



Finn Valley College

Use of student photographs

Guidelines and Procedures for using Student Images

Photographs or recorded images are defined as personal data, and therefore may come within the scope of the Data Protection Acts 1988-2003. Accordingly, the Data Protection Policy of the school/ETB will need to clearly explain to parents/guardians what images of their children will be collected and processed by the school/ETB, and the uses to which those images will be put by the school/ETB.

Parents/guardians should be furnished with a copy of the policy relating to taking and using photos at enrolment stage and must give their written consent to their child's images being used. This must be included in the Enrolment Application form. These written forms of consent signed by the student's parent(s)/guardian(s) should be carefully stored on each student's file.

For students already enrolled in the school, a reminder of the school's policy relating to taking and using photos should be brought to the attention of the parents at the beginning of each academic year indicating that it may be viewed on the school's website and reminding them that they may request a copy of same in writing. They should also be reminded that they can opt out of providing consent by downloading and returning the consent form with the opt out clause from the school's website.

Best Practice

- 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 where possible if and when images will be taken. 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, the school is 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/ETBs 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").

Withdrawal of Parental consent

Parents/guardians and students aged over 18 years have the right to insist that the school/ETB takes down any photo(s) containing an image of them or their child at any time, and this right must be fully respected. Where such a request is made by a parent/guardian or by a student aged over 18 years, every effort should be made to take the photo(s) down as soon as possible.

Managing Risk

In general, when assessing risk, the most important factor is the potential of inappropriate use of the images which have been collected.

Staff should take the following steps to reduce the potential for misuse:

- Avoid using pupils' names (first name or surname) in photograph captions.
- Ensure that the staff member has written parental/guardian permission to use an image of their child where the child is under 18 years.
- Only use images of pupils in suitable dress to reduce the risk of inappropriate use.
- Only use images of students which will reflect appropriately and positively on the student and the school.
- Certain activities present a much greater risk of potential misuse. It is preferable to use images that depict an activity or group context, rather than a particular pupil.
- Consider the age of pupils when deciding what is appropriate.
- Report the use of inappropriate content or images to the Principal (or Deputy Principal in the absence of the Principal) immediately to help reduce the risks to children and young people.

Policy review

These guidelines and procedures shall be reviewed as necessary and on a regular basis in consultation with all of the appropriate partners in education.

These guidelines were reviewed on _____ and were formally adopted by the board of management of Finn Valley College on _____.

Signed: _____

Chairperson

Signed: _____

Secretary