

FILMING AT CHRISTMAS / NATIVITY PERFORMANCES

Questions arise frequently in connection with photography and filming at school performances and sports days. There appear to be an equal number of concerns from parents – some complaining that they do not want ‘strangers’ photographing their child, and others complaining that the school has stopped them from bringing cameras to school events. In either case the cry goes up, “It’s a breach of my human rights!” In fact, it is not.

It is perfectly proper for schools to adopt either position – allowing or prohibiting filming and photography. Parents do not have a ‘human right’ to prevent someone taking a photograph of their child; nor do they have a ‘human right’ to be allowed to film at a school event.

Unlike the position where the school takes images of children, parents are not bound by the principles of the Data Protection Act when they film or photograph school activities. Where parents are allowed to photograph and film, it would not generally be appropriate for a school to try and impose rules as to the circumstances in which parents may later view or use those images. *(The only exception would be where a school has reason to believe that a parent might intend to use a recording of a copyrighted work for purposes other than family or domestic use).*

It is entirely a matter for individual schools as to whether or not they will allow parents to photograph or film at school events. The Authority does not have any policy on this question. Headteachers may wish to involve their Governing Body in making this decision, so that there can be some reassurance in the support of Governors if and when complaints are received from parents.

It would be helpful if parents are made aware of the school’s position in plenty of time before an event takes place; either at the time of advertising or perhaps printing information on any tickets. In doing so, schools will hopefully avoid the difficult situation where video cameras are either having to be removed from parents at the door, or parents are withdrawing their child from participation in an event when they see others with cameras.

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