



SAFE START SCHOOL

WILLPOWER-INITIATIVE-SUCCESS-EMPATHY-RESPECT

Photography Policy

Reviewed: October 2026

Reviewed by: Grace Speakman

Ratified By: Kate Collins

Next Review: October 2027

Purpose and scope

Photography and video can celebrate achievement and support learning. Safe Start School will use them only for a clear purpose, with an appropriate lawful basis and safeguards for pupils' privacy, dignity and safety. This policy applies to staff, volunteers, pupils, visitors, photographers and families at school and on school activities, including alternative provision and off-site visits.

It covers photographs, video, audio recorded with video, screenshots, webcams, live streams and digital copies, regardless of device or platform. CCTV and any security audio recording are governed separately

by the CCTV policy, privacy information and data protection impact assessment; publicity consent does not authorise CCTV or audio surveillance.

Legal framework and related policies

This policy reflects the UK GDPR and Data Protection Act 2018, as amended, including relevant provisions of the Data (Use and Access) Act 2025; Keeping children safe in education 2026; current ICO and Department for Education photography guidance; and NSPCC guidance on photographing and filming children. For capacity decisions involving pupils aged 16 or over, the Mental Capacity Act 2005 applies where relevant.

Read this alongside the safeguarding and child protection, staff mobile phone, acceptable use, online safety, data protection, retention and CCTV policies, and pupil and staff privacy notices.

Responsibilities

The Headteacher oversees implementation, approves publication and external photography, and ensures staff receive guidance. The proprietor oversees compliance and resources. The DSL assesses safeguarding restrictions, agrees any individual protection plan and responds to unsafe or inappropriate photography. The designated data protection lead, with the DPO where appointed, advises on lawful bases, privacy information, security, rights requests, retention and breaches.

Staff must check current permissions and restrictions before taking or using images and report concerns promptly. The school office maintains a secure, purpose-specific permissions record. Only staff who need the information may access it; sensitive reasons for restrictions must not be circulated unnecessarily. Families should keep preferences and relevant safety information up to date. Pupils will receive accessible explanations and support to express their wishes.

Lawful use and transparency

An image is personal data where someone is identifiable, including from context, voice, uniform or location. Before collection, the school will record the purpose, lawful basis, audience and retention arrangements, and explain these through accessible privacy information. Different uses of the same image must be assessed separately.

For necessary educational evidence, identification or administration, the school will determine and document the appropriate lawful basis. As an independent school, it will not assume public task applies: any reliance on it must identify a relevant legal function. Where legitimate interests is used, the school will complete a purpose, necessity and balancing assessment giving particular weight to children's rights. Essential processing will not be presented as optional consent.

As school policy, optional identifiable publicity will require specific opt-in consent. Separate choices will cover internal celebratory displays, newsletters and printed publicity, the public website, named school social media channels and external media. Refusal must not disadvantage a pupil. Images revealing health or other special category information require an additional lawful condition where applicable. Images will not be used for facial recognition or biometric identification under this policy.

Where photography is necessary for education or administration and relies on another lawful basis, refusal of publicity consent will not prevent that separate use. Any objection will be considered individually, with safeguarding concerns prioritised.

Consent and pupil choice

Consent must be informed, specific, freely given and recorded by a positive action; silence and pre-ticked boxes are not consent. Requests will explain what will be taken, how and where it will be used, who can see it, the intended period of use, online copying risks and how to withdraw. Permissions will be reviewed annually and when circumstances, purposes or channels change. New uses require a fresh assessment and, where applicable, fresh consent.

For under-18s, the school will consider the pupil's understanding of the particular decision and seek consent from a person with parental responsibility where the pupil cannot give valid consent. For optional publicity, school practice is to seek permission from a person with parental responsibility or verified delegated authority as well as the informed agreement of a pupil who can understand. A pupil's refusal or distress will be respected regardless of adult permission.

Pupils aged 18 or over give their own consent where they have capacity. SEND does not itself mean a person lacks capacity. Communication support will be provided; any capacity concern for a pupil aged 16 or over will be assessed for that decision. Parents cannot automatically consent for an adult pupil. Where valid consent cannot be obtained, optional publicity will not proceed without specialist advice establishing lawful authority and that it is appropriate.

No response, conflicting permissions or unclear authority means no optional photography or publication until resolved. Pupils must remain included in the activity through sensitive framing or other arrangements. Withdrawal may be made verbally or in writing to the office or Headteacher and must be as easy as giving consent. Staff will record and action it promptly; written confirmation is not a condition of withdrawal.

Safeguarding and suitable content

Before taking or publishing images, staff will check permissions, court restrictions and individual safety plans. For looked-after children, the DSL will confirm who has parental responsibility or delegated authority with the social worker and carers. For adopted pupils, the DSL will liaise with adoptive parents and involve other professionals only where appropriate. Care experience does not automatically require exclusion from photographs.

Consent does not override a safeguarding risk. The DSL may restrict capture or publication even where consent exists. Staff will avoid identifying locations, routines, addresses, contact details, visible personal records or other information that could put a pupil at risk. Published images will not be accompanied by full pupil names; even first names require a specific purpose, permission and safeguarding check. Location metadata will be removed before external sharing.

Pupils must be appropriately dressed. Do not photograph intimate care, toileting, changing, undress, injuries, restraint or distress for routine educational or publicity purposes. Cameras must not be used in toilets or changing areas. Swimming photography requires advance Headteacher and DSL approval, an

activity-specific safeguarding assessment and relevant permissions; changing areas remain prohibited. Recording behaviour incidents as a routine management tool is not authorised by this policy.

If an image is exceptionally necessary for a safeguarding or medical purpose, staff must follow the relevant safeguarding or medical procedure and seek DSL advice; urgent protection must not be delayed. Staff must not create unnecessary images or use personal devices. Pupils will never be asked to pose in a way that is humiliating, sexualised or unsafe.

Devices and secure handling

Only school-owned or formally approved organisation-managed devices and accounts may be used by staff. Personal phones, cameras, tablets, wearable cameras and personal cloud or messaging accounts must not be used to capture, store or send pupil images. There is no personal-camera exception for defective equipment or a specialist requirement. Approved external photographers operate under section “Photographers media and live recording”.

Devices must be locked when unattended and stored securely. Images will be transferred promptly, normally by the end of the working day or as soon as secure transfer is possible on a visit, to approved school storage. After transfer has been checked, unnecessary device copies will be deleted, including recently deleted folders where applicable. Personal cloud backup and automatic personal photo synchronisation must be disabled.

Access must be limited to staff who need the images, using individual accounts and appropriate authentication. Do not use shared passwords or unencrypted removable media. Off-site use of school equipment requires authorisation and secure handling. Send images only through approved school systems to verified recipients, checking for other pupils’ images and information. School images must never appear on staff personal social media, even at a parent’s request.

Editing and artificial intelligence

Only authorised edits, such as cropping or anonymisation, may be made; edits must not mislead or embarrass. Do not upload pupil images or voices to public or unapproved AI, face-swap, image-generation or editing services. Any proposed AI processing requires prior Headteacher and data protection approval, supplier checks and a DPIA where required. Consent alone does not make an unsafe tool acceptable. Suspected harmful, sexualised or unauthorised synthetic imagery involving pupils must be reported as a safeguarding concern.

Photographers media and live recording

The Headteacher must approve external photographers and media visits in advance. The school will provide a written brief, verify identity, apply visitor and safeguarding checks appropriate to the role, supervise access and prohibit unsupervised one-to-one sessions. Families and pupils will be told the purpose and proposed publication in advance, with relevant permission and restrictions checked.

Before sharing data, the school will establish whether the provider acts as its processor or as an independent controller. Written arrangements will cover security, permitted uses, onward sharing, retention and deletion; processor contracts will meet data protection requirements. Images must not be used in a photographer’s portfolio, advertising, social media or AI training without separate lawful

authorisation. Parents buying portraits must receive clear information about the provider's own processing.

Live streaming and recording online lessons or events are not covered by general photo permission. Each proposal requires separate approval, clear privacy information, an appropriate lawful basis, safeguarding assessment and controlled access. Recording must be necessary and proportionate, with a defined retention period and suitable alternatives where needed.

Families pupils and events

The Headteacher may allow, restrict or prohibit audience photography according to safeguarding and event needs. Rules will be explained beforehand. Where allowed, families should focus on their own child, avoid disturbing others, follow staff instructions and stop when asked. School rules prohibit posting or forwarding identifiable images of other pupils online or in messaging groups without permission from those pupils or their parents as appropriate, and prohibit audience live streaming.

Purely personal or household photography is generally outside data protection law; sharing privately with friends or family may also fall within that exemption. The school's safeguarding rules still apply. Public online posting may go beyond household use. Pupil photography and recordings must follow the pupil device and acceptable use policies; covert or intrusive recording is not permitted.

Retention withdrawal and information rights

Every image collection must have a documented retention period linked to its purpose and the school retention schedule. Staff will review images at least termly, delete duplicates and unwanted material and review publicity on leaving school or expiry of permission. Educational assessment evidence and necessary safeguarding records follow their own retention requirements; they are not automatically deleted when publicity consent ends.

Withdrawal does not make earlier lawful use unlawful, but continuing consent-based use must stop. The school will promptly remove relevant images from systems, displays and online channels under its control and stop future printing or distribution. It cannot guarantee recovery of copies already distributed or copied by others, but will seek removal where feasible and prioritise safety. An alternative basis will not be adopted retrospectively simply to defeat withdrawal.

Deletion will cover accessible copies and follow documented backup expiry arrangements; images awaiting backup deletion will not be returned to active use. Paper and devices will be securely destroyed or erased. Access, objection, erasure and other rights requests will be referred promptly to the data protection lead, who will apply the relevant legal timescales and exemptions.

Concerns and review

Report inappropriate photography, image misuse, loss, unauthorised sharing or consent errors immediately to the Headteacher and data protection lead, and to the DSL where pupil safety is involved. Concerns about an adult follow the safeguarding allegation and low-level concern procedures. Do not view, copy, forward or delete suspected child sexual imagery; follow the DSL's safeguarding procedure. Immediate danger requires emergency action.

The data protection lead will assess containment, recording and notification. A notifiable personal data breach must be reported to the ICO within 72 hours of awareness; affected people must be informed without undue delay where high risk requires it. The Headteacher will review this policy annually with DSL and data protection advice, or sooner after an incident or change in guidance. Current ICO school photography, DfE data protection in schools and NSPCC photography guidance inform implementation.