



St Martin's School

Be the best you can be

Executive Headteacher:
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Dear Parents and Carers,

Re: Legal Basis for taking photographs/digital images: Legitimate Interest and not Consent

We are proud of our school and its pupils' achievements. To celebrate these and to promote the school, we may capture digital images of pupils and staff during lessons, events and activities. The following are some examples of when we might capture images. Note that this list is not intended to be exhaustive:

- Displays within school and on our website;
- On our social media (e.g. X, Facebook or Instagram);
- In our newsletter;
- Local media, such as newspapers (physical and online);
- In our school prospectus;
- School trip;
- Sports days;
- School performances;
- Official whole school/class photos that are taken annually alongside individual photographs for purchase.

Until recently, we have always asked for parental consent (typically, via the school admissions form, but also via a stand-alone request) for digital images to be captured. However, regulatory advice from the Information Commissioner's Office (ICO) recently advised schools that asking for consent for capturing digital images was not necessary.

The [guidance](#) states that, if we are capturing digital images of pupils/staff for promotional purposes, we can rely on our Legitimate Interests, rather than seek parental consent.

This means that we will no longer require your consent for capturing digital images.

However, this does not remove your right to opt-out of having digital images of your child(ren) captured.

If you do not want your child's digital images to be captured, please notify the School Office in writing, or by email using the following address: enquiries@st-martins.essex.sch.uk

Our school admissions form will now be updated to reflect this change, and we also have updated our [privacy notice for school photos and additional activities](#).



DISCOVERY
EDUCATIONAL TRUST

Chief Executive Officer: Mr R Duff
St Martin's School is proud to be part of the Discovery Educational Trust

Please be assured that, if you had not previously provided consent for your child's digital image to be captured in any of the previous options, we will automatically opt them out of having their image captured going forward under this new model. If you would like to provide photo consent for your child, particularly if only some consent options were previously selected, please email us with the relevant details.

If you opt out, either now or in the future, your child's record will be noted accordingly. If you change your mind at any time and wish to opt in to digital images being captured, notify the School Office using the above contact details.

It is important to note that we will no longer check with you periodically that you remain happy for digital images to be captured; we will assume that digital images can be captured unless you advise us otherwise.

If we publish a digital image online or in the media, we will not use the pupil's name (or will use first name only).

Previously, your consent for digital images to be captured was split into different categories, for example, displays in school, social media etc. We will no longer make this distinction. If you do opt-out of digital images being captured, absolutely no digital images will be captured (other than for the pupil record, which is required by law).

If you have any queries regarding this information, please contact the School Office using the above contact details.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J Foster', written over a horizontal line.

Mr J Foster
Executive Headteacher