Diverse Academies
Learning Partnership

Photography and videography policy April 2018

Office use

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Associated documents:			
• ICT acceptable use of computers and internet policy • Social media policy		• Communications policy • CCTV policy	
Links to:			
• Data Protection Act 1998 (up to 25 May 2018) • General Data Protection Regulation (from 25 May 2018)		• ICO guidance	

Contents

1 Policy statement 3
2 The role of photography and videography in our trust 3
3 How we use photography and videography 3
4 Basis for use, consent and withdrawing consent 4
5 How images and footage are captured 4
6 How images and footage are transferred and stored 5
7 Ownership and copyright 5
8 Review of the policy 6

1 Policy statement

1.1 This policy applies to all Diverse Academies Trust and National Church of England Academy Trust employees – collectively known as the Diverse Academies Learning Partnership (the 'trust' or 'organisation').

1.2 Where a person is identifiable, photography and videography footage is classified as 'personal data'. In some instances, the processing of such personal data can also be classified as 'sensitive personal data', for example revealing racial or ethnic origin, political opinions, religious or philosophical beliefs.

1.3 This policy is concerned with ensuring that the trust operates within current legislation and adopts best practice as regards to capturing and storing photography or videography for official use.

1.4 This policy does not apply to photography and videography captured for solely personal use by individuals such as students, parents, carers, and family members of students. For example, a parent taking images of their child in an academy performance or at a sports day event. Those parents/carers and other individuals attending academy events will be asked that they do not post any images or film footage which include any child other than their own child on any social media or otherwise publish those images or film footage.

1.5 Photographs or film footage of crowds are not classified as personal data, providing no one person is the focus of the image. Crowd photographs which are cropped to focus on one individual will however be defined as personal data.

1.6 It is the responsibility of all employees to adhere to this policy.

2 The role of photography and videography in our trust

2.1 Images and film are powerful tools to capture and convey the spirit of being part of the Diverse Academies – positively depicting our shared values, and promoting and celebrating the many achievements of our academy communities.

2.2 The protection of our children and young people is also paramount, and this policy sets out the framework within which the trust operates to ensure the safe, secure and appropriate use of photography and film in a range of settings.

3 How we use photography and videography

3.1 Photography and videography is used to capture people, places and events. The range of official uses include, but are not limited to:

- Personal identity cards
- Student records, curriculum and course work
- Display boards
- Websites and social media accounts
- Promotional literature and communications (print and digital formats)
- Press and media

3.2 Care is taken to reduce the risk that images could be misused by others outside of the trust. In general, photography and film footage will not include captions or names which specifically identify individuals. Where additional personal data is necessary to accompany an image, this will be limited, for example, to a first name only.

4 Basis for use, consent and withdrawing consent

4.1 Parental/carer or student (as appropriate) permission is obtained via the academy to which the individual student is registered – strictly following the trust data consent process. The record of this will be held on the academy management information system (MIS), to ensure consent for a child or young person to be photographed and filmed is consistently and accurately documented.

4.2 Consent can be withdrawn at any time by in writing, directly contacting the academy to which the individual student is registered. Once consent is withdrawn, the trust will not use the relevant images again, but it will not normally be possible to recall publications in which their image has already appeared.

4.3 In some scenarios, the trust has a 'legitimate interest' to use imagery in support of safeguarding and in delivering a child's education, and which does not cause the identified individual unwarranted prejudice, damage or distress. In such instances, explicit consent is not required. Examples include student identity cards, academy displays, student records and academic work.

5 How images and footage are captured

5.1 The trust may use staff and/or external professional photographers and videographers in capturing imagery.

- Where photography and film are captured by trust staff, only trust equipment and devices will be used.
- External contractors may use their own equipment and devices to capture imagery in compliance with current legislation and this policy.

5.2 Careful consideration is given in capturing images and footage, to ensure that:

- students are suitably clothed to reduce the risk of inappropriate use; for example particular attention is given to settings such as sports, swimming and drama
- appropriate camera angles are used; and students are not captured in a position of 'vulnerability', such as emotional distress, upset or embarrassment
- students are not named within the image itself
- external photographers/videographers are not left with unsupervised access to students (in line with safeguarding policy)
- photography sessions are not held outside an academy/trust event or at a student's home
- before taking a photograph, verbal permission is sought, therefore giving anyone who does not wish to be included the opportunity to opt out; noting this does not supersede the need for written consent as outlined in 4.1

6 How images and footage are transferred and stored

6.1 Digital images and film footage must be transferred under encryption to a secure trust network folder at the earliest opportunity and the device files wiped. The folder must be protected by restricted access. Devices and equipment must be regularly checked and cleared of files to ensure adherence to this policy.

6.2 Where third party platforms, such as WeTransfer or Google Drives, are used to support the transfer of files, relevant due diligence must be carried out to ensure sufficient security and legislative compliance is in place before using.

6.3 Images and film footage should not be stored on unencrypted portable equipment such as laptops, memory sticks, removable hard drives and mobile phones. Storing personal information on these devices is not considered secure.

6.4 Hard copy images, where retained, must be stored in a locked draw with restricted access.

6.5 Images and film footage must be stored in dated and annotated file folders (or a digital photography library) and may be actively used for a period of no more than 5 years, at which point files must then be securely archived or deleted.

6.6 External contractors must also store and transfer images or footage securely adhering to current legislation and this policy.

7 Ownership and copyright

7.1 Photographs, film, sound recordings and still images are all protected by copyright. The trust retains these rights.

7.2 The trust will not share with third parties with the exception of external contractors – who are appointed to capture and store photography and videography on the trust's behalf, and for the

sole purpose of working with the trust in line with this policy. All external contractors are classified as ‘data processors’ and are subject to the trust’s relevant supplier agreement, which incorporates a GDPR compliance check. The trust’s impact statement will include a record of this.

8 Review of the policy

This policy will be reviewed in April 2019.