



St Leonards Photography and Videography Policy

Policy Owner: Data Protection Officer

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Date of Next Review: August 2027

1. Introduction

St Leonards is committed to providing a safe and nurturing environment for all our pupils. This policy, which forms a key part of our wider commitment to safeguarding and online safety, outlines our approach to the use of photography and videography within the school and at school-related events, as well as the responsible use of digital images of our pupils.

We recognise the importance of capturing memorable moments, celebrating achievements, and promoting the unique character of St Leonards. However, we also acknowledge the risks associated with publishing digital images online. This policy therefore prioritises the privacy, safety, and wellbeing of our pupils at all times. We recognise that digital images can now be scraped and misused, including through artificial intelligence (AI) tools capable of facial recognition, image generation and the creation of synthetic or “deepfake” content. Mitigating these risks is a specific objective of this policy.

This policy applies to all members of the school community, including staff, pupils, volunteers, parents, guardians, visitors, and any third-party individuals or organisations who may take photographs or videos on school premises or at school-organised events.

This policy should be read alongside the school’s [Mobile Phone and Personal Device Policy](#), which governs when and whether pupils may use personal devices (including phones, cameras, smartwatches and wearables such as camera-enabled glasses or AI pins) capable of taking photographs or recordings during the school day.

2. Aims and Objectives

- To ensure the appropriate and responsible use of photography and videography that respects the privacy and dignity of all individuals, particularly pupils.
- To establish clear guidelines for obtaining consent or a valid lawful basis for the capture and use of pupil images.
- To safeguard pupils from the misuse of their images both online and offline. This includes misuse, such as unauthorised scraping and the use in AI training datasets.
- To educate pupils and the wider school community on the safe and responsible use of digital images.

- To ensure compliance with relevant legislation, including the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

3. Lawful Basis and Consent for Photography and Videography

3.1 Lawful Basis for School Photography

For images taken by the school for official purposes, we rely primarily on Legitimate Interests as our lawful basis under GDPR. We consider it is in the legitimate interest of the school to showcase its activities, celebrate pupil achievements, and promote the school to prospective families. We balance this interest against the rights and freedoms of the individuals concerned and will always offer an opt out.

The school relies on different lawful bases depending on how an image is used. For internal, operational use (Section 4.1) we rely on Legitimate Interests. For external and public-facing marketing use (Section 4.2), given the enhanced protection owed to children's data, we rely on consent (opt-in). The Data (Use and Access) Act 2025 confirms that direct marketing may be a legitimate interest, but this does not remove the need to weigh the rights of the child, and it does not override any separate consent requirements. Where we rely on Legitimate Interests we will always offer an opt out. Where we rely on consent, that consent is freely given, specific, informed and unambiguous, and is as easy to withdraw as it is to give.

3.2 Opt Out and Permission Process

Upon entry to the school parents/guardians or pupils in Year 8+ (Section 3.4) will be asked to provide their preferences for the use of their child's image when their child first joins the school. This will include options to opt out of specific uses outlined in 3.3 of this policy.

Preferences will be reviewed annually to ensure they remain current and accurate. Parents/guardians or Year 8+ pupils can update their preferences anytime through the pupil's Engage portal.

Parents/guardians and Year 8+ pupils have the right to withdraw their permission (opt out) at any time. The school will take all reasonable steps to ensure no future usage from its digital platforms within a reasonable timeframe, acknowledging that some archived materials (e.g. printed collateral already in circulation) may not be retrievable.

Withdrawal of permission is not retrospective and will not require the removal, deletion, or alteration of materials created or published before the withdrawal took effect. This includes, for example, printed publications, social media posts, annual stored images, archived digital content, and other materials that have already been produced or distributed. Special requests will be considered where appropriate.

3.3 Types of Permissions

To provide clarity and control, parents and guardians will be asked to select their preferred level of permission for the use of their child's image. The options are:

Internal School Use

- The parents/guardians will consent to their child's identifiable image being used for purposes within the immediate school community. This includes classroom displays, internal newsletters sent directly to parents, secure learning platforms (Engage). Images will not be used in any public facing marketing materials.
- Where parents/guardians have selected 'No' to all image use preferences, they may still consent to photographs of their child being taken and used for educational purposes only, such as within the classroom and in pupil workbooks. These photographs will be taken by teaching staff for educational purposes and will not be taken or used by the Marketing team for promotional or external communications. Any photographs taken by staff for these purposes will be managed in accordance with the School's Staff Use of Personal Devices Policy and deleted from personal devices immediately after they have been used for the intended educational purpose.
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Internal and External School Use

- The parents/guardians will consent to their child's image being used for all internal purposes listed above, and also for external communications that promote the school and celebrate pupil achievements. This includes, but is not limited to, the school's printed materials (brochures, banners, flyers, etc.), our official public website, school-managed social media accounts, digital and print advertisements, education agent school profiles, the *St Leonards Gazette* and press releases to local and national media.

No Use

- The parents/guardians will not give consent for the school to use their child's image in any planned or official photography or videography. The school will take all reasonable steps to ensure your child is not included in such media.

Please note that images in which the pupil is not easily identifiable, taking into account the image itself and the context in which it is used, may be used regardless of the permission level selected. The School manages this with care and with the safety of all pupils, and their image preferences, in mind.

3.4 Pupil Participation and Age of Consent

Under the Age of Legal Capacity (Scotland) Act 1991, a child aged 12 or over is generally presumed to have the capacity to exercise their own data protection rights. We will therefore seek the views of, and give weight to the preferences of, pupils aged 12 and over, and will involve younger pupils in decisions about their image where appropriate to their age and understanding. Senior School pupils (in years 8+) set and manage their own photography and videography preferences directly via the Engage app.

4. Permitted Use of Images

4.1 School Internal Use

Images and videos may be used for internal school purposes, including internal newsletters, pupil record platforms, classroom display and other school community restricted information.

4.2 School External Use

Subject to appropriate permissions, images and videos may be used for external purposes, including, but not limited to, the school website, social media, prospectus, curriculum guides, brochures, banners, flyers, digital and print advertisements, school profiles, and *The St Leonards Gazette*.

4.3 Safeguarding Considerations for School Images

- Photographs published on the website or elsewhere will be selected carefully to ensure they are appropriate and respectful. Care will be taken to ensure pupils are appropriately dressed.
- When selecting images for public use the school will favour group shots over individual images.
- Where possible, the school will avoid publishing images that combine several identifying features, such as a clear face, a full name, and an identifiable location.
- Staff and volunteers must be aware of those pupils whose images must not be taken or published for any reason and ensure this is respected.

5. Online Safety and Digital Image Management

Appropriately managing images and videos on the school's website and social media is essential to maintain a professional, secure online presence and mitigate opportunities for misuse.

- The marketing team will conduct periodic audits of our school's website and social media platforms to assess the necessity and appropriateness of images featuring pupils.
- Where images are used, the school will consider reducing their resolution to limit their ability to be repurposed.
- Before uploading images to any public-facing platform, we will ensure that location data (geolocation) and other metadata have been removed to prevent unintended exposure.
- The school does not use facial-recognition or other biometric processing on pupil images, and does not permit third parties to do so.
- Where technically possible the school has disabled right-click saving of images on its website and applied watermarks or copyright indicators.

6. Restrictions and Prohibited Use

- Images or videos taken on school premises by any individual (including parents) must not be published online to a public social media account without the explicit permission of the school and the parents/guardians of all identifiable pupils in the image.

- Pupils must not take, use, share, publish or distribute images of others without their explicit permission. This is strictly prohibited and will be dealt with under the school's promoting positive [behaviour policy](#).
- This reflects the [Mobile Phone and Personal Device Policy](#), under which pupils must not photograph, film, record, livestream, share or upload images of any pupil, member of staff, visitor or school activity without the explicit permission of a member of staff, on school premises and on school visits, fixtures, activities and transport. Particular care applies to wearable and covert-capture devices (such as camera-enabled glasses, smartwatches or AI pins), which must not be used to capture images of others.
- Photography and videography are strictly prohibited in changing rooms, toilets, and other private areas.
- Creating, generating, requesting, sharing or distributing synthetic, or altered images or videos of any pupil, member of staff or other person is strictly prohibited, unless when undertaken by the Marketing Team to ensure pupil privacy, or for the enhancement of the image's visual quality. This will be treated as a serious safeguarding and behaviour matter and, where relevant, a criminal one, and will be dealt with under the school's safeguarding and behaviour policies with clear sanctions.

7. Photography and Videography by Parents/Guardians and Visitors

- In accordance with guidance from the Information Commissioner's Office, parents/guardians are welcome to take videos and digital images of their own children at school events for their own personal use (as such use is not covered by the Data Protection Act).
- To respect everyone's privacy and in some cases protection, these images must not be published or made publicly available on social networking sites, nor should parents/guardians comment on any activities involving other pupils in the digital/video images.
- The school reserves the right to restrict or prohibit photography and videography at certain events (e.g. a school play) if it deems it necessary for safeguarding or performance integrity.

8. Storage and Retention of Digital Images

- All digital images and videos held by the school will be stored securely on school managed servers or cloud platforms with restricted access.
- Images will be retained only for as long as is necessary for their intended purpose, in line with the school's data retention schedule.

9. Roles and Responsibilities

- **Data Protection Lead / Data Protection Officer**
 - Responsible for overseeing data protection complaints under Section 11, and advising on AI, biometric and international-transfer risks.
- **Director of External Relations**
 - Responsible for line management of the External Relations Teams and for oversight of the school's use of pupil images in promotional and external communications, ensuring such use aligns with recorded consent preferences and this policy.
- **Designated Safeguarding Officer (DSO)**

- Responsible for ensuring all practices align with safeguarding policies and addressing any concerns.
- **All Staff**
 - Responsible for adhering to this policy, modelling safe and professional online behaviours, and reporting any concerns.
- **Parents/Guardians**
 - Responsible for providing up to date preference information and for adhering to the policy when taking images at school events.
- **Pupils**
 - Responsible for understanding and adhering to the school's rules, respecting the privacy of others, and respecting copyright and intellectual property.

10. Breaches of Policy, Incident Management, and Data Rights

Any breach of this policy will be taken seriously. Online Safety is a safeguarding issue. Should an incident occur involving the misuse of images or videos, it will be managed through our established safeguarding and child protection procedures. This may include clear escalation routes to the Police or other relevant authorities.

11. Online Safety Education

While technical solutions and policies are essential, their use must be balanced by educating pupils to take a responsible approach. The education of pupils in online safety is therefore a vital part of the school's provision.

- The school curriculum will include a planned programme of online safety education.
- Pupils will be taught about the risks associated with the taking, use, sharing, publication, and distribution of images.
- Pupils will be educated on the importance of consent, respecting others' privacy, and building a positive digital footprint.
- Pupils will be taught to be critically aware of the materials they access online and to respect copyright and intellectual property rights.

Staff online-safety training will include synthetic media and AI threats.

12. Review of Policy

This policy will be reviewed annually, or sooner if there are changes in legislation, ICO guidance, or school procedures. Proactive communication of this policy will be made to all stakeholders at the start of each academic year.