



# Using Photographic Images of Children

**Next Review: November 2025**

# **Using images of children: Photographs, short clip videos, websites, blogging, twitter mobile phones and webcams.**

## **Introduction and Background.**

We live in an age where digital technology has vastly increased the use, and potential misuse of photography.

Due to publicity surrounding concerns about such matters as whether to allow filming of school events we have devised a policy concerning the use of photography and video recording

We aim to maintain trust in the parent-school relationship, and to enable those parents with particular concerns to specify what they wish to withhold consent.

Generally, photographs for school and family use and those that appear in the press are a source of pleasure and pride which we believe will enhance self-esteem for children, young people and their families. We feel this practice should continue within safe guidelines. In school, we may use images or videos for a variety of reasons such as the school website, Tapestry and twitter account, display boards around school, monthly newsletters and other educational purposes.

The following guidelines have been drawn up by Monkhouse Primary School concerning our approach to photography use by and taking place in school.

### **1. Issues of Consent.**

The Data Protection Act 1998 affects our school use of photographs. This is because an image of a child is personal data for the purpose of the Act, and it is a requirement that consent is obtained from the parent or guardian of a child or young person under the age of 18 for any photography or short clip video recordings for purposes beyond the school's core educational function (e.g. school website, school productions). It is also important to ascertain the views of the child.

As it may be likely that there will be a number of occasions during a pupil's school life when the school may wish to photograph or video that pupil, we recommend that consent is sought when the pupil's start at the school, to last for the duration of their stay.

A signed [Consent Form](#), should be obtained from the child's parent/guardian, and kept on file covering all cases where images of children are to be used beyond the parameters of school use.

Where children are "Looked After" schools must check on their corporate parent's behalf with the Social Worker, and there may be other situations (in adoption placements or following resettlement from domestic violence for example), where a child's security is known by the school to be at stake, indicating the need for extra care.

Parents retain the right to withdraw their consent at any stage; this should be done so in writing. All images of pupils will be deleted once they leave the school, except where they have been used in school publications.

### **2. Planning Photographs of Children.**

Images published together with names and details of pupils allow for the remote possibility that people outside the school could identify, and then attempt to contact pupils directly. The measures described below will help to minimise the risk of such unsolicited action.

- Where possible, use general shots of classroom or group activities rather than close-up pictures of individual children. Consider the camera angle; photographs taken over the shoulder or from behind are less identifiable.
- Use images of children in suitable dress, and take care when photographing P.E events to maintain modesty (any images pertaining to swimming need to be carefully considered).

- Aim to include images from children of different backgrounds in communications where possible and positive images of children with disabilities to promote the school as an inclusive community, and to comply with the Disability Discrimination Act.
- Consider alternatives. Is a photograph of the child necessary, or would an article be as well illustrated by the children's work, for example?

### **3. Identifying Pupils.**

The DfES advises the following, as a broad rule of thumb, where consent is unclear;

- If the pupil is named, avoid using their photograph. If a photograph is used, avoid using the name

In school communications we recommend that;

- You use the minimum of information. It may not be necessary to accompany a picture with the pupil's names, the year group and the school.
- When fully naming pupils in any published text whether in the school brochure or website, avoid using their photographs, unless you have specific parental consent to do so. However the pupil's first names may be used.

### **4. Using Photographs of children supplied by a Third Party.**

Copyright does not apply to images for private family use. However, copyright does exist in commercial photographs and it rests with the photographer. Copyright is a right that the photographer automatically has as the creator of the work to prevent others exploiting their work and to control how others use it.

Before using a photograph supplied by a third party you should check that the third party owns the copyright in the photograph and you should obtain their written or verbally recorded permission to use it. If you use a photograph without the copyright owner's permission you could find that an action is taken against you for copyright infringement.

Images downloaded from the internet are also subjected to copyright.

Third parties will generally be under the same obligation as the school to obtain parental consent to use and distribution of photographs. You should therefore ask the third party to guarantee to you that all relevant consents have been given and that they are entitled to provide you with the image.

### **5. Use of images of children in the press.**

There may be occasions when the press take photographs of pupils at school. As well as highlighting the potential risks of photography in general terms, the consent form attached specifically enables parents to decide whether to agree to their children being featured in the news media.

Many schools continue to allow newspapers to use the children's names alongside the photographs of school events, provided that parents give their consent. This is the position of Monkhouse.

It may be appropriate to ask the press if, when publishing a group photograph, they could avoid printing the children's names in left-to-right order (which is the traditional method), thus making it harder to identify individual children.

To a great extent, the manner in which the media approach children is restricted by the media industry's own codes of practice, as well as by law. Journalists should not photograph or interview children under the age 16 without the consent of a parent or another responsible adult, and children should be approached at school without the school's permission.

However, there is no formal guidance on the use of children's names with photographs that are legitimately taken by the press with the school's permission. This has been the subject of correspondence between the newspaper society, which represents the local and regional

newspapers, and the DfES. As a result, the Secretary of State has confirmed that the advice given by the DfES (see section 3) refers only to images used by schools for their publicity purposes, such as publications or websites, and should not be construed as advice on how to deal with the media.

A copy of this guidance should be communicated clearly to local newspapers in each instance, to try avoid any misunderstandings or conflict. If access is granted, it should be made clear in advance to journalists on what basis they are being allowed to take photographs and what use they can make of the images and the pupil's names.

## **6. School Prospectuses and other Literature.**

Although most school literature is sent to a specific audience, it would be best to avoid using personal details or full names of any child in a photograph. Follow the DfES advice (see section 3).

## **7. Videos.**

There must be parental consent before any child can appear in a video. Parents can make their own **short clip** video recordings of Nativity Plays and other such events for their own personal and family use, as they are not covered by the Data Protection Act (Please refer to sections 8 and 11). **Short clip** video recordings made by parents **must not** be uploaded to the Internet and social networking sites without the permission of all individuals in the video.

## **8. School Productions.**

The use of videos and photographs at Nativity Plays and other school productions and events.

Parents/Carers are not required to comply with the Data Protection Act 1998 when taking photographs for their own private use of their children at an organised event (see section 11).

Parents/Carers are not permitted, however, to take photographs or to make a **short clip** video for anything other than their own private use. We believe everyone should have control and say over what and where images or videos containing them are posted online, therefore 'private use' **does not** include uploading images or short clip videos to the Internet and social networking sites. Recording and/or photography other than for private use would require consent of all other parents/carers whose children may be included in the images. To make sales or pass on copies without this could be a breach of the Data Protection Act.

We will allow parents/carers to photograph or take a **short clip** video of productions or events as long as;

When hosting an event where parents are permitted to take photographs or **short clip** video, it should be made clear from the start that any images taken are for private use only and if they include others, they **must not** be put on the web/internet without their consent; otherwise Data Protection legislation may be contravened. We will aim to give verbal guidance to parents at the start of an event.

In relation to child protection considerations, we need to be as certain as possible that images reproduced are appropriate and they are not reproduced elsewhere without consent. It is important, therefore, to be sure that people with no connection with the school do not have the opportunity to film covertly. School Staff should be prepared to question anyone they do not recognise who is using a camera or video to record images at a school production.

Those parents and carers known to the school and helping with an event, such as assisting with children dressing and changing, **should not** take photos or short clip videos whilst doing so.

It is acceptable in relation to the Data Protection Act for the school to film and then sell videos of events as the children's names would not be associated with their image and it would still be for the

personal use of those involved. These videos or photographs should not be resold or used for other purposes such as newspapers or media coverage.

School Production/event checklist:

- Events can be videoed or photographed
- Display/distribute a copy to all parents/carers of the “Use your camera and video courteously” code (see below)
- Remind parents/carers with a verbal announcement at the start of an event that any images or **short clip** videos must be taken for personal use only and remind them such images should not be put on the internet, otherwise Data Protection legislation is likely to be contravened.
- Be sure that people with no connection with school do not have the opportunity to film covertly- remember to ask staff to quiz anyone not recognised who is using a camera or recording equipment at an event.
- If a video is produced by the school of a production, avoid attaching a cast list as this would require additional parental consent so as not to contravene the Data Protection Act.

The Headteacher and the Governors have the responsibility to decide if photography and videoing short clips of a certain event is permitted. They will decide the conditions that will apply in order for the children to be kept safe, any performance is not disrupted and children are not distracted. Parents and carers will be reminded that they are attending school events at the invitation of the Headteacher and the Governors.

## **9. Websites, blogs and social networking**

This area has received a lot of publicity due to a potential or perceived increased threat of abuse. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated, without parents or children’s knowledge. The dual concern which follows such as risk is that children might be exploited, and a school may be criticised and/or face action.

It is important to take care with identification, and to respect parental views on the use of any photography of children on a website.

We will continue to post photographs on our school website, school blogs and school twitter accounts but pupils will only be identifiable by their first name on areas accessible to the general public. Full names will be avoided even if a picture is not present. We will aim to post group pictures where possible.

## **10. Webcams.**

The regulations for using webcams are similar to those for CCTV. This means that the area in which you are using the webcam must be well signposted and people must know the webcam is there before they enter the area, in order to consent to being viewed in this way. Children should be consulted and adults would need to consent as well as the parents of all children involved.

In gaining consent, you must tell the person why the webcam is there, what you will use the images for, who might what to look at the images and what security measures are in place to protect access.

The DfEs advice is that unless a webcam is a response to a specific threat or difficulty in relation to either crime or health and safety, it may pose more difficulties for the school than it would actually resolve. If staff wish to use a webcam consultation with the Headteacher is required.

## **11. Parental right to take photographs.**

Parents are not covered by the Data Protection Act 1998 if they are taking photos or a **short clip** video for their own private use. The Act does not, therefore, stop parents taking photographs or **short clip** videos at school events, such as nativity plays (see section 8).

Parents are not permitted to take photographs or make **short clip** video recordings for anything other than their own personal use. Private use **does not** include uploading images or short clip videos to the Internet and social networking sites. Recording and/or photographing other than for private use would require the consent of the other parents whose children may be captured on film. Without this consent the Data Protection Act 1998 would be breached

## **12. The storage of images.**

Photographs must be maintained securely for authorised school use only, and disposed of by return to the children's parents/carers, shredding or deleting as appropriate and as per the GDPR and DPA 2018.

Staff are to take photographs or videos of pupils using school ipads, images are not to be taken by staff on their personal mobile phones.

Parents retain the right to withdraw their consent at any stage; this should be done so in writing. All images of pupils will be deleted once they leave the school, except where they have been used in school publications.

## **13. Official school photographs.**

At Monkhouse, we periodically invite an official photographer into school to take portraits of individual children and/or groups. A risk assessment considering such an activity in terms of the validity of the photographer involved and establishing which checks have been undertaken will be carried out. Procedures should also ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present on the school site. Parents, Carers and pupils will be notified when the official photographer will be coming into school.