

TAKING PHOTOGRAPHS IN SCHOOLS

Aim of this guidance

This Good Practice Guidance is aimed at Local Education Authorities and those working within schools, colleges and universities. It gives advice on taking photographs in educational institutions and whether doing so must comply with the Data Protection Act 1998.

Recommended Good Practice

The Data Protection Act is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos.

Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.

- Photos taken for official school use may be covered by the Act and pupils and students should be advised why they are being taken.
- Photos taken purely for personal use are exempt from the Act.
- Photos taken by the media are usually exempt from the Act.

Examples

Personal use:

- A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.
- Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the Data Protection Act does not apply.

Official school use:

- Photographs of pupils or students are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- A small group of pupils are photographed during a science lesson and the photo is to be used in the school prospectus. This is unlikely to be personal data and the Act wouldn't apply.

Media use:

- A photograph is taken by the local newspaper of a school awards ceremony. This is unlikely to be covered by the Act. Even if it were covered, personal data processed for journalistic purposes are exempt from the main provisions of the Act. However, as there may be concerns in individual cases about pictures appearing in the press, it would be good practice for schools to advise people that the press will be attending certain events.

Further Information

If you require any further information about this or any other aspect of Data Protection, please contact us using the details below:

Web: www.informationcommissioner.gov.uk

Email: mail@ico.gsi.gov.uk

Telephone: 01625 545700