

## Photographic Images and Videos of Pupils: New Process from 08-10-2021

***PLEASE READ: Ewell Castle School is changing its process for using photographic images and videos of pupils as from Friday 8<sup>th</sup> October 2021. Please read these guidelines which explain the reasons for changing the existing process and what the new process will be. For the majority of families, once you have read these guidelines no further action is required.***

### **Circumstances when the School has previously taken photos and videos of pupils**

Any pupil at Ewell Castle School may have previously had their photo taken for School record purposes and for education assessment purposes if required. Additionally, the School may have taken and used photos and videos of pupils to promote the School.

### **The previous process for photos and videos of pupils to promote the School**

Ewell Castle School previously asked all families to complete a 'Using Photographic Images and Videos of Pupils' form. The form had three separate consent/permission boxes, and in some cases the images/videos could continue to be used or re-printed across those areas/platforms after the pupil had left the School.

The three consent boxes were:

- Photo consent general (including website, prospectus, newsletters, displays, presentations)
- Photo consent media (specifically for press/media releases)
- Photo consent social media (for use on the School's social media accounts)

Pupils would then potentially be included in photos and/or videos to promote the School, depending on which of the three consent boxes their families had consented to.

### **The previous process was complex and time-consuming**

On a day-to-day basis, the process to ensure that only pupils with the correct permissions were included in photographs was overly complex and time consuming for staff to administer. There have been occasions when a pupil who didn't have the correct permissions was mistakenly included in a wonderful photograph. Staff then contacted the relevant parent/guardian to ask permission to use that photograph, and permission was then usually given, not only for that occasion but going forward for all photos.

### **New process effective 8<sup>th</sup> October 2021 – Assumed Consent based on Legitimate Interest**

Generally, parents and guardians like to see their child featured in School photographs where they are together with their school friends and classmates taking part in various school events, activities, whilst on School trips and if they are in a School sports team and/or music and drama performances.

Due to the complications of administering the previous pupil photos and video process, Ewell Castle School has decided to update how it manages pupil photos and videos that can be used to promote the School.

Effective 8<sup>th</sup> October 2021, Ewell Castle School's photographic images and videos of pupils' procedures will be based on **legitimate interest** and the School will **assume that it can take photos and videos of all its pupils**, and **potentially use** those photos/videos to promote Ewell Castle School.

This may include within School on displays and presentations, End of Term Reviews, as well as externally on the School website, School social media, media releases, School promotional videos and School music and/or drama production videos. (Advertising is the exception, see notes below on 'Outside the scope of the previous consent form & the new updated procedures at 08-10-21').

### **Outside the scope of the previous consent form & the new updated procedures at 08-10-21**

As an independent school, we regularly advertise in various forms of media. If we wish to use the image of a pupil in Ewell Castle School advertising, we will seek specific consent from the parent or guardian of that pupil or from the pupil themselves if they are aged 16 years or over.

### **Where there may be safeguarding concerns**

If there are safeguarding reasons why your child should not be included in any photos/videos that could be used to promote the School, or if you feel strongly that they should not be included in any photos/videos, please email our Safeguarding Leads; at the Senior School Mr Leigh or Miss Hernandez on [s.leigh@ewellcastle.co.uk](mailto:s.leigh@ewellcastle.co.uk) or [p.hernandez@ewellcastle.co.uk](mailto:p.hernandez@ewellcastle.co.uk) and at the Prep School Mrs Macallister or Mrs Fowler on [l.macallister@ewellcastle.co.uk](mailto:l.macallister@ewellcastle.co.uk) and [s.fowler@ewellcastle.co.uk](mailto:s.fowler@ewellcastle.co.uk) by 8<sup>th</sup> October 2021.

### **Pupil names alongside pupil photos**

Ewell Castle School follows the Department for Education (DfE) advice: "If the pupil is named, avoid using the photograph. If the photograph is used, avoid naming the pupil." *Except as mentioned below*, we will therefore not use children's full names alongside their photographs in the school's own printed publications, in video films, on our website, or School social media accounts without the specific consent of a parent/guardian or the pupil themselves if they are aged 16 years or over. The exceptions to this rule are:

- the Ewellian annual School magazine may include sports team and form group photographs with the names of the team members printed beneath. The Ewellian is distributed to all families whose children attend Ewell Castle School or attended the previous year. It is also retained indefinitely for historical purposes within the School's online digital archive. The archive is hosted within a closed access website and only those connected with the School (alumni, their parents and family members, and current/former staff members) can access the archive if they are supplied with a username and password.
- the whole School photograph which is taken periodically which includes all pupils and staff. The photograph is only available for purchase by pupils, their parents or guardians and staff but it is retained thereafter in the School's digital archive (please see above).
- the School may at times provide press releases to media. News outlets prefer releases and features to be accompanied by relevant photos of the pupils/staff involved. Parent/guardian consent will be sought on these occasions and only then will pupil/staff full names be provided. Digital photos will be kept for a period of up to ten years before review, at which point they may be retained for the School Archive or deleted.
- in most situations, when the School posts a photo of a pupil/s on social media, pupil names will not be included. However, if the School knows that the individual pupil/s in the photo have given their consent for their first name to be included alongside their photo, then both the pupil/s photo and pupil/s first name may be used together.

Please contact Ms Carol Hernandez, Marketing, Development and Alumni Manager if you have any queries [c.hernandez@ewellcastle.co.uk](mailto:c.hernandez@ewellcastle.co.uk)