



## PERSONAL DEVICES AND PHOTOGRAPHY POLICY

### 1. INTRODUCTION

We recognise that new technologies have become integral to the lives of adults and children in today's society. At the same time, a proliferation in the use of personal devices brings some challenges in the areas of safeguarding, privacy law, wellbeing and good, old-fashioned manners.

This document provides guidance which is intended to take a common-sense approach towards assisting parents to build up a record of their children's school days, whilst keeping pupils safe in our schools, respecting the privacy of others and abiding by the law of the land.

This guidance should be read in conjunction with the schools' relevant policies, including those on safeguarding, data protection, confidentiality, ICT (Acceptable Use) and Online Safety.

### 2. EXECUTIVE SUMMARY

To comply with the law, our guiding principle is as follows, regarding the use of personal mobile devices, cameras or any other device to film or to take photographs in school or at school events:

**No photograph or film taken in school may be published (this includes on any social media platform such as Instagram, Facebook, Twitter, YouTube or Vimeo – regardless of privacy settings – or in any other way) without the explicit consent of each person recorded and, in the case of a child, without the explicit consent of their parents.**

In addition, there are several school events, listed below, at which parents are asked not to film or take photographs, for reasons of good manners, courtesy to others and to suit the occasion.

### 3. THE LEGAL FRAMEWORK

The laws which govern this area are complex and evolving. They include the law of Confidentiality, Article 8 of The Human Rights Act and the Data Protection Act (the General Data Protection Regulation from May 2018). These laws protect a right to privacy and include the right to protect one's image. The privacy of children, most especially on school premises, is particularly robustly protected.

In simplistic terms, it is not against the law for parents to take pictures or film of their child in a school. Advice issued by the Information Commissioner's Office (ICO) states (rather quaintly) that the Data Protection Act (DPA) does not apply in the case of a parent who takes a photograph of

their child and some friends taking part in the school Sports Day, which is “to be put in the family album” (Taking Photographs in Schools, Version 4.1, ICO).

However, legal issues arise where such a photograph or film is published, for example on any social media platforms (such as Instagram, Facebook, Twitter, YouTube or Vimeo – regardless of privacy settings), or in any other way, without the explicit consent of every person recorded or, in the case of a child, without the explicit consent of their parents.

It is for this reason that many schools have taken the approach of a ‘blanket ban’ on the use of cameras (and therefore of all mobile phones and personal devices) in school.

#### **4. COURTESY AND CULTURE**

Whilst there is no firm legal basis on which to prevent parents from filming or taking photographs of their own children in school, there are occasions when it is desirable to do so, for reasons of good manners, courtesy to others (a core value of the school) and to suit the occasion.

For example, the schools pride themselves on the quality of their performing arts. Many hours go into rehearsal and much care, time and expense is dedicated to giving both cast and audience members an authentic theatrical experience.

Such an experience can be seriously undermined for a member of the audience who is distracted by a parent one or two rows in front using a mobile phone or, worse, a tablet, to take their own footage of a production – particularly when the same production has already been professionally recorded.

Similarly, the schools’ Carol Services are religious services, in line with the schools’ Christian ethos. It is not appropriate for members of the congregation to disturb others and detract from the service by, for example, filming the choristers on such an occasion.

Culturally, in terms of the education of our pupils and the values which we would like them to acquire, we believe that there are important lessons to pass on about the appropriate use of personal mobile devices. By setting an example as adults, we hope that our pupils will also acquire discernment about when the use of personal devices may and may not be appropriate.

#### **5. RELATIONSHIPS AND WELLBEING**

The schools embrace technology and invest heavily in human resources, hardware and software, in order to enhance teaching and learning, to improve the efficiency of our administration and to equip our pupils with the technological skills and knowledge which they will need in the lives that lie ahead of them.

At the same time, we seek to educate all members of the school community about the potential pitfalls of unregulated ‘screen-time’, the detrimental impact which can be caused to relationships and wider mental health issues which can be associated with an over-reliance on technology and social media. This, in part, led to the schools’ establishment of a formal, Outdoor Learning curriculum in 2016.

We would therefore like all members of the school community to develop a sensitivity and an awareness about the time, location and volume of their use of personal devices and of its impact on others around them. At the moment of parents greeting their child at the end of the day, for example, we fully support the adage to “Greet your child with a smile, not a mobile.”

## **PROCEDURES**

### **6. IMPLEMENTATION AT THOMAS’S**

With all this in mind, we take the following approach to the use of personal devices at Thomas’s: As stated above, to comply with the law, our guiding principle is as follows:

**No photograph or film taken in school may be published (this includes on any social media platform such as Instagram, Facebook, Twitter, YouTube or Vimeo – regardless of privacy settings – or in any other way) without the explicit consent of each person recorded and, in the case of a child, without the explicit consent of their parents.**

The observance of this principle relies on trust between all members of each school’s community. A breach of this principle is a breach of the law and therefore of the ethos of the school. It will therefore be regarded as a serious breach of the schools’ terms and conditions (paragraph 65), which could ultimately result in a pupil’s removal from the school.

Thereafter, a distinction is made at Thomas’s between arrival and dismissal, the normal course of a day at school and school events, as follows:

#### **6.1 Arrival and dismissal**

Given the volume of people, it is not practicable to try to remove parents’ mobile devices on arrival or at dismissal, nor do we have legal grounds for doing so. Parents and carers may therefore bring their devices into school at these times.

For the sake of courtesy and safety, parents’ and carers’ mobile telephones should not be used in busy areas of the school, such as in corridors or hallways except with explicit permission. They may be used in certain areas designated by each school when children are not present, for example the dining room at Battersea.

#### **6.2 Normal day**

Between arrival and dismissal, during the normal course of the day – from 0845 to 1515 – restrictions are placed on the use of personal devices in school, as follows:

##### **6.2.1 Pupils**

Pupils in the older years in each school who can demonstrate a clear need for a mobile phone (such as for security when walking to and from school) may bring one into school. Each school requires that pupils’ phones are either handed in to School Office at the start of each day (Fulham & Kensington) or handed to the form teacher (Battersea & Clapham). Any

pupil who brings in any mobile device is required to sign and abide by the Personal Devices Pupil Agreement (**Appendix 2**).

### **6.2.2 Staff**

For members of staff, their use of personal mobile devices is governed by the schools' ICT (Acceptable Use) Policy. This prohibits the use of personal devices in the presence of children, except momentarily when required for 2 step verification log ins.

### **6.2.3 Visitors**

The school makes a distinction between 'external' visitors (those who are not members of the school community and are not therefore bound by its terms and conditions) and 'internal' visitors (current members of the school community).

Between 0845 and 1515 where schools have the facility (currently Thomas's Battersea), when they sign in on entry, any external visitor is required to place their mobile device in a locked cabinet. They retain the key to the cabinet and retrieve their device as they leave the school. Where schools do not have this facility, external visitors are bound by specific instructions which prohibit the taking of any film or photographs.

'Internal' visitors to the schools are bound by this policy and should follow the guidance in 6.1.

## **6.3 School Events**

We realise that there are a number of school events, of which parents are likely to want to keep a visual record if their child is involved, for posterity or, for example, to share with relatives. The school makes a distinction between formal events and informal events, as follows:

### **6.3.1 Formal events**

At formal events, film and photography is not permitted. Announcements and signs will make it clear which events are deemed to be formal. They include the following:

#### **School productions**

An official school photographer takes photographs in rehearsal and each production is filmed by an external film company. These photographs and film are made available to parents soon after each event and may be purchased for parents' private use, **but not for publication**, without consent.

For the reasons of courtesy and good manners given above, parents may not therefore use their own cameras or devices to record school productions. Any member of the audience doing so will be asked to desist. Personal devices may not be used in professional venues such as theatres or concert halls. The same standards apply at school.

#### **Church services/ Church events and Carol Services**

Given their religious nature and venues, it is not appropriate for film or photographs to be taken of the schools' weekly church services or annual Carol Services by members of the congregation. This also applies to any class assemblies or other events held in church.

Parents may not therefore use their own cameras or devices and any member of the audience or congregation doing so will be asked to desist. The official school photographer takes photographs of Carol Services in rehearsal and may do so discreetly during the service. These photographs are made available to parents after the event and may be purchased for parents' private use, **but not for publication**, without consent.

### 6.3.2 Informal events

Many informal events take place throughout the school year. Announcements and signs will make it clear which events are deemed to be informal.

Informal events include musical events, class assemblies (held in school), Sports Days, sports fixtures and special events such as Book Days and Easter Bonnet parades.

At these events, non-flash photography and film is permitted from a silent camera by parents, provided that this is carried out discreetly, without distracting either the performers, players or members of the audience. For this reason, filming with a tablet is not permitted.

For any photographs or film taken at such events, the guiding principle in paragraph 6 above applies: they may be taken for parents' personal use, **but must not be published** without consent.

## 7. FILM AND PHOTOGRAPHS TAKEN BY MEMBERS OF STAFF

As described above, teachers' photography of pupils is governed by the schools' ICT (Acceptable Use) Policy. Members of staff may only film or take photographs using school devices (such as school-issued cameras, phones or iPads) and any such photographs may only be used in the course of a teacher's professional duties, such as to create a portfolio of a child's learning journey, for display on a subject board or for presentation and celebration purposes around the school.

Using school devices, teachers may take photographs of pupils at appropriate moments during residential trips. These are then made available to the children's parents as a means of keeping them informed about their children's activities while they are away from home.

When pupils are at Thomas's Daheim, photos and films may be shared with the parents of those children through an Instagram account. This is kept private and the account is closed at the end of that year's trips. Details of how this account is run can be found in **Appendix 4**.

Three official photographers are used by the school to capture images for school use such as in the schools' Bulletin or website. These photographs are taken in accordance with our acceptable use guidelines and can be purchased through Andrew Maltzoff's website which is available on the parents' area of the TLP.

Individual and class photographs are taken by an in-house school photographer and can be purchased through the Schoolsnap website which is available on the parents' area of the TLP.

Parents are required to sign an online consent form giving permission for pupils' digital images to be used in a range of formats. Until they have done this it must be assumed that no permission has been given.

Each school keeps a list of the pupils for whom photograph permission is not given and this is shared with the school photographers. The nominated list holders are:

|             |                   |
|-------------|-------------------|
| Battersea:  | Nicola Diggle     |
| Clapham:    | Viki Stanton      |
| Fulham:     | Catherine Mangan  |
| Kensington: | Stuart Hammersley |

Members of staff can also opt out of having their image on Social Media and should inform the nominated list holder in writing.

From time to time the schools receive requests for images for educational and other publications (such as The Good Schools Guide, for example). The schools will always seek explicit permission from parents before releasing any film or photographs of children to third parties. **(See Appendix 3).**

## 8. USE OF PHOTOGRAPHS ON SOCIAL MEDIA FOR SCHOOL PURPOSES

When using social media, for the privacy and protection of all children and adults, members of staff are vigilant and follow the agreed procedures outlined in the ICT (Acceptable Use) Policy.

Particular care is taken when using images for external purposes such as the school website, Instagram, Twitter feeds etc so that it is not possible to identify pupils by name or other personal information. The feeds are also monitored so that any comments are removed should they identify a pupil in any way.

**See also:** [CCTV Policy](#), [Code of Conduct](#), [Confidentiality Policy](#), [Data Protection Policy](#), [ICT \(Acceptable Use\) Policy](#), [Online Safety Policy](#), [Privacy Notice](#), [Safeguarding and Child Protection Policy](#)

| This policy will be reviewed annually |     |  |
|---------------------------------------|-----|--|
| Created: June 2017                    | By: | Ben Thomas, Principal  |
| Latest Review: January 2020           | By: | Joanna Copland, Vice Principal, Digital Leads, Designated Safeguarding Leads |
| Next Review: January 2021             | By: | Joanna Copland, Vice Principal, Digital Leads, Designated Safeguarding Leads |

### Appendices:

- Appendix 1: Guidance for parents/carers on the use of personal devices in school
- Appendix 2: Personal Devices Pupil agreement
- Appendix 3: Parent/Guardian permission from for external publicity photographs
- Appendix 4: Instagram Guidelines for Thomas's Daheim

## PERSONAL DEVICES AND PHOTOGRAPHY POLICY APPENDIX 1



# GUIDANCE FOR PARENTS/CARERS ON THE USE OF PERSONAL DEVICES IN SCHOOL

### **Making telephone calls or using mobile devices**

- Parents/carers are respectfully advised that in the interests of courtesy and safety they should not make telephone calls or use any mobile devices in classrooms or communal areas except with explicit permission.
- Parents/carers should not contact their child during the school day on the child's mobile phone or device
- Parents/carers should not contact members of staff using the teachers' personal mobile phones
- Parents/carers are reminded that in cases of emergency, the school office remains a vital and appropriate point of contact.
- External visitors are not permitted to use their telephones anywhere on the school premises

### **Digital images (still photographs and videos)**

- At formal events parents/carers are not permitted to take photographs or moving images in any form
- At informal events parents/carers are permitted to take silent, non-flash photographs or moving images for personal use, but should show courtesy towards the performers and other members of the audience. (The use of tablets is therefore not permitted)
- **No photograph or film taken in school may be published (this includes on any social media platform such as Instagram, Facebook, Twitter, YouTube or Vimeo – regardless of privacy settings – or in any other way) without the explicit consent of each person recorded and, in the case of a child, without the explicit consent of their parents.**
- Parents should also not comment on any activities involving other pupils in any digital/video images or make any comments that link the photographs to Thomas's, eg #TLDS
- If parents would prefer their child/children did not feature in school photographs or on social media platforms linked to the school they should let the school know in writing.
- Parents are also requested not to post images of members of staff on social media platforms

### **Use of mobile phones whilst driving**

- The Road Vehicles (Construction and Use) (Amendment) (No. 4) Regulations (2003), places a complete ban on the use of hand-held mobile phones while driving. Parents are therefore expected not to use their mobile phones or other devices when driving on school property. Hand-held mobile phones used with an earphone and microphone will be covered under the ban, as they still require the user to hold the phone to press buttons or to read a message on the phone's screen.

## PERSONAL DEVICES AND PHOTOGRAPHY POLICY APPENDIX 2



# PERSONAL DEVICES – PUPIL AGREEMENT

This agreement applies to any type of personal device – telephone/tablet/smart watch etc, that a pupil may bring in from home.

Having read these terms, all pupils must complete the Personal Devices Pupil Agreement Google Form. Access to this form can be requested from your school's Digital Lead.

- Battersea: Aarti Malani [amalani@thomas-s.co.uk](mailto:amalani@thomas-s.co.uk)
- Clapham: Anne Davidson [adavidson@thomas-s.co.uk](mailto:adavidson@thomas-s.co.uk)
- Fulham: Catherine Mangan [cmangan@thomass-s.co.uk](mailto:cmangan@thomass-s.co.uk)
- Kensington: Stuart Hammersley [shammersley@thomas-s.co.uk](mailto:shammersley@thomas-s.co.uk)

### Agreement

- I agree to follow this Personal Device agreement in conjunction with the Prep (or Lower) School ICT Acceptable Use agreement.
- I agree that my device will only be brought into school with the permission of my Digital Lead and only used in class with the permission of my teacher
- Any device I bring into school will be clearly named and where possible secured with a password/passcode that I do not disclose to anyone else
- I understand that any device brought into school must have all communication settings turned off during the school day.
- I understand that my use of any device can have an impact on other children including younger children and the wider school community. As such I will only use it responsibly
- I understand that personal devices must not be accessed during the day unless expressly being used as part of a lesson or activity
- I understand that any mobile device is strictly forbidden in any examination. The use of any device may lead to that paper being disqualified
- I understand that the school is not responsible/liable should any device be lost or stolen.
- I understand that any electronic device must be charged at home. Personal chargers are not to be brought into school
- I understand that the school will regularly review the capabilities/potential use of different devices and may withdraw permission for the use of my device at any time.
- I understand that if I use any device in an inappropriate way or at an unsuitable time it may be confiscated by my teacher and returned to my parents at the end of the day

## Mobile Telephone

- I understand that my mobile telephone is needed for one of the following reasons:
  - I am travelling to and from school alone and may need to contact my parents/guardian
  - I have to walk to/from the bus stop to my home alone and may need to contact my parents/guardian
- My telephone will be switched off and handed into my Form Teacher (Battersea & Clapham) or the School Front Office (Fulham & Kensington) and not used during school hours and other educational activities
- I will not take my phone or any device on organised school day trips.
- My phone can be used off-site after school except at off-site school events.
  - a) If I am at a school event off-site after school I must ask the teacher on duty if I can use my phone.
  - b) If I think I need to use the phone after school I will do so only after speaking to a teacher for approval and giving a valid reason.
  - c) If travelling home on a school bus it will only be used if the driver has given permission to do so for a valid reason.
- For conditions (a), (b) and (c) I will then put the phone away immediately afterwards and if I need to use it further I must ask again.

## Fitness Tracker and Smart Watch

- I understand that I may bring a personal fitness tracker and/or smart watch into school on the condition that any communication features are disabled. However I may be asked to leave the devices at home if they become a source of distraction or disruption.

## Sanctions

- I understand that failure to follow this agreement will result in a warning that will be noted at the bottom of this agreement and further use, contrary to this agreement, will result in permission for any personal electronic device being brought into school revoked.
- I understand that if I break the Prep School ICT agreement sanctions will be applied that the Computing Department explains at the start of the academic year.

PERSONAL DEVICES AND PHOTOGRAPHY POLICY APPENDIX 3



PARENT/GUARDIAN PERMISSION FORM FOR EXTERNAL PUBLICITY PHOTOGRAPHS

I give permission for:

..... (child's name)

in ..... (form)

to have their photograph included with publicity material for:

.....  
(company or organisation name)

I understand that my child's name will not be used in connection with the photographs or if, for any reason this is required, additional permission will be sought.

Signed: ..... (parent or guardian)

Printed name: .....

Date: .....

## PERSONAL DEVICES AND PHOTOGRAPHY POLICY APPENDIX 4



# INSTAGRAM GUIDELINES FOR THOMAS'S DAHEIM updated (04/12/19)

## INTRODUCTION

The purpose of Instagram use is the following:

- To enable parents of pupils at Thomas's Daheim to see what their children are doing
- To celebrate achievements and events that happen at Thomas's Daheim with a wider audience

We have chosen to make the Instagram account private, hence all followers will need to be accepted in order to view the posts. Parents will need to request to follow the account by searching for the username according to school: Batterseadaheim, Claphamdaheim, Fulhamdaheim, Kensingtondaheim.

## PROCEDURES

Some parents may have unrecognisable usernames and will need to email Emma Beckett, Thomas's Outdoors Coordinator on [ebeckett@thomas-s.co.uk](mailto:ebeckett@thomas-s.co.uk) in order to confirm their Instagram identity. She will use iSAMS to verify each request and only parents / guardians and Thomas's staff are to be accepted. No other users are to accept followers.

The use of Instagram in this way will be in line with the Thomas's Personal Devices and Photography policy and will need to be reviewed at the same point this policy is reviewed.

The following, taken from the above policy must be adhered to:

- Pupils must not be named
- Only images of pupils in suitable dress are used

In addition:

- No photos of staff should be posted, unless their consent has been given
- No photos of pupils in swimming clothing should be posted
- Photos or videos of pupils should always be groups, not individuals
- Text speak should not be used
- Photos for the Instagram feed should be taken using work-provided equipment as a general rule. However there may be times that, with the permission of a member of the Core Leadership Team, personal devices may be used for this purpose. All photographs thus taken will be downloaded to school storage and deleted from the device and any related back up or storage at the end of the trip (in accordance with the ICT Acceptable Use Policy).

- Any music used in video content will be open source and in the public domain
- Hashtags may be used to connect to our closed group of Instagram users to highlight events, with an educational purpose, e.g. What a fantastic morning for archery and bear hunting! #daheimarchery

A limited number of people have admin rights and may change the settings within the Instagram account, as well as post pictures.

- Paul Wild (admin – may change settings)
- Emma Beckett (admin – may change settings)

In addition, one named person on each school trip may post pictures on the account. Other staff at Thomas's Daheim should send the named person for their trip suitable pictures for posting, should they wish to.