

Palladian Academy Trust

Photograph & Digital Images Policy



Date of last review:	September 2018	Review period:	2 years
Date of next review:	September 2020	Governance Lead:	PAT Audit & Risk Committee

Policy Statement

The Palladian Academy Trust (PAT) and its academies are obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when they take or publish photographs or digital images of their pupils. The academy trust will always try to act in the best interest of the pupils and, as far as it legally can, it will take parental preferences into account.

The trust will not normally seek consent for any internal use of images as the processing of such personal data is in accordance with the statutory functions of the academy in providing an education to the pupil and is therefore lawful on the grounds of public interest. However, the academy will take into account any parental preferences expressed. The pupil may also exercise their data protection rights in respect of images as set out in the privacy notice for pupils and the PAT Data Protection Policy. Academies will respond appropriately to any pupil or parental request to exercise those rights.

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 age 12. For this reason, for most children in a secondary school, it will normally be up to the individual child to decide whether or not to be photographed. Where the academy considers that the child does not have the capacity to make such a decision, the academy 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 preference.

Publicity photography is helpful in celebrating the success of the pupils, the academy and in promoting educational initiatives. The academy will judge each situation regarding photographs and video images portraying pupils on a case by case basis. The academy will use reasonable judgement when using images for the progression of the academy and its pupils whilst always respecting the wishes of the individual and their parents/carers.

If you wish to express a preference for the academy to avoid taking or publishing photographs of your child in certain circumstances, then please indicate your preferences using the attached form. If no preferences are expressed, then we will act in accordance with the principles expressed in this policy.

Ordinarily the following rules will apply to photographs in our schools:

Photographs and digital images for internal use

- The trust and academy will take images for their own use. Usually these will be unnamed photographs and will generally be for internal trust and academy use but may also include images for publication, such as photos for the prospectus, or to show on slides during presentations. Unnamed photographs may also be used on display boards which can be seen by visitors to the academy.
- When the photograph is taken, the student will be informed that a photograph is being taken and told what it is for so that they can object if they wish.
- If the academy wants to use named photographs, then it will obtain specific consent from the student (where they have adequate capacity) or abide by the preference stated by the parent/carer on the attached form.
- Parents/carers should be aware that should their child leave the academy and they wish to withdraw consent to use an image, then it will be necessary for this to be stated in writing.

Our website and digital media

- The trust and academy will only use images of children on our website and social media channels with consent. This consent must be the consent of the child when the child has sufficient understanding to make the decision for themselves (generally age 12 onwards), but the academy trust will take into account any parental preference expressed and so will not ordinarily publish against the wishes of parents.

Media use

- The academy will give proper consideration to the interests of its pupils when deciding whether to allow external organisations to take photographs or to film.
- When the media are allowed to be present in the academy or at academy events, this will be on the condition that they observe this policy.
- Where the media are allowed to be present at a particular event, the academy will make sure that pupils and/or their parents/carers are informed of the media presence. If no objection is received, then the academy will assume that unnamed photographs may be published.
- If the media wants to publish named photographs, then they must obtain specific consent from those pupils with capacity to consent or the parents/carers of those without capacity. The academy will require the media to check with the academy before publication so that they can check the completed parental consent form.

Family photographs at academy events

- It shall be at the discretion of the academy whether photographs may be taken at an academy event.
- Family and friends taking photographs or digital images for the family album will not be covered by Data Protection legislation.
- Where the academy decides to allow such photography, the family and friends will be asked not to publish any photographs showing children other than their own on the internet or social media.



The purpose of this form is to obtain preferences (and consent for younger pupils) from parents/carers to use photographs and other media to celebrate publicly, the successes and achievements of pupils, both during and after their education at the academy and to promote the activity of the Palladian Academy Trust. Where a student is deemed to have the capacity to give consent themselves, then the preferences expressed on this form will be considered alongside the views of the student.

For more information on the principles of how we intend to use photographs and digital images, please see the Photography & Digital Images Policy on our school and trust website.

Name of child: _____

Please sign and return this form to the school office. Please indicate any sections you would **like to opt out** of by ticking below.

Unnamed photographs:

- I would prefer that unnamed photographs/digital images of my child **are not used** in the trust, (display boards, school newsletters for example)
- I would prefer that unnamed photographs/digital images of my child **are not used** for trust use for wider publication (trust prospectus, trust website, school social media channels for example)
- I would prefer that an unnamed photograph or image of my child **does not** appear in any external publication (newspaper publications, local magazines, news channels or other external media)

Named photographs:

- I would prefer that named photographs/digital images of my child **are not** used in the trust (display boards, school newsletters for example)
- I would prefer that named photographs of my child **are not** used in any trust publication (trust prospectus, trust website, school social media channels for example)
- I would prefer that named photographs of my child **do not** appear in any external publication (news channel, newspapers, magazines regarding sports, activities, club and competition participants and prize winners for example)

I understand that the trust will try to take my preferences into account, but that the trust must comply with Data Protection Act 2018 which will give my child rights with their own data they have adequate capacity and understanding to make decisions about the publication of photographs for themselves.

I understand that if I wish to amend my preferences, I will do so in writing and forward to the school office.

Signed _____

Date _____

PRINT NAME _____

Relationship to child _____