

We are an ambitious and inclusive Trust of schools  
strengthening communities through excellent education.



# Photographic and Digital Images Policy

Responsibility for approval: Business Directors Group  
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## Contents Page

### Table of Contents

<b>1.0</b>	<b>Policy Statement</b>	<b>3</b>
<b>2.0</b>	<b>Scope and purpose</b>	<b>3</b>
<b>3.0</b>	<b>Definition</b>	<b>5</b>
<b>4.0</b>	<b>Legal Framework</b>	<b>5</b>

## 1.0 Policy Statement

- 1.1. The Ted Wragg Multi-Academy Trust and its schools are committed to safeguarding all pupils in its care, and members of the Trust community, including employees, governors and volunteers. Under the General Data Protection Regulation (GDPR), it is necessary to have a 'lawful basis' (legal reason) for processing personal data, including photographs, videos and display boards, which all come under the UK General Data Protection Regulation (GDPR).

## 2.0 Scope and purpose

- 2.1 Parents/carers of children under 13 will be asked to complete a consent form when their child starts at a school within the trust. This consent will be deemed to cover the pupil's time at the school, any written consent forms will be disposed of using the Trusts Retention Guidelines once the pupil leaves the school.
- 2.2 The Data Protection Act gives children rights over their own data when they are considered to have adequate capacity to understand. Most children will reach this level of understanding at around the age of 13. For this reason, for most students in a secondary school, it will normally be up to the individual child to decide whether or not to be photographed.
- 2.3 Where the Trust considers that the child does not have the capacity to make such a decision, the Trust will act as it considers to be in the best interests of the child, and in doing so will take account of any stated parental or legal guardian preference.
- 2.4 If no preferences are expressed, then we will act in accordance with the principles expressed in this policy; if a child is over 13 they will be able to consent for themselves, if they are under 13, their photos will not be used or taken.
- 2.5 The Trust will not normally seek consent for any internal use of photographs as the processing of such personal data is in accordance with the statutory functions of the Trust in providing an education to the student and is therefore lawful on the grounds of public interest, such as student ID cards. However, the Trust will take into account any parental preferences expressed. The student may also exercise their data protection rights in respect of photographs as set out in the Privacy Notice for Students and our Data Protection Policy. We will respond appropriately to any student or parental request to exercise those rights.

### Withdrawing Consent

- 2.6 A parent or student can request to amend their consent preferences or withdraw consent for photographs being used at any time by informing the individual school or Trust's Data Protection Officer. You can contact the Data Protection officer at any time by emailing [dataprotectionofficer@tedwraggtrust.co.uk](mailto:dataprotectionofficer@tedwraggtrust.co.uk)
- 2.7 If consent is withdrawn, the school will arrange to delete any photographs or videos held by the trust. The trust will not display photos of pupils with names unless additional written consent has been sought. Where there are safeguarding issues around a pupil(s), photos will not be used without prior approval and written consent from the relevant authorities involved.

## **Photos and Videos for official use across the Trust**

**Ordinarily the following rules apply to photographs in the Trust:**

### **Photographs for Trust use**

- 2.8 The Trust will take photographs for its own use, these will generally be used for publications such as photos for the Trust offer document, school websites or other marketing documents.
- 2.9 When photographs are being taken, students will be informed that the photographs are being taken and told what it is for so that they can object beforehand if they wish.
- 2.10 Photos should generally be unnamed, if the Trust wants to use named photographs then it will obtain specific consent first, unless the use of a named photograph is necessary in conjunction with the provision of education by the Trust e.g. where an exam board requires it. For most students this will be student consent as explained above but parental wishes will be taken into account.

### **Use on the trust website and online platforms**

- 2.11 The Trust will only use photographs of children on the Trust website or on social media platforms such as Twitter when consent has been given.

### **Media use**

- 2.12 The Trust will give proper consideration to the interests of its students when deciding whether to allow external organisations to take photographs or to film.
- 2.13 When the Media are allowed to be present in the Trust or at Trust events, this will be on the condition that they observe this policy.
- 2.14 Where the media are allowed to be present at a particular event, the Trust will make sure that students and their parents or carers are informed of the media presence. If no objection is received, then the Trust will assume that unnamed photographs may be published.
- 2.15 If the Media entity wants to publish named photographs then they must obtain specific consent from those students with capacity to consent or the parents of those without capacity. The Trust will require the media entity to check with the Trust before publication so that the Trust can check that any objections have been taken into account.

### **Photographs//Videos taken by parents/carers**

- 2.16 When parents/carers take photos or videos at any function run by the trust, for example, school performances, these are classed as being for personal use and therefore will not be subject to the GDPR. Parents/carers will however be asked not to share or publish images on social media or elsewhere on line for potential safeguarding reasons.

### **Other Media- Display Boards / Notice Boards / Staffroom / walls across the Trust / MIS system**

- 2.17 Any of the above used throughout the trust will not have any data/information displayed that is not anonymised unless consent has been received from parents/carers/employees/governors or volunteers.

The following personal data of pupils, employees, governors/trustees and volunteers will not be on display around the trust. This includes but not limited to:

- Names
- Telephone Numbers
- Addresses
- Medical conditions Information that may be required in an emergency will be kept in a secure area where it is only available to persons that need to access it.

### **Archiving Photos and other images**

2.18 Photograph of individuals are valid from the time they join the school in the Trust. There may be occasions when images are used after they have left the school, for example, a celebratory event from the history of the school. If you do NOT wish for image to be used AFTER leaving the trust, please write to the school individually or contact the Data protection officer by emailing [dataprotectionofficer@tedwraggtrust.co.uk](mailto:dataprotectionofficer@tedwraggtrust.co.uk). These guidelines only relate to images taken by or commissioned by the Trust themselves for publication. The Trust is not liable for images taken by parents or others at Academy events, as it is those who own and publish the images that are subject to the Act.

### **Reporting a data breach**

2.19 In the event that there is a data breach, such incidents need to be managed as per our Management of Information Policy Suite which can found at <https://bit.ly/3GikcaU> and the data breach form can be found on our intranet <https://staffhub.tedwraggtrust.co.uk/compliance/>

## **3.0 Definition**

3.1 For the purpose of this document:

- The Ted Wragg Multi Academy Trust is referred to as **the Ted Wragg Trust or TWT** or **the Trust**

## **4.0 Legal Framework**

- 4.1 This Policy will be published on the Trust's website and will be included in the Trust's Policy Monitoring schedule.
- 4.2 This Policy will be circulated to every Member, Trustee/Director, Governor and Senior Employee by sending an email to the link on the Trust's website.
- 4.3 The Trustees are responsible for overseeing, reviewing and organising the revision of this Policy.

