

PHOTOGRAPH POLICY

Hasmonian Multi-Academy Trust (the “Trust”) is obliged to comply with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018 when it takes or publishes photographs of members of Trust community. This includes its students, staff, visitors and those in the wider community who may be in attendance for a Trust event or function. The Trust will always try to act in the best interest of the students, the Trust, 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 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.

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 12. 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. 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 preference.

Photographs will only be taken of the students using the Trusts camera or mobile devices provided to staff by the Trust. Children aged 12 and over will be informed that a photograph is going to be taken and they will be asked if they would like to stay for the photograph to be taken. If they do not want to be in the photograph, they will be asked to move away from the area where it is being taken.

If you wish to express a preference for the Trust to avoid taking or publishing photographs of your child/children, then please contact the school’s Data Protection Officer. If no preferences are expressed, then we will act in accordance with the principles expressed in this policy. A parent or student can request to amend their consent preferences for photographs being used at any time by informing the Trust’s Data Protection Officer.

Our Data Protection Officer is Mrs Harris-Ellis. You can speak to her in school or you can leave a letter at reception or send one by post. You can also email her using the email address DPO@hasmonian.co.uk

Ordinarily the following rules will apply to photographs in this Trust:

1. PHOTOGRAPHS FOR INTERNAL USE

- The Trust will take photographs for its own use. Usually these will be unnamed photographs and will generally be for internal Trust 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 the Trust.
- When the photograph is taken, the students 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 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.

2. USE ON THE TRUST WEBSITE AND ONLINE MEDIA PLATFORMS

The Trust will only use photographs of children on the Trusts website or on social media platforms such as Twitter 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 Trust will take into account any parental preference expressed and so will not ordinarily publish against the wishes of parents. In cases where both parents of the child cannot agree but the child is consenting, no photographs will be taken or used of the child.

3. MEDIA USE

- 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.
- 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.
- 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.
- 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.

4. FAMILY PHOTOGRAPHS AT TRUST EVENTS

- It shall be at the discretion of the Trust whether photographs may be taken at a Trust event. The decision will be made whether photographs can be taken during the event or at a set time before or after the event to take photographs of their child/children only.
- Family and friends taking photographs for the family album will not be covered by Data Protection legislation.
- Where the Trust 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. This includes social media sites such as Facebook.

5 Parents

The Trust will not directly take images of family/friends of students who are attending events at the Trust. There may be, on occasion, images of their faces, but the majority of the images will contain obscured faces or are unrecognisable images such as backs of heads or from a distance.

6 Visitors

Visiting speakers/performers will be asked prior to the event if they consent to photographs being taken and being used for the Trusts use only. This would include being used on displays around the Trusts, usage on the Trusts website and social media platforms.

Reviewed and approved by DPO & Maxine Zeltser May 2021