



RUGBY SCHOOL

Images Policy

January 2024

1.0 INTRODUCTION

1.1 This policy lays out the protocols for the taking and processing of images of children at Rugby School.

1.2 The aims of this policy are:

- to promote safety and welfare and respect for others;
- to ensure a sensible balance between privacy, creative self-expression and routine collating of information;
- to comply with the law and good practice without adhering to unnecessary bureaucratic procedures.

2.0 SCOPE

2.1 This policy is addressed to all members of staff and students at Rugby School. The policy relates to the taking, using and storing of images of children:

- on School premises; or
- in connection with School activities; or
- for other legitimate purposes of the School.

It covers the activities of staff, students, parents, and visitors to the School.

2.2 This policy must be read by all staff who work at Rugby School. It does not need to form part of the central staff sign off as it is referenced in the *Staff Code of Conduct*. Students will be aware of the guidance for them through the *Guidelines for Life at Rugby School*.

3.0 DEFINITIONS

3.1 Images - this expression in relation to students includes:

- photographs and digital photographs;
- video or film clips;
- images captured by mobile phones or other electronic devices.

3.2 Taking images - this expression includes, unless otherwise stated, making, editing, using, exhibiting and storing images of students.

4.0 PRIVACY

4.1 No person is authorised to take images of children that:

- might cause embarrassment or distress; or
- are associated with distressing or sensitive issues; or
- are unnecessarily intrusive.

4.2 If there is any doubt about these matters, the person wishing to take the image must obtain the written consent of the child's parent(s) or, where the child is of sufficient maturity and

understanding, the written consent of the child (see 7.3) and of the Designated Safeguarding Lead.

- 4.3 Filming and photography by television or newspaper journalists will take place only with the consent of the Marketing and PR team and under appropriate supervision. When images are taken for publication by television or newspaper journalists, children will only be named if there is a particular reason to do so (for example if they have won a prize) and home addresses will not be given out. The information will also be checked to ensure that the child's School residence cannot be identified in line with normal safeguarding procedures.

5.0 PROMOTIONAL MATERIAL

- 5.1 It is a term of the contract for educational services which exists between the School and the parents of a student, that photographs of the student may be taken and used by the School in accordance with normal custom and practice. Such custom and practice will include set piece photographs of the School, House, team, theatre cast and snapshots of School activities. It has also been custom and practice for independent schools to use images of their students for marketing purposes, such as in prospectuses and promotional videos or displays on its website.
- 5.2 The School's terms and conditions specify that parents who do not want their child's photograph or image to appear in any of the School's promotional material must make sure that their child knows this and must write immediately to the Deputy Head, requesting an acknowledgement of their letter.

6.0 TAKING IMAGES BY VISITORS AND PARENTS

- 6.1 Parents and friends often wish to take images of their children at school plays and concerts or sporting activities. Courtesy and good manners require that the following rules are respected:
- Visitors must use their cameras with consideration and confine their photography to the relevant event;
 - If visitors ask whether they can take photographs, they should be reminded that whilst it is permissible under the General Data Protection Regulation 2018 to take photographs for personal use, publication of such images (including on personal social networking sites even where access to the image may be limited) may be unlawful;
 - Where a play or concert or other event is subject to copyright and performing rights restrictions, visitors will not be permitted to take images, photographs or video film.

7.0 CONSENT

- 7.1 Although the consent of parent(s) or students is not always a legal requirement, the School will seek express prior consent from students, or of parents if the student is not of sufficient maturity and understanding (see 7.3):
- for public use of portrait style images of individual students;
 - for use of students' images by or with commercial sponsors;
 - where a student wishes to use images of other pupils as part of GCSE or A-level coursework;

- where the School might receive a payment or other tangible benefit for allowing the use of a photograph, for example, providing a photograph to the media where the student has subsequently become a celebrity.
- 7.2 Where consent is required as above, the School will obtain such consent from the student, provided that the student is of sufficient maturity and understanding to provide consent. If not, consent will be sought from at least one parent (see 7.3).
- 7.3 All Rugby School students will normally be considered to be capable of giving or withholding consent.
- 7.4 Should a child or parent decide at any time the child is at the School that they do not wish photographs or images of them to be used in any of the School's promotional material they have the right to withdraw their consent and should advise the Deputy Head of this.

8.0 PHOTOGRAPHS AS PART OF A STUDENT RECORD

- 8.1 All students are required to supply a passport-style photograph at the point of enrollment at the school, which forms part of the student's personal record. The School takes photographs of individual students at the start of their school career and at the start of the LXX for use of their school record and on school identification cards. These images are subject to the General Data Protection Regulation 2018 and will therefore:
- be stored securely;
 - not be used for any other purpose without the consent of the student or his or her parent(s) (see 6.3);
 - not be shown, copied or given to any unauthorised person.

9.0 USE OF CAMERAS, VIDEO CAMERAS AND MOBILE DEVICES WITH CAMERAS

- 9.1 Students may only use cameras (of any sort) in lesson times with the express permission of the member of staff in charge and with the permission of those appearing in the image.
- 9.2 Students may only take images with cameras (of any sort) with the express permission of all those appearing in the image. All students must allow staff access to images stored on mobile electronic devices and/or cameras and must delete images if requested to do so. Rights to privacy must be respected and images which could be construed as indecent are prohibited. See also the School's policy on searching and confiscation in the Appendix to the *Discipline and Rewards Policy*.
- 9.3 Using photographic material of any kind to bully, harass or intimidate others will not be tolerated and will constitute a serious breach of discipline. Appropriate action will be taken in accordance with the School's *Anti-bullying, Discipline and Rewards* and *Online Safety* policies.
- 9.4 Photographs of any member of the School community are not permitted to be displayed publicly around the school campus unless sanctioned by an appropriate member of staff for official use on notice boards or authorised brochures/posters, and only with the consent of the individual(s) in the image.

10.0 SAFEGUARDING

- 10.1 When publishing images of children in School documents or on the website, care will be taken to minimise the risk of such images being modified to create inappropriate or indecent images. The Designated Safeguarding Lead can give specific advice as requested.
- 10.2 Images of children posted on websites and social media will never contain the child's full name or allow their place of residence to be identified.
- 10.3 Staff will be mindful of child protection issues and will raise concerns with the Designated Safeguarding Lead if they become aware of anyone:
- taking an unusually large number of images;
 - taking images in inappropriate settings such as cloakrooms, toilets or changing areas;
 - taking images of children who are apparently unaware that they are being photographed or filmed.
 - contravening the guidance in this policy or other Rugby School policies in any way.

11.0 TAKING IMAGES OF STUDENTS BY STAFF

- 11.1 The following should be considered:
- 11.1.1 the purpose of the activity should be clear as should what will happen to the photographs or videos;
 - 11.1.2 all images should be made available to the Deputy Head or Designated Safeguarding Lead in order to determine acceptability;
 - 11.1.3 images should not be made during one-to-one situations;
 - 11.1.4 the student must be appropriately dressed;
 - 11.1.5 the student must understand why the images are being taken and must agree to the activity;
 - 11.1.6 it is desirable, where possible, to only use equipment provided or authorised by the Rugby School Group;
 - 11.1.7 all images of children must be stored securely and only accessed by those authorised to do so; and
 - 11.1.8 images must not be taken secretly.
- 11.2 It is permissible for staff to take images of students using their own electronic devices as long as the following procedures are followed:
- 11.2.1 the images must be uploaded to social media or to a shared photo site accessible to other staff or to a Rugby School shared server visible to the IT Services Department as soon as is practicable. The images must then be removed from the member of staff's device. If for any reason this is not possible, the Designated Safeguarding Lead must be informed.
- 11.3 Images including groups of students taken on school trips or other activities, for example team photos or photos including well-known tourist attractions or memorable trips, may be kept by members of staff so as to provide a memento of the trip, as long as these images, or possession

of them, would not constitute a child protection concern for the Designated Safeguarding Lead. Images of individual students should not be kept under any circumstances.

- 11.4 The Designated Safeguarding Lead must be consulted if there is any doubt about taking or keeping images of children. The Designated Safeguarding Lead's decision on these matters will be final.

12.0 RECORDING OF LESSONS

- 12.1 Teachers may wish to record parts of lessons either online or live in order to re-use the material or to enable those who cannot attend to catch up. Students are not able to record lessons.
- 12.2 Lessons may also be recorded for students engaged in distanced learning, e.g., where there is a significant time difference or where the student is unwell and unable to access the lesson at the time when it takes place.
- 12.3 All meeting participants are informed when a recording starts and ends.
- 12.4 Students participating in the lesson will have access to the recording for 7 days, only the teacher will have access after this time. A link to the recording can be shared, but recipients of this link do not have the ability to download the recording.

13.0 POLICY OWNER

- 13.1 The Head of Safeguarding is responsible for updating this policy.
- 13.2 The Head of Safeguarding reports to the COO and the Executive Principal.

14.0 RELATED POLICIES AND GUIDANCE

General Data Protection Regulation (2018)
Keeping Children Safe in Education (2023)
Working Together to Safeguard Children (2023)
Anti-bullying Policy
Data Protection Policy
Discipline and Rewards Policy
Governor Code of Conduct
Guidelines for Life at Rugby School
Online Safety Policy
Staff Code of Conduct
Staff IT and Communications System Acceptable Use Policy
Student Privacy Notice

15.0 FURTHER INFORMATION

15.1 Further information about this policy can be obtained from the Head of Safeguarding (safeguarding@rugbyschool.net).

Authorised Student Pastoral Welfare Committee

March 2024