

Guidance for schools: Parents & Carers use of photography and filming at school events

Parent/carers use of photography and filming at school events and the way that they subsequently chose to use these images is sometimes a difficult area for schools to manage. Our practice has to take into consideration the Information Commissioner's Office (ICO) guidance whilst aiming to protect vulnerable pupils. With this in mind, some schools have identified a need for guidance in preparation for the end of term Christmas activities.

Parents and carers may wish to photograph or make video recordings of their children taking part in school events as these images are an enduring part of each family's record of their child's progress and a celebration of success and achievement. The Data Protection Act 1998 does not apply to images taken purely for personal use and therefore parents and carers are exempt from the provisions of the Act if they are taking photographs or making a video recording for **their own private use**. The Information Commissioner's Office guidance makes it clear that the Act should not be used as a reason to stop parents or family members from photographing or recording school events.

When the Act applies and when it does not:

Personal use:

1. A parent takes a photograph of their child and some friends taking part in the school sports day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.
2. Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the Data Protection Act does not apply.

Official school use

1. Photographs of pupils or students are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
2. A small group of pupils are photographed during a science lesson and the photo is to be used in the school prospectus. This will be personal data but will not breach the Act as long as the children and/or their guardians are aware this is happening and the context in which the photo will be used.

Media use

A photograph is taken by a local newspaper of a school awards ceremony. As long as the school has agreed to this, and the children and/or their guardians are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the Act

Whilst the ICO guidance clarifies the issues surrounding parental photography and data protection, it does not provide clarity on how schools can manage some of the safeguarding issues that are related to photography of school events. An example may include:

A parent/carer has posted a photograph of the school production on a social networking site. Whilst the photograph has been taken to celebrate the achievement of their child, it includes other pupils at the school including a child who has moved to the area because their parent has fled a

violent parent. The photograph will identify the child, the family's whereabouts and may place both child and parent in considerable danger.

We must always be mindful of the need to safeguard the welfare of children in our schools, and issues of child protection, data protection and parental consent will need to be given careful thought. Whilst aiming to include all pupils in these productions and events, every effort should be made by the school to prevent capturing of the image of any child who should not be identified or whose parent has not given consent for their images to be captured.

Here are some practical steps you could take to ensure that images of children are taken and used safely:

- Make sure you remind parents about your school's policy and let them know that you are ready to listen and take seriously the concerns of individual parents.
- Include a section in the consent form to indicate that any images parents take during school activities will not be used inappropriately.
- Include a statement on parental responsibility for appropriate use of images in the relevant school policy.
- Ask parents or legal guardians for permission for their child to be included in images taken by other parents whose children are also participating in the same school event. Ask every year in the standard school communication if parents wish to change their permission.
- Include a section in the consent form to indicate that any images parents take during school activities will not be used inappropriately.
- If they are allowed, they should be advised only to take photos of their own child or to seek permission of other parents if they wish to take photographs of the whole cast.
- Photos, if taken, should only be used for the family's own album and should not be posted on websites.
- Many schools have found it useful to ask parents not to film or take photographs during the performance but to set aside time at the end for parents to photograph their child.
- Parents can get upset by the suggestion that one of them may use the images inappropriately; it might be useful to advise them on the safe use of social networking sites and the implications of posting photographs and videos.
- Many parents have mobile phones with very good cameras. You can ask parents to switch off their phones during the performance. This would be simple good manners anyway, but it would be virtually impossible to police the event for mobile phone cameras.
- The important thing is to be sure that people with no connection with your school do not have any opportunity to film covertly. Ask your staff to quiz anyone they do not recognise who is using a camera or video recorder at events and productions and include this instruction in your consent form or any event tickets.

Further information & Advice

- ICO - **[Taking Photographs in Schools](#)**
- ICO – **[Social networking](#)**.
- E-Safety Toolkit