

Taking, Storing and Using of Images Policy Whole School

This Policy applies to the Whole School, including EYFS and Boarding

1. Scope and aims of the Policy

- 1.1 This policy seeks to ensure that images taken within and by Kent College Pembury are taken and held legally and the required thought is given to safeguarding all members of the community.
- 1.2 This policy applies to all staff including the governing body, teachers, support staff, external contractors, visitors, volunteers and other individuals who work for or provide services on behalf of the school (collectively referred to as staff in this policy) as well as children and parents/carers (referred to in this policy as "parents").
- 1.3 This policy must be read in conjunction with other relevant policies including, but not limited to; Child Protection and Safeguarding, Anti-Bullying, Behaviour Privacy Notice, Acceptable Use of Technology Policies (AUPs), AI Policy and relevant curriculum policies including computing, Personal Social and Health Education (PSHE), Citizenship and Relationships and Sex Education (RSE).
- 1.4 This policy applies to all images, including still photographs and video content taken by Kent College Pembury ("the school"). It also covers the school's approach to the use of cameras and filming equipment at school events and on school premises by parents and pupils themselves, and the media.
- 1.5 All images taken by Kent College Pembury will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
 - fairly, lawfully and in a transparent manner
 - for specified, explicit and legitimate purposes
 - in a way that is adequate, relevant limited to what is necessary
 - to ensure it is accurate and up to date
 - for no longer than is necessary
 - in a manner that ensures appropriate security
- 1.6 The Data Protection Lead (DPL) within Kent College Pembury (Angela Jenkins, Bursar) supported by the Designated Safeguarding Lead (Louise Payne, Deputy Head Pastoral) and management team are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the Images Policy.
- 1.7 It applies in addition to the school's parent contract, and any other information the school may provide about a particular use of pupil images, including e.g. signage about the use of CCTV; and more general information about use of pupils' personal data, e.g. the school's Privacy Notice. Images of pupils in a safeguarding context are dealt with under the school's relevant safeguarding policies

2. General points to be aware of

- 2.1 Certain uses of images are necessary for the ordinary running of the school; other uses are in the legitimate interests of the school and its community and unlikely to cause any negative impact on pupils. The school is entitled lawfully to process such images and take decisions about how to use them, subject to any reasonable objections raised.
- 2.2 Parents who accept a place for their child at the school are invited to indicate agreement to the school using images of her as set out in this policy via the form attached to the school's terms and conditions and/or from time to time if a particular use of the pupil's image is requested. However, parents should be aware of the fact that certain uses of their child's images may be necessary or unavoidable (for example if they are included incidentally in CCTV or a photograph).
- 2.3 We hope parents will feel able to support the school in using pupils' images to celebrate their achievements, sporting and academic; to promote the work of the school; and for important administrative purposes such as identification and security.
- 2.4 Any parent who wishes to limit the use of images of a child for whom they are responsible should contact the Deputy Head Pastoral in writing or fill in the form available from the Senior School Office. The School will respect the wishes of parents/carers (and indeed pupils themselves) wherever reasonably possible, and in accordance with this policy.
- 2.5 Parents should be aware that, from around the age of 12 and upwards, the law recognises pupils' own rights to have a say in how their personal information is used – including images.
- 2.6 Where remote video provision for pupils (via e.g. Zoom or Teams) is necessary, whether for lessons or e.g. counselling, the school will notify its policies in respect of monitoring, recording and retention of such sessions (along with policies on appropriate dress and supervision).

3. Official use and publication of Images of children

Parental consent

- 3.1. Written permission from children and/or parents or carers will always be obtained before images of children are taken, used or published. The school will use images of its pupils to keep the school community updated on the activities of the school, and for marking and promotional purposes including:
 - on internal displays (including clips of moving images) on digital and conventional notice boards within the school premises;
 - in communications with the school community (parents, pupils, staff, Governors and alumni) including by email, on the school intranet and by post;
 - on the school's website and, where appropriate, via the school's social media channels, e.g. Twitter, Instagram and Facebook. Such images would not normally be accompanied by the child's full name without permission; and

in the school's prospectus, and in online, press and other external advertisements for the school. Such external advertising would not normally include pupils' names and in some circumstances the school will seek the parent or pupil's specific consent, depending on the nature of the image or the use.

3.1.2 The school's policy in respect of the above uses is as follows:

3.1.3 **Legitimate interests** will be relied upon for any uses which are either essential (for example, security, administration and education) or which fall within a scope of reasonably expected uses. Reasonably expected uses include via internal school or parent communications, on the intranet, in printed material such as a school magazine or prospectus, or any uses whereby an individual child cannot reasonably be identified by someone outside the school community: for example, where their face cannot clearly be seen

3.1.4 The key effect of the school relying on legitimate interests is that parents and pupils may be entitled to object to such uses, although their specific consent will not be sought beforehand. Any objections will be duly considered by the school, but objections can be overridden by other factors: for example, uses which the school considers essential; or uses which create little or no risk of harm (including where children are not at risk of outside identification).

3.1.5 **Consent** will be sought for all other external uses of pupil images online. In particular, where any intended use is more intrusive or unexpected – for example, if a child is the focus of the image and their face can clearly be seen – the school will discuss the use with the pupil or parents (as appropriate) in advance and seek a specific, *ad hoc* consent.

3.1.6 The school will take reasonable steps following any objection or withdrawal of consent but may not be able to recall or destroy printed materials. Any particular concerns or vulnerabilities relating to a pupil or their family should be drawn to the school's attention in advance. The safeguarding and best interests of pupils will remain the school's priorities at all times

3.2. A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of, and the record will be updated accordingly.

3.3 The source of these images will predominantly be the school's staff (who are subject to policies and rules in how and when to take such images), or a professional photographer used for marketing and promotional purposes, or occasionally pupils. The school will only use images of pupils in suitable dress and the images will be stored securely and centrally.

4. Safety of Images

4.1 Images of students or staff must not be uploaded to, generated by, edited in, or shared through AI tools unless risk assessed and approved by the school. Any taking or publishing of images of students or staff will always be in line with our image use, consent, acceptable use, data protection and safeguarding arrangements. All images

taken and processed by or on behalf of the school will take place using school provided equipment and devices and in line with this and other associated policies, including but not limited to Child Protection and Safeguarding policy, Staff Code of Conduct, Online Safety policy

- 4.2 Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training.

Staff will:

- only publish images of learners where they and their parent/carers have given explicit written consent to do so.
- only take images where the child is happy for them to do so.
- ensure that a senior member of staff is aware that the equipment is being used and for what purpose.
- avoid making images in a one-to-one situation.

Staff will not

- Take, create, generate, or alter images of learners for their personal use. Any suspected AI-generated or altered indecent image of a pupil is a safeguarding matter for immediate DSL referral under our Child Protection Policy and Online Safety Policy Section 7.2, and is not simply an Images Policy breach
- display or distribute images of learners unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child).
- take images of learners using personal equipment.
- take images of learners in a state of undress or semi-undress or which could be considered as indecent or sexual
- take images of a child's injury, bruising or similar or make audio recordings of a child's disclosure.

- 4.3 All members of staff, including volunteers, will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

- 4.4 Images will only be retained when there is a clear and agreed purpose for doing so. Images will be stored in an appropriately secure place. Images stored are done so in accordance with principles of data security as set out in the Data Protection Policy.

- 4.5. Images will in the school/setting remain on site, unless prior explicit consent has been given by the DPL and DSL and the parent/carers of any child or young person captured in any images. Should permission be given to take images off site, all relevant details will to be recorded, for example who, what, when and why. Images taken offsite will be kept securely for example with appropriate protection.

- 4.6. Any memory stick/storage or device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.

- 4.7. The DPL and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.
- 4.8 Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.
- 4.9 The school will ensure that images always are held in accordance with data protection laws covering the Data Protection Act 2018, UK GDPR, and the Data (Use and Access) Act 2025, and suitable child protection requirements, if necessary, are in place.
- 4.10 Images will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not to be taken of any images without relevant authority and consent from the DPL and/or DSL and parents

5. Use of Pupil Images for Identification and Security

- 5.1 All pupils are photographed on entering the school and, thereafter, at yearly intervals, for the purposes of internal identification. These photographs identify the pupil by name, year group, house and form/tutor group. In addition, the school uses biometric data for the purposes of registration.
- 5.2 CCTV is in use on school premises, and will sometimes capture images of pupils. Images captured on the School's CCTV system are used in accordance with the Privacy Notice and CCTV Policy / any other information or policies concerning CCTV which may be published by the school from time to time.

6. Publication and sharing of images

- 6.1 Children's' full names will not be used on the school's website or other publication, for example newsletters, social media channels, in association with photographs or videos.
- 6.2 The school will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.
- 6.3 Where practicably possible, the school will always notify parents in advance when the media are expected to attend an event or school activity in which school pupils are participating, and will make every reasonable effort to ensure that any pupil whose parent or carer has refused permission for images of that pupil, or themselves, to be made in these circumstances are not photographed or filmed by the media, nor such images provided for media purposes.
- 6.4 The media often ask for the names of the relevant pupils to go alongside the images, and these will be provided where parents have been informed about the media's visit and either parent or child has consented as appropriate.

7. Security of Pupil Images

- 7.1 Professional photographers and the media are accompanied at all times by a member of staff when on school premises. The school uses only reputable professional

photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with the school's instructions.

- 7.2 The school takes appropriate technical and organisational security measures to ensure that images of pupils held by the school are kept securely on school systems, and protected from loss or misuse. The school will take reasonable steps to ensure that members of staff only have access to images of pupils held by the school where it is necessary for them to do so.
- 7.3 Any external processors of pupil images are engaged only for lawful purposes consistent with those set out in this policy, and subject to proper due diligence and contractual protections.
- 7.4 All staff are given guidance on the school's Policy on Taking, Storing and Using Images of Pupils, and on the importance of ensuring that images of pupils are made and used responsibly, only for school purposes, and in accordance with school policies and the law.
- 7.5 Pupils are also given mandatory and age-appropriate training on their own privacy online and with their peers, including image use and social media safety.

8. Use of Cameras and Filming Equipment (including mobile phones and other devices with camera capability) by Parents

- 8.1 Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in school events, subject to the following guidelines, which the school expects all parents to follow:
 - When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others. Flash photography can disturb others in the audience, or even cause distress for those with medical conditions; the school therefore asks that flash photography is not used at indoor events.
 - Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
 - Parents are reminded that such images are for personal use only. Images which may, expressly or not, identify other pupils should not be made accessible to others via the internet (for example on Facebook), or published in any other way.
 - Parents are reminded that copyright issues may prevent the school from permitting the filming or recording of some plays and concerts. The school will always print a reminder in the programme of events where issues of copyright apply.
 - Parents may not film or take photographs in changing rooms or backstage during school productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.

- 8.2 The school reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines, or is otherwise reasonably felt to be making inappropriate images.
- 8.3 The school sometimes records plays and concerts professionally (or engages a professional photographer or film company to do so), in which case CD, DVD or digital copies may be made available to parents for purchase. Parents of pupils taking part in such plays and concerts will be consulted if it is intended to make such recordings available more widely.
- 8.4 Should remote video provision at home (by Zoom, teams or otherwise) be required or facilitated by the school in any context, specific guidelines and instructions will be provided to ensure privacy and safety, including around dress and recording of video

9. Use of Cameras, devices with camera capability and Filming Equipment by Pupils

- 9.1 All pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.
- 9.2 The use of cameras or filming equipment (including mobile phones and devices with camera capability) is not allowed in toilets, washing or changing areas, nor should photography or filming equipment be used by pupils in a manner that may offend or cause upset.
- 9.3 The use of personal devices, for example, mobile phones, tablets, digital cameras, is covered within the school's Online Safety and Acceptable Use Policy.
- 9.4 The misuse of images, cameras or filming equipment in a way that breaches this Policy, or the school's Anti-Bullying Policy, Data Protection Policy for Pupils, Parents and Carers, Online Safety Policy, AI Policy, IT Acceptable Use Policy for Pupils, Safeguarding Policy or the Behaviour Policy is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

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