



# Photography & Videos Policy and Privacy Notice

Balfour Primary School

**Date:** May 2018



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## Photography and Videos Policy and Privacy Notice

### Statement of Intent

At Balfour Primary School, we use imagery and videos for a variety of purposes, including prospectuses, display boards, educational purposes, conferences and the school website. We understand that parents may also wish to take videos or photos of their children participating in school events for personal use.

Whilst we recognise the benefits of photography and videos to our school community, we also understand that these can have significant risks for those involved. Under the legal obligations of the General Data Protection Regulation (GDPR), the school has specific responsibilities in terms of how photos and videos are taken, stored and retained.

The school has implemented a policy on the safe use of cameras and videos by staff and parents to reflect the protective ethos of the school with regard to pupils' safety.

In order to ensure that, as far as possible, the use of photography and video is used safely at all times, the policy provided below should be followed. This policy is applicable to all forms of visual media, including film, print, video, DVD and websites.

Signed by:

\_\_\_\_\_

Headteacher

\_\_\_\_\_

Date

\_\_\_\_\_

Chair of Governors

\_\_\_\_\_

Date



## 1. Legal framework

1.1. This policy has due regard to legislation, including, but not limited to, the following:

- The General Data Protection Regulation (GDPR)
- The Freedom of Information Act 2000
- The Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations 2004
- The School Standards and Framework Act 1998
- The Children Act 1989
- The Children Act 2004
- The Equality Act 2010

1.2. This policy has been created with regard to the following guidance:

- Information Commissioner's Office (2017) 'Overview of the General Data Protection Regulation (GDPR)'
- Information Commissioner's Office (2017) 'Preparing for the General Data Protection Regulation (GDPR) 12 steps to take now'

1.3. This policy also has due regard to the school's policies, including, but not limited to, the following:

- Social Media Use Policy
- Safeguarding Policy
- GDPR Data Protection Policy

## 2. Definitions

**For the purpose of this policy:**

2.1. **"Personal use"** of photography and videos is defined as the use of cameras to take images and recordings of children by relatives, friends or known individuals, e.g. a parent taking a group photo of their child and their friends at a school event. These photos and videos are only for personal use by the individual taking the photo, and are not intended to be passed on to unknown sources. The principles of the GDPR do **not** apply to images and videos taken for personal use. **LEGAL BASIS: n/a**

2.2. **"Official school use"** is defined as photography and videos which are used for school purposes, e.g. for building passes. These images are likely to be stored electronically alongside other personal data. The principles of the GDPR apply to images and videos taken for official school use. **LEGAL BASIS: Public task/ Official Authority**

2.3. Staff may also take photos and videos of pupils for **"educational purposes"**. These are not classified as "official school use", but may be used for a variety of reasons, such as school displays, special events, assessment and workbooks. The principles of the GDPR apply to images and videos taken for educational purposes. **LEGAL BASIS: Vital Function**



- 2.4. **“Marketing or Media use”** is defined as photography and videos which are intended for a wide audience, e.g. photographs of children taken for our website or a local newspaper. The principles of the GDPR apply to images and videos taken for media use. **LEGAL BASIS: Consent**

### 3. Roles and responsibilities

3.1. The Headteacher is responsible for:

- Submitting consent forms to parents with regards to photographs and videos being taken whilst at school.
- Ensuring that all photos and videos are stored and disposed of correctly, in line with the GDPR.
- Deciding whether parents are permitted to take photographs and videos during school events.
- Communicating this policy to all the relevant staff members and the wider school community, such as parents.

3.2. The designated safeguarding lead (DSL) is responsible for:

- Liaising with social workers to gain consent for photography and videos of LAC pupils.
- Liaising with the data protection officer (DPO), to ensure there are no data protection breaches.
- Informing the Headteacher of any known changes to a pupil’s security (e.g. child protection concerns) which would mean that participating in photography and video recordings would put them at significant risk.

3.3. Parents are responsible for:

- Completing the Consent Form.
- Informing the school in writing where there are any changes to their consent.
- Acting in accordance with this policy.

3.4. In accordance with the school’s requirements to have a DPO, the DPO is responsible for:

- Informing and advising the school and its employees about their obligations to comply with the GDPR in relation to photographs and videos at school.
- Monitoring the school’s compliance with the GDPR in regards to processing photographs and videos.
- Advising on data protection impact assessments in relation to photographs and videos at school
- Conducting internal audits, in regards to the school’s procedures for obtaining, processing and using photographs and videos.
- Providing the required training to staff members, in relation to how the GDPR impacts photographs and videos at school.



## 4. Parental consent

- 4.1. The school understands that consent must be a positive indication. It cannot be inferred from silence, inactivity or pre-ticked boxes.
- 4.2. Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individual's wishes.
- 4.3. Where consent is given, a record will be kept documenting how and when consent was given and last updated.
- 4.4. The school ensures that consent mechanisms meet the standards of the GDPR. Where the standard of consent cannot be met, an alternative legal basis for processing the data will be found, or the processing will cease.
- 4.5. Where a child is under the age of 16, the consent of parents will be sought prior to the processing of their data, except where the processing is related to preventative or counselling services offered directly to a child.
- 4.6. If the law provides it, children as young as 13 may be permitted to provide consent to the processing of their data.
- 4.7. If there is a disagreement over consent, or if a parent does not respond to a consent request, it will be treated as if consent has not been given, and photographs and videos will not be taken or published of the pupil whose parents have not consented.
- 4.8. All parents are entitled to withdraw or change their consent at any time.
- 4.9. Parents will be required to confirm on the Consent Form, in writing, that they will notify the school if their child's circumstances change in any way, or if they wish to withdraw their consent.
- 4.10. For any LAC pupils, or pupils who are adopted, the DSL will liaise with the pupil's social worker, carers or adoptive parents to establish where consent should be sought. Consideration will be given as to whether identification of an LAC pupil, or pupils who are adopted, would risk their security in any way.
- 4.11. Consideration will also be given to any pupils for whom child protection concerns have been raised. Should the DSL believe that taking photographs and videos of any pupils would put their security at further risk, greater care will be taken towards protecting their identity.
- 4.12. A list of all the names of pupils for whom consent was not given will be created by the DPO and will be circulated to all staff members.
- 4.13. If any parent withdraws or changes their consent, or the DSL reports any changes to a pupil's security risk, or there are any other changes to consent, the list will also be updated and re-circulated.

## 5. General procedures

- 5.1. Where photographs and videos will involve LAC pupils, adopted pupils, or pupils for whom there are security concerns, the Headteacher will liaise with the DSL to determine the steps involved.
- 5.2. When organising photography and videos of pupils, the Headteacher, as well as any other staff members involved, will consider the following:



- Can general shots of classrooms or group activities, rather than individual shots of pupils, be used to fulfil the same purpose?
  - Could the camera angle be amended in any way to avoid pupils being identified?
  - Will pupils be suitably dressed to be photographed and videoed?
  - Will pupils of different ethnic backgrounds and abilities be included within the photographs or videos to support diversity?
  - Would it be appropriate to edit the photos or videos in any way? E.g. to remove logos which may identify pupils?
  - Are the photographs and videos of the pupils completely necessary, or could alternative methods be used for the same purpose? E.g. could an article be illustrated by pupils' work rather than images or videos of the pupils themselves?
- 5.3. The list of all pupils of whom photographs and videos must not be taken will be checked prior to the activity. Where the activity is not required for the curriculum (e.g. a newspaper article about the opening of our outdoor gym) only pupils for whom consent has been given will be able to participate.
- 5.4. The staff members involved, alongside the Headteacher and DPO, will liaise with the DSL if any LAC pupil, adopted pupil, or a pupil for whom there are security concerns is involved. (see section 6 of this policy)
- 5.5. School equipment will be used to take photographs and videos of pupils. Exceptions to this are outlined in section 7 of this policy.
- 5.6. Staff will ensure that all pupils are suitably dressed before taking any photographs or videos.
- 5.7. Where possible, staff will avoid identifying pupils. If names are required, only first names will be used.
- 5.8. The school will not use images or footage of any pupil who is subject to a court order.
- 5.9. The school will not use photographs of children or staff members who have left the school, without parental consent.
- 5.10. Photos and videos that may cause any distress, upset or embarrassment will not be used.
- 5.11. Any concern relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO.

## 6. Additional safeguarding procedures

- 6.1. The school understands that certain circumstances may put a pupil's security at greater risk and, thus, may mean extra precautions are required to protect their identity.
- 6.2. In known cases of a pupil who is an LAC or who has been adopted or has another identified safeguarding concern, the DSL will liaise with the pupil's social worker, carers, family or adoptive parents to assess the needs and risks associated with the pupil.
- 6.3. Any measures required will be determined between the DSL, social worker, carers, DPO and adoptive parents with a view to minimise any impact on the pupil's day-to-day life. The measures implemented will be one of the following:
- Photos and videos can be taken as per usual school procedures



- Photos and videos can be taken within school for educational purposes and official school use, e.g. on registers, but cannot be published online or in external media
  - No photos or videos can be taken at any time, for any purposes
- 6.4. Any outcomes will be communicated to all staff members via a staff meeting and the list outlining which pupils are not to be involved in any videos or photographs, held in the school office, will be updated accordingly.

## 7. School-owned devices

- 7.1. Staff are encouraged to take photos and videos of pupils using school equipment; however, they may use other equipment, such as school-owned mobile devices, where the DPO has been consulted and consent has been sought from the Headteacher prior to the activity.
- 7.2. Where school-owned devices are used, images and videos will be provided to the school at the earliest opportunity, and removed from any other devices.
- 7.3. Staff will not use their personal mobile phones, or any other personal device, to take images and videos of pupils.
- 7.4. Photographs and videos taken by staff members on school visits may be used for educational purposes, e.g. on displays or to illustrate the work of the school
- 7.5. Where photos would be used for marketing or media use (e.g. in the school newsletter) this is only permissible where consent has been obtained.
- 7.6. Digital photographs and videos held on the school's drive are accessible to staff only. Photographs and videos are stored in labelled files, annotated with the date, and are only identifiable by year group/class number – no names are associated with images and videos. Network access is password protected, and only staff members have access to these passwords – these are updated regularly to minimise the risk of access by unauthorised individuals.

## 8. CCTV

- 8.1. Please note that while we do have CCTV cameras in place it is 'live feed' only and does not record or store videos in any way.

## 9. Use of a professional photographer

- 9.1. If the school decides to use a professional photographer for official school photos and school events, the Headteacher will:
- Provide a clear brief for the photographer about what is considered appropriate, in terms of both content and behaviour.
  - Issue the photographer with identification, which must be worn at all times.
  - Let pupils and parents know that a photographer will be in attendance at an event and ensure they have previously provided consent to both the taking and publication of videos or photographs.
  - Not allow unsupervised access to pupils or one-to-one photo sessions at events.





- Communicate to the photographer that the material may only be used for the school's own purposes and that permission has not been given to use the photographs for any other purpose.
- Ensure that the photographer will comply with the requirements set out in GDPR.
- Ensure that if another individual, such as a parent or governor, is nominated to be the photographer, they are clear that the images or videos are not used for any other anything other than the purpose indicated by the school.

## 10. Permissible photography and videos during school events

- 10.1. If the Headteacher permits parents to take photographs or videos during a school event, parents will:
- Remain seated while taking photographs or videos during concerts, performances and other events.
  - Minimise the use of flash photography during performances.
  - In the case of all school events, make the focus of any photographs or videos their own children.
  - Avoid disturbing others in the audience or distracting pupils when taking photographs or recording video.
  - Ensure that any images and recordings taken at school events are exclusively for personal use and are not uploaded to the internet, posted on social networking sites or openly shared in other ways.
  - Refrain from taking further photographs and/or videos if and when requested to do so by staff.

## 11. Storage and retention

- 11.1. Images obtained by the school will not be kept for longer than necessary.
- 11.2. Hard copies of photos are not retained and video recordings held by the school will be annotated with the date on which they were taken and will be stored in the school office. They will not be used other than for their original purpose, unless permission is sought from the Headteacher and parents of the pupils involved and the DPO has been consulted.
- 11.3. Paper documents will be shredded or pulped, and electronic memories scrubbed clean or destroyed, once the data should no longer be retained.
- 11.4. The DPO will review stored images and videos on a regular basis to ensure that all unwanted material has been deleted.
- 11.5. Parents must inform the school in writing where they wish to withdraw or change their consent.
- 11.6. When a parent withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. Withdrawal of consent will only affect further processing.



- 11.7. Where a pupil's security risk has changed, the DSL will inform the Headteacher immediately. If required, any related imagery and videos involving the pupil will be removed from the school drive immediately. Hard copies will be removed and destroyed.
- 11.8. Official school photos are held on SIMS alongside other personal information, and are retained for the length of the pupil's attendance at the school, or longer, if necessary, e.g. due to a police investigation.
- 11.9. Some educational records relating to former pupils of the school may be kept for an extended period for legal reasons, but also to enable the provision of references or academic transcripts.

## **12. Monitoring and review**

- 12.1. This policy will be reviewed on an **annual** basis by the Headteacher and the DPO. The next scheduled review date for this policy can be found on the front page of this policy.
- 12.2. Any changes to this policy will be communicated to all staff members and, where appropriate, parents.



## Privacy Notice – Photography and Videos

*Please be advised that not all of this data is shared with everyone listed. We only share data required for that particular function and only the minimum necessary.*

There are three different categories of pupil images, each one having a different privacy notice on the following pages. In summary:

1. **Official School Use photos** – these come from the individual photos taken by the school photographer. They are used as identification images as part of our student database and pupil record and as such are required for safeguarding/security. Our legal basis for these having these photos is Public task/ Official Authority Interest
2. **Educational photos** (e.g. photos taken in class, school plays, etc) – these photos are taken by staff in class or at various events and are used to document school activities, provide evidence of learning, and to promote school cohesion, ethos and values. These photos are used only within the school. Our legal basis for having these photos is Vital Interest.
3. **Marketing/media** (used on website, prospectus, newspapers, etc) – these photos are taken by school staff or professional photographers (e.g. newspaper reports) and are used publicly for celebrating children and school achievements. Our legal basis for having these photos is Consent and you have the right to withdraw this consent at any time.

### 1 - - - - -

|   |   |   |                                     |                             |
|---|---|---|-------------------------------------|-----------------------------|
| What is the service being provided?   | <b>Pupil Photos/Videos – (1) Official School Use photos</b> |   |                                     |                             |
| What personal data do we need from you?   | Images of pupils  |   |                                     |                             |
| Who will be using your Personal Data?   | Who is the Data Controller?                                 | Balfour Primary School  |                                     |                             |
|   | Who is the Data Controller’s Data Protection Officer?       | Lisa Collington<br><a href="mailto:foi.sar@balfour.brighton-hove.sch.uk">foi.sar@balfour.brighton-hove.sch.uk</a> |                                     |                             |
|   | Are there any Data Processors?                              | Yes   | <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
|   | Who are they?   | Capita (SIMS)   |                                     |                             |
| What will it be used for and what gives us the right to ask for it and use it?                          | The Purpose(s):   | Pupil record/student database, security and safeguarding  |                                     |                             |
|   | The Legal Condition(s):                                     | Public task/ Official Authority Interest  |                                     |                             |
| Who else might we share your data with?   | n/a   |   |                                     |                             |
| Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections? | NO  |   |                                     |                             |
| How long will your data be kept?  | When will it stop being used?                               | DOB + 25 years (as part of student record)  |                                     |                             |
|   | How long after this will it be deleted?                     | DOB + 25 years (as part of student record)  |                                     |                             |



|  |  |                                     |          |                                     |  |                                     |          |                                     |
|--|--|-------------------------------------|----------|-------------------------------------|--|-------------------------------------|----------|-------------------------------------|
| Our use of the data will be subject to your legal rights (marked if applicable):   | Inform   | <input checked="" type="checkbox"/> | Access   | <input checked="" type="checkbox"/> | Rectify                                  | <input checked="" type="checkbox"/> | Erase    | <input checked="" type="checkbox"/> |
|  | Restrict   | <input checked="" type="checkbox"/> | Portable | <input type="checkbox"/>            | Object                                   | <input checked="" type="checkbox"/> | Automate | <input type="checkbox"/>            |
| As you are giving us your data directly to us:   | This is the reason why we are allowed to ask for it and use it:                                |                                     |          |                                     | To enable the delivery of these services |                                     |          |                                     |
|  | This is what could happen if you refused to let us use your data for this purpose:             |                                     |          |                                     | n/a                                      |                                     |          |                                     |
| <b>Visit the following links for more information about Privacy Law, our obligations and your Rights:</b>  |  |                                     |          |                                     |  |                                     |          |                                     |
| <a href="#">The ICO Guide to the General Data Protection Regulations 2016</a><br><a href="#">The General Data Protection Regulations 2016</a>                            |  |                                     |          |                                     |  |                                     |          |                                     |
| <b>If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:</b> |  |                                     |          |                                     |  |                                     |          |                                     |
| Postal Address   | Balfour Primary School, Balfour Road, Brighton, BN1 6NE  |                                     |          |                                     |  |                                     |          |                                     |
| Email  | <a href="mailto:Foi.sar@balfour.brighton-hove.sch.uk">Foi.sar@balfour.brighton-hove.sch.uk</a> |                                     |          |                                     |  |                                     |          |                                     |
| Phone Number   | 01273 507722   |                                     |          |                                     |  |                                     |          |                                     |
| <b>If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:</b>                              |  |                                     |          |                                     |  |                                     |          |                                     |
| Postal Address   | Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF     |                                     |          |                                     |  |                                     |          |                                     |
| Online Form  | <a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a>      |                                     |          |                                     |  |                                     |          |                                     |
| Phone Number   | 0303 123 1113  |                                     |          |                                     |  |                                     |          |                                     |

## 2

|   |   |   |                          |    |
|---|---|---|--------------------------|----|
| What is the service being provided?   | <b>Pupil Photos/Videos – (2) Educational photos</b>   |   |                          |    |
| What personal data do we need from you?   | Images of pupils                                      |   |                          |    |
| Who will be using your Personal Data?   | Who is the Data Controller?                           | Balfour Primary School  |                          |    |
|   | Who is the Data Controller's Data Protection Officer? | Lisa Collington<br><a href="mailto:foi.sar@balfour.brighton-hove.sch.uk">foi.sar@balfour.brighton-hove.sch.uk</a> |                          |    |
|   | Are there any Data Processors?                        | Yes   | <input type="checkbox"/> | No |
|   | Who are they?   | n/a   |                          |    |
| What will it be used for and what gives us the right to ask for it and use it?                          | The Purpose(s):                                       | To enhance education provision, inclusion and recreation  |                          |    |
|   | The Legal Condition(s):                               | Vital Interest  |                          |    |
| Who else might we share your data with?   | Used within the school only                           |   |                          |    |
| Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections? | NO  |   |                          |    |



|  |  |                                     |   |                                     |         |                                     |          |                          |
|--|--|-------------------------------------|---|-------------------------------------|---------|-------------------------------------|----------|--------------------------|
| How long will your data be kept?   | When will it stop being used?  |                                     | Up to five years after the student has left the school  |                                     |         |                                     |          |                          |
|  | How long after this will it be deleted?  |                                     | Will be stored as a history of the school and archived under GDPR 9(2)(j) archiving purposes in the public interest |                                     |         |                                     |          |                          |
| Our use of the data will be subject to your legal rights (marked if applicable):   | Inform   | <input checked="" type="checkbox"/> | Access  | <input checked="" type="checkbox"/> | Rectify | <input checked="" type="checkbox"/> | Erase    | <input type="checkbox"/> |
|  | Restrict   | <input type="checkbox"/>            | Portable  | <input type="checkbox"/>            | Object  | <input type="checkbox"/>            | Automate | <input type="checkbox"/> |
| As you are giving us your data directly to us:   | This is the reason why we are allowed to ask for it and use it:                                |                                     | To enable the delivery of these services  |                                     |         |                                     |          |                          |
|  | This is what could happen if you refused to let us use your data for this purpose:             |                                     | n/a   |                                     |         |                                     |          |                          |
| <b>Visit the following links for more information about Privacy Law, our obligations and your Rights:</b>  |  |                                     |   |                                     |         |                                     |          |                          |
| <a href="#">The ICO Guide to the General Data Protection Regulations 2016</a><br><a href="#">The General Data Protection Regulations 2016</a>                            |  |                                     |   |                                     |         |                                     |          |                          |
| <b>If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:</b> |  |                                     |   |                                     |         |                                     |          |                          |
| Postal Address   | Balfour Primary School, Balfour Road, Brighton, BN1 6NE  |                                     |   |                                     |         |                                     |          |                          |
| Email  | <a href="mailto:Foi.sar@balfour.brighton-hove.sch.uk">Foi.sar@balfour.brighton-hove.sch.uk</a> |                                     |   |                                     |         |                                     |          |                          |
| Phone Number   | 01273 507722   |                                     |   |                                     |         |                                     |          |                          |
| <b>If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:</b>                              |  |                                     |   |                                     |         |                                     |          |                          |
| Postal Address   | Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF     |                                     |   |                                     |         |                                     |          |                          |
| Online Form  | <a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a>      |                                     |   |                                     |         |                                     |          |                          |
| Phone Number   | 0303 123 1113  |                                     |   |                                     |         |                                     |          |                          |

### 3

|  |   |   |                          |    |                                     |  |  |  |
|--|---|---|--------------------------|----|-------------------------------------|--|--|--|
| What is the service being provided?  | <b>Pupil Photos/Videos – (3) Marketing/Media photos</b> |   |                          |    |                                     |  |  |  |
| What personal data do we need from you?  | Images of pupils  |   |                          |    |                                     |  |  |  |
| Who will be using your Personal Data?  | Who is the Data Controller?                             | Balfour Primary School  |                          |    |                                     |  |  |  |
|  | Who is the Data Controller's Data Protection Officer?   | Lisa Collington<br><a href="mailto:foi.sar@balfour.brighton-hove.sch.uk">foi.sar@balfour.brighton-hove.sch.uk</a>           |                          |    |                                     |  |  |  |
|  | Are there any Data Processors?                          | Yes   | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |  |  |  |
|  | Who are they?   | n/a   |                          |    |                                     |  |  |  |
| What will it be used for and what gives us the right to ask for it and use it? | The Purpose(s):   | For publicity to ensure Balfour is a desirable place to be and to increase the sense of community amongst our stakeholders. |                          |    |                                     |  |  |  |
|  | The Legal Condition(s):                                 | Consent   |                          |    |                                     |  |  |  |



| You may withdraw your consent at any time by contacting us  |   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
|---|---|-------------------------------------|---|-------------------------------------|--|-------------------------------------|-------------------------------------|-------------------------------------|--|-------------|---|--------------|--------------------------|--------|-------------------------------------|----------|--------------------------|
| Who else might we share your data with?   | Shared publicly   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections?   | NO  |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| How long will your data be kept?  | When will it stop being used?   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
|   | How long after this will it be deleted?   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Our use of the data will be subject to your legal rights (marked if applicable):  | Up to ten years after the student has left the school   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
|   | Will be stored as a history of the school and archived under GDPR 9(2)(j) archiving purposes in the public interest   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Our use of the data will be subject to your legal rights (marked if applicable):  | <table border="1"> <tr> <td>Inform</td> <td><input checked="" type="checkbox"/></td> <td>Access</td> <td><input checked="" type="checkbox"/></td> <td>Rectify</td> <td><input checked="" type="checkbox"/></td> <td>Erase</td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td>Restrict</td> <td><input checked="" type="checkbox"/></td> <td>Portable</td> <td><input type="checkbox"/></td> <td>Object</td> <td><input checked="" type="checkbox"/></td> <td>Automate</td> <td><input type="checkbox"/></td> </tr> </table> | Inform                              | <input checked="" type="checkbox"/>                     | Access                              | <input checked="" type="checkbox"/>  | Rectify                             | <input checked="" type="checkbox"/> | Erase                               | <input checked="" type="checkbox"/>  | Restrict    | <input checked="" type="checkbox"/>   | Portable     | <input type="checkbox"/> | Object | <input checked="" type="checkbox"/> | Automate | <input type="checkbox"/> |
|   | Inform  | <input checked="" type="checkbox"/> | Access  | <input checked="" type="checkbox"/> | Rectify  | <input checked="" type="checkbox"/> | Erase                               | <input checked="" type="checkbox"/> |  |             |   |              |                          |        |                                     |          |                          |
| Restrict  | <input checked="" type="checkbox"/>   | Portable                            | <input type="checkbox"/>                                | Object                              | <input checked="" type="checkbox"/>  | Automate                            | <input type="checkbox"/>            |                                     |  |             |   |              |                          |        |                                     |          |                          |
| As you are giving us your data directly to us:  | This is the reason why we are allowed to ask for it and use it:   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
|   | This is what could happen if you refused to let us use your data for this purpose:  |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| To enable the delivery of these services  |   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Where the activity is not required for the curriculum (e.g. a newspaper article about the opening of our outdoor gym) only pupils for whom consent has been given will be able to participate.  |   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| <p><b>Visit the following links for more information about Privacy Law, our obligations and your Rights:</b></p> <p><a href="#">The ICO Guide to the General Data Protection Regulations 2016</a><br/> <a href="#">The General Data Protection Regulations 2016</a></p> <p><b>If you have concerns over the way we are asking for or using your personal data, please raise the matter with our Data Protection Officer by the following means:</b></p> <table border="1"> <tr> <td>Postal Address</td> <td>Balfour Primary School, Balfour Road, Brighton, BN1 6NE</td> </tr> <tr> <td>Email</td> <td><a href="mailto:Foi.sar@balfour.brighton-hove.sch.uk">Foi.sar@balfour.brighton-hove.sch.uk</a></td> </tr> <tr> <td>Phone Number</td> <td>01273 507722</td> </tr> </table> <p><b>If you still have concerns following our response you have the right to raise the matter with the Information Commissioner's Office:</b></p> <table border="1"> <tr> <td>Postal Address</td> <td>Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF</td> </tr> <tr> <td>Online Form</td> <td><a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a></td> </tr> <tr> <td>Phone Number</td> <td>0303 123 1113</td> </tr> </table> |   | Postal Address                      | Balfour Primary School, Balfour Road, Brighton, BN1 6NE | Email                               | <a href="mailto:Foi.sar@balfour.brighton-hove.sch.uk">Foi.sar@balfour.brighton-hove.sch.uk</a> | Phone Number                        | 01273 507722                        | Postal Address                      | Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF | Online Form | <a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a> | Phone Number | 0303 123 1113            |        |                                     |          |                          |
| Postal Address  | Balfour Primary School, Balfour Road, Brighton, BN1 6NE   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Email   | <a href="mailto:Foi.sar@balfour.brighton-hove.sch.uk">Foi.sar@balfour.brighton-hove.sch.uk</a>  |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
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| Online Form   | <a href="https://ico.org.uk/concerns/handling/">https://ico.org.uk/concerns/handling/</a>   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |
| Phone Number  | 0303 123 1113   |                                     |   |                                     |  |                                     |                                     |                                     |  |             |   |              |                          |        |                                     |          |                          |



## Staff & Volunteer Photos

|  |  |  |                                     |                                     |                          |                                     |                          |                          |
|--|--|--|-------------------------------------|-------------------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|
| What is the service being provided?  | <b>Staff and Volunteer</b> Photos/Videos   |  |                                     |                                     |                          |                                     |                          |                          |
| What personal data do we need from you?  | Images of staff and volunteers   |  |                                     |                                     |                          |                                     |                          |                          |
| Who will be using your Personal Data?  | Who is the Data Controller?  | Balfour Primary School   |                                     |                                     |                          |                                     |                          |                          |
|  | Who is the Data Controller's Data Protection Officer?  | Lisa Collington<br><a href="mailto:foi.sar@balfour.brighton-hove.sch.uk">foi.sar@balfour.brighton-hove.sch.uk</a>                                    |                                     |                                     |                          |                                     |                          |                          |
|  | Are there any Data Processors?   | Yes  | <input checked="" type="checkbox"/> | No                                  | <input type="checkbox"/> |                                     |                          |                          |
|  | Who are they?  | SIMS   |                                     |                                     |                          |                                     |                          |                          |
| What will it be used for and what gives us the right to ask for it and use it?   | The Purpose(s):  | Staff record/ database, security, to enhance education provision, inclusion and recreation, increase the sense of community amongst our stakeholders |                                     |                                     |                          |                                     |                          |                          |
|  | The Legal Condition(s):  | Public task/ Official Authority Interest   |                                     |                                     |                          |                                     |                          |                          |
| Who else might we share your data with?  | Publicly (e.g. in the newsletter)  |  |                                     |                                     |                          |                                     |                          |                          |
| Will your data be stored in or accessible from countries with no UK-equivalent Privacy Law protections?  | NO   |  |                                     |                                     |                          |                                     |                          |                          |
| How long will your data be kept?   | When will it stop being used?  | Up to seven years after the person has left the school   |                                     |                                     |                          |                                     |                          |                          |
|  | How long after this will it be deleted?  | Will be stored as a history of the school and archived under GDPR 9(2)(j) archiving purposes in the public interest                                  |                                     |                                     |                          |                                     |                          |                          |
| Our use of the data will be subject to your legal rights (marked if applicable):   | <a href="#">Inform</a>   | <input checked="" type="checkbox"/>  | <a href="#">Access</a>              | <input checked="" type="checkbox"/> | <a href="#">Rectify</a>  | <input checked="" type="checkbox"/> | <a href="#">Erase</a>    | <input type="checkbox"/> |
|  | <a href="#">Restrict</a>   | <input type="checkbox"/>   | <a href="#">Portable</a>            | <input type="checkbox"/>            | <a href="#">Object</a>   | <input type="checkbox"/>            | <a href="#">Automate</a> | <input type="checkbox"/> |
| As you are giving us your data directly to us:   | This is the reason why we are allowed to ask for it and use it:                                | To enable the delivery of these services   |                                     |                                     |                          |                                     |                          |                          |
|  | This is what could happen if you refused to let us use your data for this purpose:             | n/a  |                                     |                                     |                          |                                     |                          |                          |
| <b>Visit the following links for more information about Privacy Law, our obligations and your Rights:</b>  |  |  |                                     |                                     |                          |                                     |                          |                          |
| <a href="#">The ICO Guide to the General Data Protection Regulations 2016</a><br><a href="#">The General Data Protection Regulations 2016</a>                            |  |  |                                     |                                     |                          |                                     |                          |                          |
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| Phone Number   | 0303 123 1113  |  |                                     |                                     |                          |                                     |                          |                          |



## APPENDIX 1 - Consent Form

This form explains the reasons why and how Balfour Primary School may use images and videos of your child. Please read the form thoroughly and outline your agreement as appropriate. Areas you **must** complete are designated by a double box. (e.g.: )

|                              |                      |
|------------------------------|----------------------|
| Name of pupil:               | <input type="text"/> |
| Name of parent:              | <input type="text"/> |
| Year group and class number: | <input type="text"/> |

*For more detailed information, please see the “Photography and Videos Policy and Privacy Notice” in the policies section of our website.*

### Why do we need your consent?

Balfour Primary School requests the consent of parents to use images and videos of their child for a variety of different purposes.

Without your consent, the school will not use images and videos of your child. Similarly, if there are only certain conditions under which you would like images and videos of your child to be used, the school will abide by the conditions you outline in this form.

### Why do you we use images and videos of your child?

1. Official School Use photos – these come from the individual photos taken by the school photographer. They are used as identification images as part of our student database and pupil record and as such are required for safeguarding/security. Our legal basis for these having these photos is Public task/ Official Authority Interest
2. Educational photos (e.g. photos taken in class, school plays, etc) – these photos are taken by staff in class or at various events and are used to document school activities, provide evidence of learning, and used as part of school displays to celebrate school life, pupils’ achievements, promoting school cohesion, ethos and values. These photos are used only within the school. Our legal basis for having these photos is Vital Interest.
3. Marketing/media (used on website, prospectus, newspapers, etc) – these photos are taken by school staff or professional photographers (e.g. newspaper reports) and are used publicly to celebrate school life and pupils’ achievements; to promote the school on social media and on the school’s website; and for other publicity purposes in printed publications, such as newspapers and on our website. Our legal basis for having these photos is Consent and you have the right to withdraw this consent at any time.

Balfour Primary School may take images or videos of individual pupils and groups of pupils to use on social media, the school website, in school prospectuses and other printed publications, such as a newsletter. Where the school uses images of individual pupils, the full name of the pupil **will not** be disclosed – only first names.





### Who else uses images and videos of your child?

It is common that the school is visited by local media and press, who take images or videos of school events, such as sports days. Pupils will appear in these images and videos, and these may be published in local or national newspapers, or on approved websites.

The following organisations may use images and videos of your children:

- The Argus

Where any organisations other than those above intend to use images or videos of your child, **additional consent** will be sought before any image or video is used.

### What are the conditions of use?

- It is the responsibility of parents to inform the school, in writing, if consent needs to be withdrawn or amended.
- The school will not use the personal details or full names of any pupil in an image or video, on our website, in our school prospectuses or any other printed publications.
- The school will not include personal emails or postal addresses, telephone or fax numbers on images or videos on our website, in our school prospectuses or any other printed publications.
- The school may use pictures of pupils and teachers that have been drawn by pupils.
- The school may use work created by pupils.
- The school may use group or class images or videos with general labels, e.g. 'sports day'.
- The school will only use images and videos of pupils who are suitably dressed, i.e. it would not be suitable to display an image of a pupil in swimwear.
- The school will take class images of your child which are available to purchase annually. (e.g. individual and class photos)

### Providing your consent

Please read the following conditions thoroughly and provide your consent as appropriate by ticking either 'Yes' or 'No' for each criteria.

The school will **only** publish images and videos of your child for the conditions that you provide consent for.

| Type of photos/videos  | Legal basis for collection and use |
|--|------------------------------------|
| Photographs of my child for official use (identification/safeguarding/etc)   | n/a – Public Task Legal Basis      |
| I understand that the school will share the following data with a school-appointed external photography company for the above official school image: name, class and roll number |                                    |
| Photographs or videos of my child for educational use which are used <u>only</u> within the school or sent home ( <i>documenting work, recording school plays, etc</i> )         | n/a – Vital Interest Legal Basis   |



| I provide consent for:  | Yes | No |
|---|-----|----|
| Using images and/or videos of my child in the school newsletter, website, prospectus, social media, or newspaper. |     |    |

**Changing your consent**

Where you would like to amend the provisions for which consent has been provided, you must submit your request in writing to the school office. A new form will be supplied to you to amend your consent accordingly and provide a signature.

**Withdrawing your consent**

Parents have the right to withdraw their consent at any time. Withdrawing your consent will not affect any images or videos that have been shared prior to withdrawal.

If you would like to withdraw your consent, you must submit your request in writing to the Headteacher.

**Declaration**

I, \_\_\_\_\_ (*name of parent*), understand:

- Why my consent is required.
- The reasons why Balfour Primary School uses images and videos of my child.
- Which other organisations may use images and videos of my child.
- The conditions under which the school uses images and videos of my child.
- I have provided my consent above as appropriate, and the school will use images and videos of my child in line with my requirements.
- I can amend or withdraw my consent at any time and must do so in writing to the Headteacher.

\_\_\_\_\_  
(parent) Print name

\_\_\_\_\_  
Sign

\_\_\_\_\_  
Date

If you have any questions regarding this form, please do not hesitate to contact Lisa Collington, School Business Manager.