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Designated Safeguarding Lead (DSL) Name: <i>Abigail Gilby</i>	

### Related policies and procedures

This policy should be read alongside our organisational policies, procedures, guidance and other related documents.

### Legal framework

This policy is based on guidance provided by the Information Commissioner's Office, <https://ico.org.uk/your-data-matters/schools/photos/>, the Data Protection Act and the General Data Protection Regulations (GDPR) which came into force in 2018.

### Terminology

For the purposes of this Policy, the word "photograph" includes any kind of still or moving image with or without sound and whether stored/transmitted electronically or as hard copy.

### Personal use

Parents/carers often want to take or share photographs purely for personal use. While we do not prohibit personal photography, to safeguard all our learners, and particularly our vulnerable learners, all parents/carers, learners, and visitors are prohibited from taking photos of learners other than their own child. This also applies to learners with their own phones / photographic equipment. Therefore, if parents/carers want to take photos of their own child they must ensure that no other child is in the shot. Exceptions to this rule can be granted if the parent/carer of the other child/ren gives express permission. Always check with a member of staff before taking photos.

You can download or screenshot photos of your own child from my social media accounts or webpage and use them so long as there is no other child in the photo. However, if the photo in question has another child in it, you may not share it in any way unless the parent/carer of the other child/ren gives express permission.

These rules are in place to safeguard all our learners, especially the most vulnerable.

Any person found in breach of these photography rules may be asked to cease attendance without refund.

### Official use

Photographs taken for official use by the school are covered by the law and learners and parents/carers should be advised that they are being taken.

There are four ways we will take and use photographs:

- 1) For safeguarding (for identification). For example, we keep a copy of an ID style head and shoulders photo on our database so that we can correctly identify learners. These are legal reasons which allow us to use photos or images of your child in this way without your consent. For further information, please see our Safeguarding Policy and Privacy Notice.
- 2) Internal use (to record a child's learning and progress, to celebrate achievement, or for printed promotional materials). This could include hard copies used in a learner's own work, on wall displays or portfolios to show prospective parents/carers and other clients, including schools and Local Authorities.



- 3) External use (for printed marketing and advertising, and in the press). This could include printed leaflets and posters, and national or local newspapers or magazines. (Please note that some press outlets also publish their articles and images on the own websites; in giving your consent, you understand that images may be used in printed and electronic form.)
- 4) Online use (on our website and social media). These images will be visible to the general public who access details about InclusEd using our online platforms. Please note that websites can be viewed throughout the world and not just in the United Kingdom where UK law applies.

### **Consent**

Under data protection law, we need the consent of parents/carers for internal use, external use and online use of photographs or video images of learners.

There is no obligation for you to give consent and if you choose not to give consent for some or all of the options on the consent form, we will ensure that your child's photo or a video is not used for those purposes if your child can be identified from it. Where we take group photos of learners, we may publish a photograph if we are satisfied that individual learners cannot be identified from the image.

Parents/carers are expected to their child if they do not to give consent for any of the options below so the child is aware if we must exclude them from any photo.

Consent will last for the duration of a child's time at InclusEd but can be withdrawn or changed at any time. If consent is withdrawn, we will stop using the photograph, but we may still need to retain a copy for other reasons.

### **Duration of storage**

No photographs will be retained by InclusEd for more than a year. This applies to physical, printed photographs as well as to photographs stored electronically. There are some exceptions: notably where documents and publications that contain photographs are kept for archive purposes, and where photographs that accurately represent our provision are retained for online advertising.

### **Monitoring and Review**

This policy is reviewed annually as part of InclusEd's annual cycle of review.



### Appendix A – Consent to use photographs and images

Child's Name: \_\_\_\_\_

On behalf of the child named above, I give InclusEd permission to use my content for the following (please tick the relevant boxes):

- Printed promotional materials (internal use)
- Marketing and advertising, and in the press (external use)
- Website and social media (online use)

Date: \_\_\_\_\_

Parent/Carer Signature: \_\_\_\_\_

Parent/Carer Name: \_\_\_\_\_

Parent/Carer Contact: \_\_\_\_\_

### Review

Date: \_\_\_\_\_

Parent/Carer Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Parent/Carer Signature: \_\_\_\_\_

### Contact details

Director / Lead Teacher / Designated Safeguarding Lead (DSL)

Name: *Abigail Gilby*

Email: [InclusEd.Thetford@gmail.com](mailto:InclusEd.Thetford@gmail.com)

Mobile / WhatsApp: 07552 558869

Facebook: <https://www.facebook.com/InclusEdLtd>