



Guidance for staff on the use of images	
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1 Introduction

- 1.1 This guidance is to help staff understand the School's approach to taking and using images (i.e. photographs and videos including live streaming). Although most of this guidance concerns images of pupils, it also covers images of parents and staff at sections 6 and 7.
- 1.2 If an individual is identifiable from an image, it will contain their personal data. Taking and using the image is therefore covered by data protection legislation. If an individual can only be identified indirectly from the image, then data protection legislation (and this guidance) still applies. For example, a football player may be identifiable from their shirt number even if their back is to the camera or if their face is obscured.
- 1.3 If the School breaches data protection legislation, there is a risk that individuals may complain to the Information Commissioner's Office (the data protection regulator) or bring a claim in court for compensation. There are also reputational consequences.
- 1.4 Staff must always check that taking or publishing a photo, or making or publishing a video, will not put a pupil or anyone else at risk. Further information on this, and how photos and videos relate to the School's safeguarding obligations, can be found below (see section 15).
- 1.5 Staff must make sure they have read the following policies alongside this guidance:
 - 1.5.1 Acceptable Use of IT Policy;
 - 1.5.2 Staff Code of Conduct;
 - 1.5.3 Anti-bullying Policy;
 - 1.5.4 Safeguarding and Child Protection Policy;
 - 1.5.5 Data Protection Policy;
 - 1.5.6 Staff Privacy Notice; and
 - 1.5.7 Information Security Policy.
- 1.6 This guidance applies when staff do anything in relation to an image. This includes, but is not limited to, taking, editing and storing images.
- 1.7 Staff must abide by this guidance at all times when using images of pupils, parents or staff, for example, on the School premises and off site in connection with School activities.
- 1.8 This guidance does not form part of any contract of employment and may be amended by the School at any time.
- 1.9 If staff have any questions, they should speak to the Director of Compliance.

2 The School's approach

- 2.1 The School seeks permission to use images of pupils (and parents) for marketing reasons (e.g. on the School's website or in a newsletter) and allows parents and pupils to opt-out at any time. Permission in this context is not the same as consent under the UK GDPR.

- 2.2 Before taking or using an image for marketing reasons you must check the relevant permissions. If you have any questions about the permissions, please speak to the Director of Compliance.
- 2.3 If the proposed use of an image is more unusual or privacy intrusive (e.g. a bus advert or billboard) you must speak to the Director of Compliance because we may need to speak to the parent and/or pupil about this particular proposed use.
- 2.4 The School does not seek permission to use images for welfare and education reasons (e.g. ID cards and school work). However, you must still check to ensure there is no issue with using images (e.g. safeguarding concerns about a particular pupil) and comply with the remainder of this guidance.

3 Key things to avoid

- 3.1 Staff must not take or use images of pupils that:
 - 3.1.1 put a pupil at risk (see section 15);
 - 3.1.2 might cause embarrassment or distress;
 - 3.1.3 are associated with distressing or sensitive issues;
 - 3.1.4 are taken during one to one situations; or
 - 3.1.5 are unnecessarily intrusive.
- 3.2 Immediately stop any photography or filming or live streaming if there is an incident. For example, if filming/streaming a rugby match and a player appears to have suffered an injury, then the filming/streaming must stop in order to respect the privacy of the player involved.
- 3.3 Please see the School's Staff Code of Conduct for further guidance on the taking and using of photos and videos of pupils.
- 3.4 Staff must not send or show images to third parties, such as publishers or web designers, unless this has been authorised by the Director of Compliance.

4 Transparency

- 4.1 Where possible, individuals should be given an opportunity to opt-out at the time the image is taken.
- 4.2 The School has a pupil privacy notice which includes a section on the use of images and a photos and videos policy. Please read these documents so that you understand what parents and pupils are told.
- 4.3 As a general guide, children are considered to have sufficient maturity to exercise their own data protection rights when they reach the age of 12. Accordingly, the School has decided that:
 - 4.3.1 for pupils in Year 6 and below, the School will communicate with parents only. For example, the images permission will be sought from parents only;

4.3.2 for pupils in Years 7 to 11, the School will communicate with both parents and pupils and permission sought from both; and

4.3.3 for pupils in the Sixth Form, the School will communicate with and seek permission from the pupil only, but the parents will still also be provided with the Pupil Privacy Notice.

4.4 These points above are relevant to paragraphs 2, 5, 10, 12, 13, 14 and 17.

5 Former pupils

5.1 Pupils and their parents are informed through the Pupil Privacy Notice that images of pupils may be used after they have left the School.

5.2 You must still check the permissions given in relation to former pupils. Please speak to the Director of Compliance if you are not sure.

6 Images of parents

6.1 The School uses the same approach for images of parents as it does with images of pupils. Therefore, this guidance applies equally to images taken of parents and the rules around taking and using images of pupils in this guidance should be read as applying to parents as well.

6.2 In particular, staff should be aware that the safeguarding considerations that are applicable to images of pupils also apply to parents. For example, publishing an image of a parent may put both the pupil and parent at risk. Therefore, you must still check with the parents that it can be used, e.g. speak to the DSL or check a particular list.

7 Images of staff

7.1 In most cases, the School does not seek permission before using an image of staff. This is because staff do not require the same protection as children and will not have the same expectations of privacy when doing their job. However, the School will still seek written permission from staff for uses of images that are especially privacy intrusive e.g. a photo or video used in a national advertising campaign.

7.2 The Staff Privacy Notice contains information about how the School uses images of staff. Please make sure that you have reviewed this. If you have any questions, or if you wish to object to the School taking and using images of you, please speak to the Director of Compliance.

7.3 If you plan to use an image of staff in a way that is not covered by the Staff Privacy Notice, please speak to the Director of Compliance.

8 Early Years Foundation Stage

- 9 The School's Safeguarding and Child Protection Policy covers the use of cameras and mobile phones in the Early Years Foundation Stage. Please refer to this policy in respect of children in the Early Years Foundation Stage.

10 Devices

- 10.1 Staff must only use School owned devices to take images unless there are exceptional circumstances. An example of an exceptional circumstance is if an image needs to be taken for safeguarding reasons and it's not possible to use a School owned device. Please speak to the IT Manager if you require the use of a School owned device.
- 10.2 Staff must comply with the Acceptable Use of IT for Staff Policy at all times.

11 Images taken by other organisations

- 11.1 Third parties must only take images with the authorisation of the Director of Compliance and where there is appropriate supervision. For example:
- 11.1.1 the School might hire a professional photographer to take official School photos or to video a school play;
 - 11.1.2 a company used by the School to provide extra-curricular activities asks to use photos of our pupils for advertising purposes; or
 - 11.1.3 a photographer from a media outlet might attend an event at the School.
- 11.2 If the press will be attending school events, the School will let parents and pupils know about this via newsletters, bulletins or on publicity materials. The Director of Compliance is responsible for checking that the information provided is data protection compliant.
- 11.3 The School may need to provide information on the other organisation's behalf before allowing the images to be taken by that organisation, and the Director of Compliance will be able to confirm arrangements.
- 11.4 The Director of Compliance is responsible for considering other data protection issues such as ensuring that there is an appropriate agreement in place with the other organisation where necessary. You must not enter into an agreement with the other organisation without authority from the Director of Compliance.

12 Images to be used by the School's overseas schools

- 13 The School may provide images of our pupils and staff to our overseas schools for promotional reasons, but this must always be authorised by the Director of Compliance first.

14 Taking images of pupils from other schools

- 14.1 Pupils from other schools may attend events at the School e.g. sports matches. If the School is taking photos, making video recordings or live streaming, similar data protection considerations will apply.
- 14.2 The School must:

- 14.2.1 Discuss any intended taking, recording or use of images with the other school. The other school must confirm in writing that it does not object to what you propose.
- 14.2.2 Ask the other school to confirm in writing that there are no specific reasons why any of their pupils cannot be included in photos or videos (e.g. no safeguarding concerns).
- 14.2.3 Check the other school's practices and do not do anything that would be inconsistent with their practices (even if you think they are too cautious).
- 14.2.4 Make sure that each individual has been given clear information about what the School proposes to do, so that they may object. By "individual", we mean the pupil themselves if in the Sixth Form, pupil and parents if the pupil is in Years 7 to 11 (inclusive) and just the parent if the pupil is in Year 6 or below (please see paragraph 4.2). The School must liaise with the other school to work out how best to communicate this information.
- 14.2.5 The Director of Compliance should be consulted in relation to any use of images that is more privacy intrusive because additional steps may be required. For example, a close up photograph or the publication of images on social media.

15 When other schools take images of the School's pupils

- 15.1 You must remind the other school that it must not take photos or videos without agreement from the School. Should permission be sought by the other school, please speak to the Director of Compliance.

16 Taking images of prospective pupils at open days and taster days

- 16.1 Parents (and the pupil if age appropriate, see paragraph 4.2) should be told about the taking and use of images at open days and taster days (both before they attend and on the day itself).
- 16.2 When communicating this information on the day they attend, they can be told in person if it is not practicable to provide written information. This will be co-ordinated by the Director of Compliance.
- 16.3 As an additional step, the photographer (whether internal or external) will be told to make pupils and parents aware of his/her presence before taking images and to explain where the images will be published in broad terms. Pupils and parents should be given the opportunity to not appear in the photos. If you consider that this might not be happening, please let the Director of Compliance know immediately.
- 16.4 However, if the image is more privacy intrusive (e.g. a close up photo or published on social media), then permission must be sought and the Director of Compliance must be consulted.

17 Safeguarding, AI and image manipulation

- 17.1 Staff must be mindful of safeguarding issues when taking and using images. For example, there may be a very good reason why a pupil's whereabouts or presence at the School must be kept confidential. The School has a system in place to notify staff of which

children should not be photographed or videoed under any circumstances (even if the proposed image falls under the green category). Details can be found by speaking to the Designated Safeguarding Lead.

- 17.2 Staff must raise any concerns about the welfare of a child in accordance with the procedures in the School's safeguarding and child protection policy. For example, concerns should be reported if they become aware of anyone:

17.2.1 taking an unusually large number of images;

17.2.2 taking images in inappropriate settings such as cloakrooms, toilets or changing areas; or

17.2.3 taking images of children who are apparently unaware that they are being photographed or filmed.

- 17.3 Staff must not publish images of pupils or parents on any personal social media account, personal webpage or similar platform. Staff must not use personal devices to take or store images.

- 17.4 If staff are ever unsure, they must always speak to the Designated Safeguarding Lead.

- 17.5 Staff should be aware of the risk of images being manipulated by a third party, for example the use of AI to create sexually explicit deepfakes. Therefore please:

17.5.1 Only publish compressed, low-resolution versions of images.

17.5.2 Remove metadata (for example, GPS coordinates) before publication.

17.5.3 Apply visible watermarking or school logos to deter image extraction and reuse.

17.5.4 Assess and configure privacy settings (including on social media) to make it harder to download images.

17.5.5 Staff must not use AI in relation to images (e.g. photo editing tools, biometric recognition) without first speaking to the Director of Compliance.

18 Intellectual property and image ownership

- 18.1 If you think that your use of an image might raise intellectual property issues (for example, videoing a play which is subject to copyright) please speak to the Director of Compliance.

- 18.2 Please bear in mind that ownership of the copyright in a photo typically belongs to the person who took the photo (or their employer) rather than the person who appears in the photo.

- 18.3 Please also bear in mind that copyright exists in photos and videos that are published on the internet, even if they are publicly available and are not marked with a copyright notice. It is reasonably common for schools to be charged substantial sums retrospectively for the use of photos or videos copied from the internet by members of staff who were unaware of the financial consequences of their actions.

19 Objections

- 19.1 If a parent or pupil tells you that they object, you must not use the image in question and must immediately inform the Director of Compliance so that the School's records can be updated.
- 19.2 In the vast majority of cases, any objection will take precedence over the publicity requirements of the School but the Director of Compliance will make the final decision.
- 19.3 Situations may arise where the pupil and their parents disagree about the use of a photo. If a pupil objects to the use of their photo / video it should not be published, even if their parents do not object. Equally, sometimes a photo / video should not be published if a parent objects, but a pupil does not. The non-objecting party should be informed of the other's objection unless there is a good reason not to do this.
- 19.4 There may be pupils at the School whose images cannot be used under any circumstances.
- 19.5 This would be relevant if, for example, the pupil had famous parents or there might be a risk that they will be abducted should their presence at the School become known. Please see section 15.

20 Images taken by parents and family

- 20.1 When parents or other visitors (such as grandparents and family friends) take photos or videos for personal use, this is not usually covered by data protection legislation.
- 20.2 However, if an event is subject to copyright or performing rights restrictions, the School may prevent visitors from taking images. The Director of Compliance will co-ordinate how this is communicated to visitors. For example, by placing a statement in the invitation or by an announcement at the start of the event.