking part in school events. However, we still feel it courteous to seek the permission of parents/carers when we want to use images of their children in the school prospectus, on the school website, be used on a webcam for internal school use only, appear in printed educational publications, or appear on a professional video that will later be sold to raise money for the school.

We will ensure that photographs taken in school or off-site by school personnel of pupils working or taking part in school events will only be taken by using a school camera and all images must be downloaded and stored safely at school. Under no circumstance will a member of the school personnel use their mobile phones, cameras or video devices to photograph pupils or to send the image to parents.

The unauthorised taking and publication of images of students and school personnel includes the use of private CCTV/webcam devices which are often fitted to vehicles.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Use of Pupil Images for Identification and Administration Purposes

Certain uses of images are necessary for the running / administration of the school and will not require specific consent for example taking a photo of the students for internal identification purposes when they are entering the school. These photos identify the pupil by name and year group. The school is entitled to process such images and take decisions about how to use them subject to any reasonable objections raised.



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CCTV which is in use on the bridle path is being used according to our School Security policy.

Use of Pupil's Images in School Publication

The school uses images of its pupils to keep the school community updated on the activities of the school, and for marketing and promotional purposes. This includes

- display of photos or videos on notice boards within the school premises;
- in communication with the school community ie parents, pupils, staff, trustees and alumnis by email or by post;
- on the school's website and on the school's social media channels – such images would not normally include the pupil's full name or feature a pupil prominently without permission;
- in the school's prospectus and in online, press and other external advertisements for the school – in most circumstances the school will seek the parents or pupil's specific consent, depending on the nature of the image used.

Use of Pupil's Images in the Media

Where possible, the school will always notify parents in advance when the media is expected to attend an event at the school or a school activity in which school pupils are taking part, and will make any reasonable effort to ensure that any pupils whose parent has refused permission for images in these circumstances are not photographed or filmed by the media.

The school will only provide images to the media in those cases where parents have been informed about the media's visit and have consented to a publication of images. If the media asks for the name of the pupil, this will only be provided if the parents have been informed about the media visit and both parent and pupil have consented to the name being published.

Use of an External Photographer or Film Crew

We will inform parents when the school has given permission for an official photographer or a film crew to take photographs / video films at the school.

Any professional photographer or film crew used by the school will be accompanied at all times by a member of staff when on school premises. Only reputable professionals will be used, and the school will provide a clear brief about what is considered appropriate in terms of content and behavior. The school will ensure that one-to-one photo or filming sessions are supervised.



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Aims

- To provide a common sense approach to the taking of photographic and video images of children during school events.
- To comply with the requirements of the Data Protection Act 2018 and Human Rights Act 1998.
- To work with other schools and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Headmaster

The Headmaster will:

- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- ensure that consent for the publication of images and recordings has been obtained if required;
- decide the conditions that apply to the taking of images and recordings at all school events in order that children are kept safe and that the performance is not disrupted and children and staff are not distracted;
- has a duty to prevent unauthorised taking and publication of images of school personnel and pupils;
- protect the rights of all children in the school;
- protect the rights of school personnel by:
 - banning the use of mobile photographic phones by pupils in school;
 - where a parent takes a photograph of a member of the school personnel without that person's permission will request that the image is destroyed;
 - obtaining their permission to use their photographic image on the school website or in a school publication
- ensure that photographs / videos taken will be stored securely
- ensure that no CCTV is installed in any dormitories
- make effective use of relevant research and information to improve this policy;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by speaking with pupils, school personnel, and parents;

Role of School Personnel

School personnel will:

- not photograph pupils using their private mobile phones, cameras or video devices;



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- ensure that they use school equipment if they take photos of pupils during a school activity, and all images must be downloaded and stored safely at school;
- ensure mobile CCTV/webcam on their vehicle is turned off on the school premises;
- receive guidance / training with regard to this policy;
- comply with all aspects of this policy;
- be aware of all other linked policies;
- report any concerns they have on any aspect of the school community

The Under Article 8 of the Human Rights Act 1998 individuals have the right to respect for private and family life. This right is infringed where images of school personnel are taken without their consent and especially where these images are manipulated or published without their consent.

Role of Pupils

Pupils will:

- be aware of and comply with this policy;
- not take or store photographs of others without their consent;
- not temper with any photographs of others;
- not post photographic images of others without their consent on social media;
- not use cameras or filming equipment (including on mobile phones) in toilets, washing or changing areas;
- be given sanctions if they:
 - bring electronic devices into school without permission;
 - take, store or temper with images of others without their consent or post them on email, social networks or distribute them in any other way without their consent;
 - display inappropriate material;
 - send harassing or threatening text messages
- not use photographic or filming / audio equipment in any way that may offend or cause upset;
- take part in questionnaires and surveys if required

Role of Parents

Within the limits of this policy Parents may take pictures of school events for personal use but should not post pictures on social media unless they have the permission of the parents of other children in the photo.

Parents/carers will be asked to complete the consent form so that images of their children may be used:



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- in the school prospectus;
- on the school website;
- on video or webcam;
- in the media
- appear in any printed educational publication
- appear on a professional video that will later be sold to raise money for the school

Parents will be reminded that photographs must not be taken of children when they are changing for any school event.

Parents should not post images of

Parents/carers will:

- be aware of and comply with this policy;
- be asked to take part periodic surveys conducted by the school;
- support the school rules and guidance necessary to ensure smooth running of the school

Training

All school personnel receive periodic training so that they are kept up to date with new information.

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator and the Headmaster.

Reviewed 31/08/2017 and November 2018