**Policy on Taking and Using Photographs/Videos June 2020**

**Rationale:**

We developed a new school website and began using the school’s G Suite apps on a daily basis during the school closure period in 2020. To ensure the safety and privacy of pupils, families and staff in this new virtual school climate, we have updated our Acceptable Use, GDPR, Anti-bullying and other related policies

This policy was put together to clearly explain to parents/guardians what images of their children will be collected and processed by the school and the uses to which those images will be put.

**GDPR/Data protection**

Photographs or recorded images may come within the scope of the Data Protection Acts 1988-2003. (see appendix 1)

**Processing of School Photos/videos (How will they be used):**

Photographs and video clips in our school will be taken for the following purposes:

* Printed and posted on posters, flashcards, notices in the classroom and within the school building
* Published to the school website and Facebook Page
* Used in school publications relating to specific events eg Graduation, Sacraments, Newsletter , Parents Handbook, Green School Submissions etc
* Stored in digital albums on the school’s Google Drive- access restricted and controlled by the G Suite Administrator and Principal
* Used as part of pupil projects – both digital and hard copy
* Stored as part of each child’s e-portfolio on the Google Drive
* Made accessible to parents (with consent) through the online learning platforms eg See-saw, Google classroom etc
* Published in local and national media from time-to-time eg first day at school photos, school sports events, articles about school events such as shows, major projects etc. for the purposes of documenting, promoting or celebrating school activities and achievements
* Published occasionally for the purposes of compiling a report to local and national agencies eg DES, SCP etc
* Images will only be passed to third parties eg local newspaper for their use where this has been explicitly agreed in writing as part of the consent process. A parent/guardian will have to “opt-in” to elect to have their child’s images transferred to third parties (rather than to “opt-out”).
* • the people/bodies to whom it might be transferred. (Note: if it is intended to share the image with a third party (eg. a local newspaper), specific consent to transfer the image to a third party must be obtained prior to the data (such as a photo) being passed on or made available to a third party).
* The individual should be given any other information required to ensure fairness and transparency. Consent should be obtained (preferably on an “opt-in” basis) for each of the intended uses. If this is not done, or if consent is refused, then personal data should not be passed on to third parties or put to any use not agreed.

**Who will take photos/videos:**

* Class and SEN teachers
* SNAs under the direction of the teacher or Principal
* Pupils with the permission of the teacher or Principal and ONLY on school-owned devices
* Parents for school purposes only under the direction of the teacher and with the permission of the Principal
* External agents/agencies eg School Completion Programme, GAA, visiting HSE personnel, coaches, artists etc- can only take photos or videos with the prior permission of the Principal and a Data-Sharing Agreement in place
* CCTV cameras are in place in and around the school (see separate policy). The footage is strictly controlled by the Principal and Board of Management and a Data-Sharing policy exists with the agents Power Right.

**Devices used to take photos:**

* School tablets- must be stored on Google Drive as soon as possible and deleted from device
* School digital cameras- must be stored on Google Drive as soon as possible and deleted from device
* Teacher phones- must be uploaded to the school’s Google Drive and immediately deleted from device

**Storage:**

* All photos related to people and events of the school community must be tagged and dated and stored on the Google Drive in the appropriate folder.
* Folders can only be shared with school personnel. Staff who are no longer in the school will be blocked from access as their school email address will be deleted.
* Any attempt to share outside of the school’s Google Drive will be blocked until Administrator permission is given.
* Photos will be stored on the school’s website. Administrator permission must be sought before uploading to the website. The school has a data sharing agreement with the website hosts.

**School Website and Facebook Account**

* The school’s website address is: [www.stbrendanscartron.com](http://www.stbrendanscartron.com)
* The School’s Facebook account is: <https://m.facebook.com/StBrendansNS>
* The school uses an app affiliated with the website hosted by Schools Ireland
* Photographs must be approved by the website administrators before publication on the website or social media platform.
* Administrators will take into account:
  + that the internet is a public, accessible and largely unregulated media.
  + Images accompanied by personal information - (name) is a pupil of (school) and recently took part in xxx) - could be used by an individual to learn more about a child or young person, and used to form a relationship with them or engage in a process of ‘grooming’ them for abuse.
  + Photographs set in a particular context (e.g., a school event) in an identified location (i.e. the school) reveal a substantial amount of information through which children may be identified.
  + Images should be of a type that represent the school and its activities appropriately
  + Ensure all pupils are appropriately dressed.
  + Ensure that images do not contribute to or expose children to embarrassment, distress or upset.
  + Use images that represent the diversity of pupils participating in any given activity or setting.
  + Do not use images of pupils who are considered vulnerable or whose identity may require protection.
* Photographs, audio and video clips will generally focus on group activities, where children will not be identified by name.
* Digital photographs and audio or video clips of individual students will not be published on the school website and/or affiliated pages, without prior parental/guardian permission.
* Children in photographs will not be identified by name.
* Parent(s)/guardian(s) are requested not to ‘tag’ photographs or any other content which would identify any children or staff in the school.
* Photos/Videos may be used for the production of school booklets or specific school events e.g. Communion etc. These photos/videos and the photos/videos on our website/App should not be copied or posted to any social media or other website or published in any way outside of those belonging to the school.

**Parental consent:**

* The informed, explicit written consent of each parent/guardian will be obtained before their child’s photo is uploaded to the school website.
* We will collect this consent on enrolment to the school and make every effort to ensure that our consent form is clear and explicit. (see permission slip appendix 2)
* Parents will be asked to “opt-in” to each of the intended uses of photos/image (see permission slip appendix 2)
* This consent or otherwise will be noted on each child’s profile on our School Database.
* A copy of this policy and the Acceptable Use Policy will accompany the enrolment form to ensure parents have every opportunity to understand the terms prior to consent being given.
* If there are changes to this policy, we will contact all parents of pupils throughout the school and collect consent for the amended policy.
* Parents/guardians and students aged over 18 years have the right to insist that the school takes down any photo(s) containing an image of them or their child at any time, and this right will be fully respected.
* Where a request is made by a parent/guardian or by a student aged over 18 years, every effort will be made to take the photo(s) down as soon as possible.
* Parents have the right to withdraw any consent previously given but must notify the school in written format.
* If consent is refused, then personal data will not be passed on to third parties or put to any use not agreed.

**Images taken by pupils on personal devices which are not owned by the School**

A school’s data protection policy does not apply to personal data kept on personal devices which are not owned by the school and which are used by an individual for purely personal, family or household affairs, or for recreational purposes.

Accordingly, in general photos and video clips taken by pupils on personal devices which are not owned by the school and which are taken for purely personal, family, household affairs or for recreational purposes will not come within this and the school's data protection policy.

However, we understand that as part maintaining a nurturing school environment which is respectful and safe, we have a role to play in ensuring that students develop a respectful and appropriate attitude to the internet, social media, and their mobile devices. In circumstances where children or young people take photographs or video clips of other pupils, and other individuals, on their own personal devices which are not owned by the school, for their own use, similar ground rules should be agreed in partnership with parents/guardians.

* Images should only be taken with the knowledge and consent of participants.
* No images should be taken which could give rise to embarrassment or distress.

*See AUP Policy; Mobile Phone Policy*

# Photos/Images for schoolwork

* Where pupils take photos/images/videos as part of their schoolwork, for as long as the photos/images/videos are not in the control of the school it will not constitute data to which the school’s data protection policy applies.
* When a pupil is compiling schoolwork at home, and at all relevant times the data is stored on personal devices which are not in the ownership or control of the School, the School’s data protection policy does not apply. This is because it is stored on a device which is not owned or controlled by the school. In such circumstances pupils are solely responsible for the data.
* Images taken by pupils for school work purposes should only be taken with the full knowledge and consent of participants.
* Where pupils hand the photos/images/videos in to school (eg. for assessment/marking) it will constitute personal data coming within the school’s obligations as a data controller and the school's data policy applies.

# Other People Taking Photos of Children at School Events

* Parents are present at school events at the invitation of the school, and it is up to the school to decide if we wish to allow videos or photographs to be taken during the event.
* Photos or videos taken by parents for purely personal, family, household, or recreational purposes will not come within the School's data protection policy.

**Communication:**

As has been the case in the past few years, Parents/guardians will continue to be furnished with a copy of this policy relating to taking and using photos at enrolment stage and must give their written consent to their child’s images being taken and used.

Parents/guardians are requested to inform the school if circumstances change and they no longer wish their child’s image to be taken, used or retained.

For students already enrolled in St. Brendan’s NS, a copy of the school's data protection policy and any other policy relating to taking and using photos will be sent to their parents together with a form requesting the parent/guardian’s written consent to their child’s images being used for as long as the student is enrolled in the school (ie, to cover all photos which may be taken by the school during the student's time in the school).

**Ratification:**

This policy was developed initially by the In-School Management Team and the whole staff (including SNAs and Secretary) during a staff meeting in June 2020.

A copy of this policy was sent to all Board of Management members and agreed at the June 2020 BOM

**Review:**

As the digital world is a rapidly evolving one, we will review this policy annually.

It is part of the ICT Co-Ordinator’s role, in conjunction with the website Administrators, to ensure that this appears annually on a staff meeting agenda and to keep abreast of changes that may be needed.

**Appendix 1**

The Data Commissioner’s Office has published the following Best Practice Guidelines :

* *Recorded images should only be made, kept, and used where there is a valid reason for doing this.*
* *Recording of images should be adequately supervised as would any other activity.*
* *Pupils and their parent/guardian should be informed in advance if and when images will be taken, and their written consent should be sought for image retention and use. The school must spell this out very clearly so that the parent/guardian understands what processing will be involved. This process is known as ‘informed consent’.*
* *Pupils and their parent/guardian should be informed as to how and where images will be used.*
* *Images should only be used for the purpose(s) agreed.*
* *Images should only be used in the intended context and should not be used out of context.*
* *In general, individual pupils should not be identified, with the exception being where they are being publicly acknowledged (e.g., an award, performance, achievement) for which informed consent has been given in writing by a parent/guardian.*
* *For publicity purposes, group photographs are preferable to individual ones. Where the “publicity purpose” includes a school website, prospectus, brochure, yearbook, newsletter etc, schools/ETBs must be aware that parental/guardian consent can be withdrawn at any time for the use of their child’s images, so it must be possible for the school to take down/delete the relevant images if the parental/guardian consent is withdrawn.*
* *Ensure all pupils are appropriately dressed.*
* *Ensure that images do not contribute to or expose children to embarrassment, distress or upset.*
* *Use images that represent the diversity of pupils participating in any given activity or setting.*
* *Do not use images of pupils who are considered vulnerable or whose identity may require protection.*
* *Permission to take and use images of pupils can be requested as part of the school enrolment process. However schools should note that a parent/guardian has the right to withdraw this consent at any time.*
* *Refusal of consent should not in any way limit pupil’s participation in school activities.*
* *Where images are kept for future use, relevant names, dates and other contextual information should be stored with them as well as copies of the signed consent for their usage.*
* *Images should be carefully and securely stored in accordance security and storage and with the consent attached or cross referenced.*
* *Images should only be passed to third parties for their use where this has been explicitly agreed in writing as part of the consent process. A parent/guardian should have to “opt-in” to elect to have their child’s images transferred to third parties (rather than to “opt-out”).*

**Appendix 2**

**Acceptable Use Policy Permission Slip**

Dear Parent(s)/Guardian(s), The staff and Board of Management of St. Brendan’s NS have recently reviewed the school’s Acceptable Use Policy (A.U.P).

Please familiarise yourself with this policy, prior to completing the A.U.P Permission Slip.

School files will be updated accordingly and this form will be kept on file for no longer than is necessary.

Name of pupil: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Class/Year: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Parent/Guardian,

As the parent or legal guardian of the above student, I have read the Acceptable Use Policy and grant permission, **within the parameters set out in the policy,** for my child to (please tick):

* access the Internet in school
* use school digital devices
* have his/her work published to the school’s website
* have his/her photograph/video in a group setting published to the school’s website, app and social media
* Have his/her individual photograph/video published to the school’s website, app and social media
* Have his/her individual photograph/video published in local or national media eg local or national newspaper
* use an assigned school email address for the purpose of accessing the G Suite for education apps
* have his/her work saved on the school’s Google Drive

I understand that students may not be able to participate fully in lessons involving PCs, laptops, iPads, tablets and other IT equipment without consenting to our Acceptable Use Policy.

*All of the above are integral to the school’s GDPR, Anti-Bullying, Child Protection and School Photographs Policies.*

Parent/Guardian Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_