

Photography in School Policy

This policy applies to the whole school and is published to parents

Updated February 2014

Author: Richard Metcalfe



This policy is based on guidance provided by the Information Commissioner's Office.

The Data Protection Act is unlikely to apply in many cases where photographs are taken in School. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos of school activities. For the purposes of this Policy, "photographs" includes any kind of still or moving image with or without sound and whether stored/transmitted electronically or as hard copy. The Policy applies to photography within School and at any event outside school organised by RGS (e.g. a school trip or away sports fixture).

Where the Act does apply, a common sense approach suggests that the photographer asks for permission to take a photograph, which will usually be enough to ensure compliance.

Photos taken for official School use may be covered by the Act and students should be advised that they are being taken.

Photos taken purely for personal use are exempt from the Act.

For example:

- a parent takes a photograph of their child with some friends during School Sports Day to be put in the family album – these images are for personal use and the Data Protection Act does not apply
- a photograph is taken of each student for the school database or similar purpose – these images are stored electronically with other personal data and the terms of the Act will apply
- a small group of pupils are photographed in a science lesson and the photo will be used in a school publication – this will be personal data, but will not breach the Act so long as the students and/or their parents are aware this is happening and the context in which the photo will be used
- a photograph is taken by a local newspaper of a school event: as long as the School has agreed to this, and the students and/or their parents are aware that photographs of the event may appear in the newspaper, this will not be a breach of the Act.

The above examples cover data protection issues, but staff should also be sensitive to the views of students who are included in photographs. The following good practice is recommended for all RGS staff:

- it should not be possible to identify the student(s) appearing on a photograph from any text associated with the photograph (i.e. a caption or editorial content) unless the student(s) has/have given their consent;
- it is important to be particularly sensitive when photographing children participating in activities such as swimming and gymnastics;
- even where there is no text identifying the student appearing in the photograph, if it is to appear in a high profile location (e.g. on the website homepage or advertisement in the press or on the Metro), then the agreement of the student/parents should be obtained first; and
- with regard to consent, for a child under 16 years of age it should be obtained from his/her parent(s).

For information, this is the relevant clause in the Acceptance of Standard Terms and Conditions signed by parents when a student enters RGS:

Parents agree that a student's photograph or image may appear with his/her name attached in printed or electronically transmitted internal school publications. When such images are offered for publication in the public domain (including the school's website, newsletters, etc) parents are deemed to have consented to publication of the image of their child, provided that the child's name is not shown in association with the image. The child's name will only be shown in association with an image published in the public domain when that the child's parent (or, for a child age 16 or over, the child him/herself) has first given consent.

The Headmaster reminds parents annually that, unless we hear to the contrary from them, we assume that we have their consent to take photographs of their children at RGS.