



ATLAS Multi Academy Trust

PHOTOGRAPHY POLICY

Trust sub-committee: Resources Committee

Co-ordinator: ATLAS Executive Team

Last Reviewed: Spring 2021

Next Review: Spring 2023

St Albans Girls' School : Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:
Margaret Chapman

Executive Head Teacher

Signed by:
Rachael Kenningham

Chair of ATLAS Board of Directors

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| 1 | INTRODUCTION |
| 1.1 | This is an ATLAS Multi Academy Trust Policy, but relates to all the Schools within ATLAS. The Schools within ATLAS are referred to in this policy as 'the school', and the ATLAS Multi Academy Trust is referred to as 'the Trust'. |
| 2 | RATIONALE |
| 2.1 | <p>The School is obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when it takes or publishes photographs of its pupils. The school 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.</p> <p>The Academy trust will not normally seek consent for any internal use of photographs as the procession of such personal is in accordance with the statutory functions of the school in providing an education to the student and it is therefore lawful on the grounds of public interest. However, the academy 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 policy for students and our Data Protection Policy. We will respond appropriately to any student or parental request to exercise those rights.</p> |

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| | <p>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 pupils in a secondary school, it will normally be up to the individual child to decide whether or not to be photographed. Where the school considers that the child does not have the capacity to make such a decision the school 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.</p> <p>If you wish to express a preference for the school 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.</p> <p>Ordinarily the following rules will apply to photographs in this school:</p> |
| 3 | Photographs for Internal Use |
| 3.1 | <ul style="list-style-type: none"> • Each school will take photographs for its own use. Usually these will be unnamed photographs and will generally be for internal school use but may also include photographs for publication, such as photos for the prospectus, or to show as slides at an event for parents. Unnamed photographs may also be used on display boards which can be seen by visitors to Each school. • When the photograph is taken, the pupils will be informed that a photograph is being taken and told what it is for so that they can object if they wish. • If Each school wants to use named photographs then it will obtain specific consent first. For most pupils this will be pupil consent as explained above but parental wishes will be taken into account. |
| 4 | Media Use |
| 4.1 | <ul style="list-style-type: none"> • Each school 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 school or at school events, this will be on the condition that they observe this policy. • Where the media are allowed to be present at a particular event each school will make sure that pupils and their parents or carers are informed of the media presence. If no objection is received, then each school will assume that unnamed photographs may be published. • If the Media entity wants to publish named photographs then they must obtain specific consent from those pupils with capacity to consent or the parents of those without capacity. Each school will require the media entity to check with each school before publication so that each school can check that any objections have been taken into account. |
| 5 | Family Photographs at School Events |
| 5.1 | <ul style="list-style-type: none"> • It shall be at the discretion of the school whether photographs may be taken at a school event. • Family and friends taking photographs 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. |

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Expression of Parental/Student Preferences for Photographs

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| Name of Student: | Age of Student |
| School student attends: | Name of person completing this form (if different from the student) |

Please tick any that apply

Unnamed Photographs:

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| I would prefer that unnamed photographs of this student are not used in school | |
| I would prefer that unnamed photographs of this student are not used for school use for wider publication: | |
| School prospectus and similar information | |
| School website | |
| Display boards | |
| I would prefer that an unnamed photograph of this student do not appear in any external publication | |

Named Photographs:

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| I would prefer that named photographs of this student are not used in school | |
| I would prefer that named photographs of this student are not used in any school publication | |
| I would prefer that named photographs of this student are not used on the school website | |
| I would prefer that named photographs of this student do not appear in any external non-school publication | |

I understand that the school will try to take my preferences into account but that the school must comply with General Data Protection Regulations 2018 which will give students rights in his / her own data when he / she has adequate capacity and understanding to make decisions about the publication of his / her photographs for him / herself.

Signed

PRINT NAME

Relationship to student



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Equality Impact Analysis

When reviewing all Trust policies, the following Equality Impact Analysis (EIA) should be undertaken to ensure fairness of the new proposals/policy and to identify any action needed to redress any potential discrimination, positively promoting equal opportunities, improved access and participation for all.

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| Title of Policy: | Photography Policy |
| Date: | Spring 2021 |
| EIA carried out by: | P O'Neill |
| EIA reviewed by: | Resource Committee |

| 1. Identify the aims and objectives of the policy, what will be the proposed change and how will it be implemented | |
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| <ul style="list-style-type: none"> Policy contains information about: Overall aims and objectives? What is the proposed change? Who is intended to benefit from the proposal and in what way? Outcomes of the policy? How will it be put into practice and who is responsible for this? | To comply with GDPR changes as advised by Stone King – legal representation for schools within the ATLAS MAT |

| 2. Assessment of Impact? <i>To include impact of policy, any plans needed to mitigate any negative impact, equality issues to be addressed</i> | | |
|--|-----------------------|---|
| Characteristic | Group | Effect/Impact |
| <ul style="list-style-type: none"> Age Disability Gender reassignment Marriage/civil partnership Pregnancy/Maternity Race Religion or Belief Sex Sexual orientation | Under 13 years of age | Children over 13 are responsible under law for their personal data. |

| 3. Consultation | |
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| <ul style="list-style-type: none"> • New policy contains information about: Policy audience, expected actions and outcomes Consultation and communication process Accessibility for all Fair access to the consultation process Lessons learnt from previous consultation, if appropriate | Privacy notices updates and available on school websites |

| 4. Decision | |
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| <ul style="list-style-type: none"> • Should the new proposal/policy be agreed and any impacts identified following consultations? • What reasonable adjustments are required? | No Issues or adjustments required |

| 5. Action Planning | |
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| <ul style="list-style-type: none"> • Any actions identified to address inequality for different groups? • Any actions identified to promote equality and diversity? • Where are these actions recorded and who is responsible for them? | None |

| 6. Monitoring and Review | |
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| <ul style="list-style-type: none"> • When will the impact assessment be reviewed? • Who is responsible? | In line with policy review date |

| 7. Publication of the results of the impact assessment | |
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| <ul style="list-style-type: none"> • Results of EIA are published – where and when? • The results are kept as a public record of the EIA – where and when? | With policy |