

Guidance on the use of photography and video equipment by parents/carers

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Education staff are often asked by parents/carers whether they can make video recordings or take photographs of their children at school events such as nativity plays and sports days. This guidance has been developed to support education settings to allow this to occur while ensuring that all young people who may be photographed or videoed are safeguarded.

Photographs and videos of pupils and staff are classed as personal data under the terms of the Data Protection Act 1998. Therefore, using such photographs for school publicity purposes requires the consent of either the individual concerned or in the case of pupils, their legal guardians.

However, parents/carers are not required to comply with the terms of the Data Protection Act when taking photographs or video of their children for their own personal use at an organised event. It is lawful and can be allowed. Parent/carers should, nonetheless, be made aware that the use of the photographs/video must be strictly for personal use and should not be shared online (i.e. through any social media network), sold nor distributed via any other means

Education settings reserve the right to decide whether they wish to allow parents/carers to take photographs/video at events. The setting also reserves the right to withdraw the consent for parents/carers to take photographs/video for example on health and safety grounds (i.e. due to excessive use of flashlights or bulky and noisy equipment which could also be distracting for pupils).

Settings should ensure that only individuals with a connection to pupils take photographs or video. Members of staff have the authority to question anyone they do not recognise (while maintaining their own safety) should they be observed using photographic/videoing equipment or if it is being used covertly. Settings may wish to consider asking the audience or spectators to register at an event if they wish to use such equipment and provide an indication (i.e. sticker or wrist band) for each registered person. This will assist staff in recognising those who have registered and to respond appropriately to those who have not.

Parents/carers should also be made aware of the appropriate use of photographic/videoing equipment. Parents/carers should be informed they are only permitted to make videos/take photographs in designated areas of the setting and that it is not permitted in sensitive areas such as toilets or changing rooms at any time. Settings should ensure that pupils are suitably dressed when in the designated areas and photographs or video of children in swimming costumes at swimming galas should only be taken from the shoulders up.

When hosting an event where parents/carers are permitted to take photographs or videos, settings should provide written guidance to parents/carers prior to the event within the invitation or as part of information given to parents when new children join the setting. Example guidance is shown in the appendix. Settings could also consider publishing specific information concerning photographic/videoing equipment prominently in the event programme and/or making an announcement prior to the start of the event.

For more information please see the following guidance from The Information Commissioners Office. https://ico.org.uk/media/for-organisations/documents/1136/taking_photos.pdf

Appendix: Example guidance for parents/carers on the use of photographic/videoing equipment

XXXXX school recognises that parents/carers who attend school events such as nativity plays or sports day like to capture special moments in photos or on video. Therefore, parents/carers are permitted to take photographs and/or make videos at XXXXX school events where they have been invited to attend by the setting.

Parents/carers must adhere to the following guidance at all times when using photographic/videoing equipment at XXXXX school events.

- Photographs and video captured at school events by parents/carers are for personal use only.
- Photographs and video from school events should not be posted online through any social media network such as Facebook, YouTube or Instagram nor any other website. While XXXXX school recognises the internet is an easy way to share treasured moments with family and friends we must ensure that we protect and safeguard all children and staff, many of whom do not want their photograph shared online. For others, doing so may compromise their safety. Parents/carers may not always know who these people are and XXXXX school requires everyone's support to protect the whole community.
- Parents/carers should not sell or distribute by any other means photographs or video taken at XXXXX school events.
- Members of staff at XXXXX school reserves the right to challenge any person using photographic/video equipment at a school event who they do not recognise or where they do not know that person's connection to pupils. The member of staff also reserves the right to ask the person to stop taking photographs/video if this cannot be established and to ask them to leave if they do not comply with this request.
- Parents/carers should only take photographs/video in the designated areas as set out by the school.
- Parents/carers should not take photographs in sensitive areas such as toilets or changing rooms at any time.
- When at a swimming gala parents/carers should only take photographs of children from the shoulders up.
- Parents/carers should be mindful of the appropriateness of the photographs/videos they are taking at all times. While XXXXX school will ensure that pupils are appropriately dressed while in the designated areas at the school event parents/carers should ensure that any photographs or footage taken is sensitive and appropriate.

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- XXXXX school reserves the right to ask a parent/carer to leave if they are observed taking inappropriate photographs/video or if they are observed covertly using photographic/video equipment. Where this occurs XXXXX school will follow necessary safeguarding procedure.
- XXXXX school reserves the right to remove consent to take photographs/video at any time.
- Parents/carers are required to follow additional guidance in event programmes or announcements from school staff as to when photography and videoing are permitted.