

Photography and Images Policy

Document Control

Item	Detail
Policy Title	Photography and Images Policy
Document Reference	ORG/DP/015
Version	1.0
Effective Date	
Next Review Date	
Author/Owner	Data Protection Officer (DPO) / Board of Trustees
Approved by	

1.0 Purpose and Legal Basis

This policy holds significant strategic importance for the charity, as high-quality imagery is a vital tool for demonstrating our impact and connecting with our community. Its purpose is to establish a clear, lawful, and ethical framework for the capture, use, and management of all photographic and video images. This ensures the charity can effectively promote its vital work while upholding its stringent duty of care, respecting the privacy of individuals, and complying with all relevant legislation.

1.1 Purpose

The primary purpose of this policy is to establish a comprehensive framework that governs the capture, storage, use, and disposal of all images, photography, and video undertaken by or on behalf of the charity. This framework ensures that all image processing is conducted lawfully, ethically, and in a manner that upholds robust safeguarding standards, respecting individual privacy and dignity. This policy enables the charity to effectively celebrate achievements and promote its activities in line with its charitable objectives.

1.2 Legal Basis

This policy is underpinned by the charity's commitment to comply with the legal frameworks governing its operations. All procedures herein are designed to adhere to:

- **UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018:** These form the core of our legal obligations for processing personal data, which includes identifiable images.
- **Safeguarding:** The imperative to safeguard children and the charity's vulnerable beneficiary community is a primary consideration that informs all aspects of this policy.
- **The Equality Act 2010:** All activities related to the capture and use of images must be conducted in a fair and non-discriminatory manner.

2.0 Scope

A clearly defined scope is essential for applying this policy consistently and fairly to all individuals and activities associated with the charity. This ensures that everyone understands their responsibilities and that our standards are upheld universally, protecting both individuals and the organisation.

2.1 Individuals Covered

This policy applies to all images, whether digital or physical, that are identifiable as belonging to specific individuals. It is binding upon:

- All Charity Trustees, whether acting formally or informally.
- Any future staff or volunteers engaged by the charity.
- All third-party contractors or service providers (e.g., professional photographers) acting on behalf of the charity.

2.2 Activities Covered

This policy applies to all activities covered by the charity's mission, including events, fundraising, communications (social media, website, print), research, and support activities.

3.0 Policy Statement

The Board of Trustees formally affirms its commitment to the lawful, ethical, and responsible use of photography and images. All image processing undertaken by or on behalf of the charity will be guided by the following core principles, which align with both UK GDPR and our fundamental safeguarding duties.

1. **Safeguarding First:** The safety and welfare of children and vulnerable adults must be the primary consideration, preceding all data protection compliance processes.
2. **Lawfulness, Fairness, and Transparency:** A valid lawful basis must be identified and documented before processing any identifiable image. Individuals must be clearly informed of the photography, its purpose, and how to opt out.
3. **Purpose Limitation:** Images must only be used for the specific, explicit purposes communicated to the individual at the time of collection (e.g., for fundraising, not internal training).
4. **Data Minimisation:** Only the images adequate, relevant, and necessary for the stated purpose should be captured and retained.
5. **Accountability:** The charity must be able to demonstrate compliance by maintaining records of all consent forms, Legitimate Interests Assessments (LIAs), and data management decisions.

4.0 Definitions

Term	Definition in the Context of the charity
Image/Photograph (as Personal Data)	Any photograph, video, or image of a living individual where they are identified or identifiable, either from the image itself or in conjunction with other information held by the charity. Processing an image for a charity purpose (e.g., fundraising) activates the UK GDPR.
Special Category Data	Sensitive personal data, such as information revealing health status. The context of an image (e.g., a photo taken at a support group) may reveal special category data and require explicit consent.
Consent	A lawful basis for processing personal data; it must be a freely given, specific, informed, and unambiguous indication of the data subject's wishes by an affirmative action (opt-in).

Explicit Consent	A higher standard of consent is required for processing Special Category Data or children's data, necessitating a clear statement of agreement for the specific purpose.
Vulnerable Adult	An individual who may be susceptible to detriment due to personal circumstances (e.g., age, illness, disability, or life situation) and requires enhanced safeguards, often found within the charity's beneficiary community.
Legitimate Interests Assessment (LIA)	The documented, three-part assessment (Purpose, Necessity, Balancing) is required when using Legitimate Interests as a lawful basis, balancing the charity's interests against the rights of the individual.
Beneficiary Community	Persons identified within Clause 3(1) of the charity constitution.

5.0 Procedures

This section provides the core operational guidance for all individuals involved in capturing, using, or managing images on behalf of the charity. Adherence to these procedures is mandatory to ensure compliance with the law and our internal standards, from determining the lawful basis for photography to the secure deletion of images once they are no longer needed.

5.1 Lawful Basis and Consent Requirements

Scenario / Subject	Lawful Basis Recommended	Key Requirements & Safeguards
Children (under 16)	Explicit Consent (from Parent/Guardian)	This is the mandatory best practice driven by safeguarding duties. The child's views must be considered. Must implement a system (e.g., wristbands/stickers) to identify those without consent.

Vulnerable Adults / Case Studies	Explicit Consent	Required due to power imbalance, high privacy expectations, and likelihood of processing Special Category Data (health). Use enhanced consent procedures (Appendix C) to ensure consent is free and informed, explicitly stating that refusal will not affect services received.
General Event Photos (mingling/speaking)	Legitimate Interests	Appropriate where the privacy impact is low and attendees have a reasonable expectation of photography. Mandatory: Must complete and document a Legitimate Interests Assessment (LIA). The <i>Event Photography Checklist (Appendix D)</i> must be used to verify that this and other pre-event requirements have been met.
Crowd Shots (public events)	Legitimate Interests	Privacy impact is minimal for non-focused individuals in a large crowd. Transparency via prominent signage is required. Where individuals are truly incidental and non-identifiable, UK GDPR may not apply.
Consent Withdrawal	N/A	Individuals have the absolute right to withdraw consent at any time. The charity must immediately cease using the image in all future materials and remove it promptly from websites and social media channels.

5.2 Photography Procedures

Transparency and Opt-Out Mechanism

The charity must implement a layered approach to transparency to ensure individuals are fully informed and have control over the use of their image:

- **Pre-Event:** Include a concise privacy notice in invitations or ticket booking forms.
- **At-Event Signage:** Display large, prominent signage at all entrances stating that official photography is taking place, detailing the intended use (e.g.,

promotion/social media), and providing clear instructions on how to opt out (e.g., designated staff member or coloured lanyard/sticker system).

- **Photographer Practice:** Photographers should seek verbal confirmation when taking close-up or focused shots of individuals, providing a final opportunity to decline.

Professional and External Photographers

All non-employee photographers (including freelancers and volunteers) must sign a written agreement that either assigns full copyright ownership to the charity or grants the charity a broad, perpetual, irrevocable license to use the images for its charitable purposes. The agreement (Appendix E) must also mandate compliance with the charity's safeguarding, data protection, and information security requirements.

Prohibited Practices

To maintain security, respect, and safeguarding standards, the following practices are strictly prohibited:

- **Personal Devices:** The use of personal mobile phones, laptops, or home computers for taking or storing photographs of beneficiaries, especially children or vulnerable adults, is strictly forbidden. All photography must be managed using organisation-owned or managed equipment to maintain control over the data.
- **Inappropriate Shots:** Taking photographs in private spaces such as changing areas, medical consultation rooms, or intimate moments is prohibited.
- **Exclusion:** No child shall be excluded from an activity because their parent or guardian has refused to grant consent for photography.

5.3 Image Storage, Retention, and Security

Image management must adhere to the principles of Integrity & Confidentiality and Storage Limitation. The following procedures are mandatory:

- **Secure Storage:** All digital images containing personal data must be stored in a secure, controlled environment (e.g., password-protected, encrypted server or cloud service). Access must be restricted based on the principle of 'least privilege'.
- **Metadata Handling:** All unnecessary metadata (e.g., location data embedded by the camera/device) should be removed prior to publication or long-term storage.
- **Retention Schedule:** Images must not be stored indefinitely. Retention periods, as mandated by the charity's Document Retention and Deletion Policy, must be applied. Images retained under explicit consent must be deleted when the specified term expires.
- **Secure Deletion:** When the retention period expires, images must be securely and permanently deleted through irreversible means (e.g., secure digital erasure or physical shredding for printed materials).

5.4 Publication and Use

Images selected for publication must be reviewed to ensure they:

1. Align with the original stated purpose (Purpose Limitation).
2. Are used only if current, valid consent or a clear lawful basis (LIA) is in place.
3. Respect diversity, dignity, and representation, avoiding any form of exploitation or intrusion.
4. Are accurately captioned and do not include identifying information (e.g., full names or specific locations of vulnerable individuals) unless specifically authorised by consent and deemed safe by a safeguarding risk assessment.

Handling Requests for Removal (Erasure/Objection)

The charity must have clear procedures for handling post-publication requests for image removal. This process is governed by the **Data Subject Rights Policy (ORG/DP/010)** and must be managed by the designated Data Protection Officer.

5.5 Remote and Virtual Events

When conducting virtual events where images may be captured, the following guidance applies:

- Attendees must be clearly informed at the beginning of the event if screenshots, recordings, or photography will be taken.
- If identifiable images or participant lists are captured, the purpose must be clearly stated, and the consent or lawful basis must be documented.
- Participants must be given clear instructions on how to disable their video feed if they wish to opt out.

6.0 Roles and Responsibilities

Role	Responsibility
Board of Trustees	Holds ultimate responsibility for the policy's adoption, oversight, resourcing, and ensuring robust safeguarding practices are implemented.
Data Protection Officer (DPO)	Provides expert advice on Lawful Basis (LIAs) and consent requirements; is the central point of contact for data subject

	rights (Erasure, SARs) and breach reporting. Maintains records of consent and LIAs.
Photography Coordinator / Designated Trustee	Ensures photography briefs and procedures (Appendix H) are followed at events; manages relationships with external photographers; oversees the secure download and storage of images.
Staff and Volunteers	Adhere strictly to this policy and the prohibition on personal devices; promptly report any concerns or suspected breaches (unauthorised photography) to the DPO/Coordinator.

7.0 Implementation

This section outlines the practical steps for embedding this policy into the charity's day-to-day operations to ensure it is understood and followed by all relevant individuals.

- **Adoption and Communication:** This policy will be formally adopted by the Board of Trustees. It will be communicated to all Trustees, volunteers, and third-party contractors to ensure they are aware of its contents and their obligations.
- **Training:** Training on the key principles and procedures of this policy will be provided to all individuals who are likely to be involved in the capture or use of images, particularly the DPO, designated coordinators, and regular event volunteers.
- **Resources:** The charity will ensure the necessary resources are available to implement this policy effectively. This includes providing template consent forms and written agreements, and implementing a clear opt-out system for events (e.g., providing coloured lanyards or stickers).

8.0 Monitoring, Review, and Reporting

To ensure this policy remains effective, compliant, and fit for purpose, the following monitoring and review framework will be implemented.

- **Internal Audit:** Periodic audits of the image archive will be conducted to ensure adherence to the retention schedule and secure deletion procedures.
- **Key Performance Indicators (KPIs):** The effectiveness of the policy will be tracked by monitoring the number of image-related complaints received and the frequency of data subject requests for erasure or objection.

- **Breach Reporting:** Any incident involving the unauthorised access, disclosure, or misuse of images must be managed and reported in accordance with the charity's **Data Breach Notification Policy**.
- **Review Schedule:** This policy will be formally reviewed by the Board of Trustees at least annually. A review will also be triggered immediately by significant changes to UK data protection legislation, safeguarding guidance, or the charity's operational activities.

9.0 Related Policies and Documents

This policy must be read and implemented in conjunction with the following governance documents and UK legislation to ensure a comprehensive and consistent approach to compliance and safeguarding.

- Charity Constitution.
- Overall Data Protection Policy (ORG/DP/009).
- Lawful Basis Policy (ORG/DP/003).
- Data Subject Rights Policy (ORG/DP/010).
- Data Retention and Deletion Policy (ORG/DP/008).
- Information Security Policy (ORG/DP/006).
- Safeguarding Adults Policy.
- Health and Safety Policy (ORG/HR/003).
- Complaints Handling Policy (ORG/GOV/004, ORG/DP/004).
- UK General Data Protection Regulation (UK GDPR), Data Protection Act 2018, and The Equality Act 2010.

Proforma A: Photography Consent Form (Children)

Photography Consent Form (Under 18s)

Data Controller: The charity

Child's Details

Child's Full Name: _____ **Date of Birth:** _____
Name of Activity/Event: _____

Parent/Guardian Consent

I am the parent/guardian of the child named above and have legal Parental Responsibility. I have read and understood the Photography and Images Policy (ORG/DP/015). I confirm that this consent is freely given and that refusal will not exclude my child from any charity activity.

Child's Preferences

(To be completed with the child, where age-appropriate) I have discussed this with my child, and they: Agree to be photographed. Do not agree to be photographed.

Specific Use Permissions

I give **Explicit Consent** for my child's image to be used by the charity for the following specific purposes (please initial all that apply): (a) Website and Email Newsletters (b) Social Media (e.g., Facebook, X/Twitter) (c) Printed Materials (e.g., Annual Reports, Brochures) (d) Third-Party Research/Promotion (e.g., sharing with partners)

Duration of Consent

This consent is valid for a period of [Insert Specific Term, e.g., three years] from the date below, after which my consent must be sought again, or the images will be securely deleted.

Consent Withdrawal

I understand I have the right to withdraw this consent at any time by contacting the Data Protection Officer. If I withdraw consent, the charity will cease all future use of the images.

Signatures

Parent/Guardian Signature: _____ Printed Name: _____
Date: _____

Proforma B: Photography Consent Form (Adults)

Photography Consent Form (Adults)

Data Controller: The charity

Individual Details

Full Name: _____ Contact Email/Phone: _____
Name of Activity/Event: _____

Scope of Consent

I have been informed that my image will be captured by the charity for the purposes of promoting its charitable work (e.g., supporting beneficiaries, promoting research, facilitating remembrance). I provide my **Consent** for my image to be used.

Specific Use Permissions

(Please initial all that apply): (a) Website and Email Newsletters (b) Social Media (e.g., Facebook, X/Twitter) (c) Printed Materials (e.g., Annual Reports, Brochures) (d) Posed Case Study or Story (Note: This may involve processing special category data)

Duration of Consent

This consent is valid for a period of [Insert Specific Term, e.g., five years] from the date below.

Withdrawal Instructions

I can withdraw this consent or object to the processing of my image at any time by contacting the DPO at dpo@charity.org.uk. If I withdraw consent, the charity will immediately remove the image from all digital platforms and cease its use in future printed material.

Signatures

Individual Signature: _____ Printed Name: _____
Date: _____

Proforma C: Photography Consent Form (Vulnerable Adults)

Photography Consent Form (Vulnerable Adults)

Data Controller: The charity

Individual Details

Full Name: _____ Date: _____
Activity/Service Type: _____

Enhanced Safeguards

I confirm that the details of this consent have been provided in an accessible format (e.g., easy-read) and have been fully discussed with me without pressure.

Refusal Statement

Crucial: I understand and confirm that my decision to agree or refuse to be photographed will have **absolutely no bearing** on the quality, provision, or continuity of any services or support I receive from the charity.

Advocate/Supporter

I had an advocate/trusted person present during this discussion: Yes No If yes,
Advocate Name: _____

Explicit Consent

I give my **Explicit Consent** for my image, which may reveal my sensitive health status, to be used for the purpose of promotion and fundraising by the charity.

Specific Use Permissions

(Please clearly mark all that apply, specifying limits if needed): (a) Website/Digital Use (b) Print/Physical Use (c) Posed/Identifiable Case Study

Signatures

Individual Signature: _____ Printed Name: _____

Date: _____ Support Worker/Facilitator Signature:

Proforma D: Event Photography Checklist

Phase	Action Item	Responsibility	Status (Y/N/NA)
Pre-Event Preparation			
1.	Lawful Basis Determined: Has a definitive lawful basis (Consent or Legitimate Interests) been decided for this event's photography?	Designated Trustee/DPO	
2.	LIA Completed (if LI used): Has the mandatory Legitimate Interests Assessment been documented, approved, and logged by the DPO?	Designated Trustee/DPO	
3.	Safeguarding Risk Assessment: Has a situational risk assessment been completed (especially for events involving children/vulnerable adults)?	Designated Trustee	

4.	Transparency Notices: Are template privacy notices included in booking materials? Are sufficient, prominent signs ready for display at entrances and high-traffic areas?	Coordinator	
5.	Opt-Out Mechanism Ready: Are coloured lanyards/stickers or other clearly identifiable markers prepared for attendees who opt out?	Coordinator	
6.	Photographer Briefed: Has the photographer (external or internal) been briefed on the specific image purposes, permitted/prohibited shots, and the opt-out mechanism?	Coordinator	
During Event Procedures			
7.	Opt-Out Implemented: Is the system for identifying non-consenting individuals (e.g., wristbands) actively being used and adhered to by photographers?	Coordinator/Photographer	
8.	Verbal Confirmation: Are photographers seeking verbal confirmation for close-up shots of identified individuals?	Photographer	

9.	Prohibited Shots Avoided: Are photographers avoiding images of changing areas, intimate moments, or those that could reveal sensitive health status inappropriately?	Photographer	
Post-Event Image Management			
10.	Secure Download/Storage: Are all images downloaded immediately onto the secure, encrypted charity storage system, and are non-charity devices wiped/returned? (No personal devices used).	Coordinator	
11.	Review and Selection: Are images reviewed for appropriateness and context before selection for publication? Is consent/LIA status checked for selected images?	Coordinator/DPO	
12.	Retention Scheduled: Are all images logged and subjected to the appropriate retention periods as per ORG/DP/008?	Coordinator/DPO	

Proforma E: External Photographer Agreement

External Photographer Agreement (Summary of Key Clauses) *This Agreement is supplementary to a formal Contract for Services.*

Clause	Requirement	Compliance Check
1. Image Ownership (Copyright)	The Photographer hereby irrevocably assigns all intellectual property rights and full copyright in the images captured for the charity to The Charity, with immediate effect upon capture.	Signature confirming Assignment/Licence.
2. Data Protection Obligations	The Photographer agrees to act as a Data Processor for the charity and will only process personal data (images) in accordance with the documented instructions of the charity Data Protection Officer.	Signed acknowledgement of DPO instructions.
3. Security and Storage	All charity images must be captured using approved, secure charity equipment (or the Photographer's own encrypted device as agreed) and must not be stored on the Photographer's personal mobile device or unsecured home computer. All data must be securely transferred to the charity within [X] hours of capture.	Evidence of secure transfer/device plan.
4. Safeguarding and Conduct	The Photographer must adhere strictly to the charity Photography and Images Policy, specifically regarding the handling of opt-out requests (e.g., identifiable wristbands) and avoiding images of vulnerable individuals without express consent. The Photographer must provide confirmation of required DBS checks, if applicable to the assignment.	Confirmation of Safeguarding brief/DBS check.
5. Data Breach	The Photographer must notify the charity DPO immediately (within 1 hour) of any suspected or actual loss, theft, or unauthorised access to charity image files.	Acknowledgement of immediate reporting duty.

Proforma F: Image Publication Request Form

Image Publication Request Form

This form is required for all use of images beyond their initially approved purpose.

Requestor Details

Name: _____ Role: _____ Date of Request:

Image Identification

Image File Name/Reference: _____ Secure Storage Location/Folder:

Original Purpose of Capture: (e.g., Event X, Case Study Z)

New Proposed Purpose: (e.g., Campaign: Launch of new grant fund)

Intended Publication Platform(s): (e.g., Charity Website, Annual Report, External Press Release) _____

Proposed Duration of Use: (e.g., 12 months, Indefinite [must be justified])

Required Approvals

1. Consent/LIA Check Status confirmed? Consent Valid LIA Valid/Opt-Out respected
DPO/Coordinator Signature: _____

2. Safeguarding/Dignity Review Context appropriate? Risk of harm/exploitation nil? Lead
Trustee Signature: _____

3. Final Publication Approval Approved for use: Senior Lead/Board Committee
Signature: _____

Proforma G: Photography Incident Report Form

Photography Incident/Concern Report Form

For reporting unauthorised photography, non-compliance with opt-out, security concerns, or suspicious activity.

Reporter Details

Name: _____ **Contact Details:** _____ (Optional anonymity respected, but prevents follow-up).

Date and Time of Incident

(Must be reported immediately, without delay). _____

Location of Incident

(e.g., Venue Name, Event Area, Digital Platform) _____

Nature of Incident

Unauthorised Photography/Filming Failure to respect Opt-Out Security Concern (e.g., lost memory card) Inappropriate/Exploitative Use Other (Specify)

Factual Description of Incident

What happened? Who was involved (if known)? Was the individual identifiable?

Immediate Action Taken

(e.g., Asked person to stop/delete image, Contacted DPO, Contained device).

DPO/Lead Response Log

(To be completed by DPO/Designated Lead only) Incident severity assessed: Low Medium High Action taken: (e.g., Formal investigation initiated, Subject Access Request filed). _____ Date of closure:

Proforma H: Step-by-Step Procedures Guide

Step-by-Step Procedures Guide

Step	Procedure Detail	Governing Policy/Duty
------	------------------	-----------------------

<p>1. Obtaining and Recording Consent</p>	<p>Mandatory Consent (Children/Vulnerable Adults/Case Studies): Use the appropriate consent form (Appendices A, C). Consent must be explicit, detailing purpose, duration, and platforms. Consent records must be securely logged and retained for verification (Accountability Principle).</p>	<p>Lawful Basis Policy. Safeguarding Duty.</p>
<p>2. Conducting Event Photography</p>	<p>If using Legitimate Interests: Complete and document an LIA. Clearly communicate photography via prominent, mandatory signage and pre-event notices. Implement the opt-out mechanism (e.g., coloured lanyards) and brief all photographers to respect it.</p>	<p>Legitimate Interests Lawful Basis. Transparency Principle.</p>
<p>3. Taking Photographs</p>	<p>Best Practices: Seek verbal confirmation for close-up shots. Ensure dignity and respect for all individuals. Prohibited Shots: Strictly avoid capturing images in private areas (e.g., changing rooms) or where intimate/vulnerable moments are visible.</p>	<p>Safeguarding Duty. Health and Safety Policy (ORG/HR/003).</p>
<p>4. Processing and Storing Images</p>	<p>Secure Download: Immediately transfer images from the capturing device to the approved, encrypted charity storage location. Prohibition: Personal devices (phones, home laptops) must never be used to store beneficiary images. Apply access controls (least privilege).</p>	<p>Information Security Policy (ORG/DP/006). Integrity and Confidentiality Principle.</p>
<p>5. Selecting Images for Publication</p>	<p>Review Process: Staff must use the Image Publication Request Form (Appendix F) for new uses. Review images to ensure they match the stated consent/LIA purpose, context, and duration. Ensure captions are accurate and non-misleading.</p>	<p>Purpose Limitation Principle. Accuracy Principle.</p>

<p>6. Publishing Images</p>	<p>Digital Platforms: Apply platform-specific guidance (e.g., checking consent status for social media posts, monitoring comments/tags). Remove unnecessary metadata before upload. Ensure images of beneficiaries do not inadvertently reveal sensitive information.</p>	<p>Accountability Principle.</p>
<p>7. Handling Requests to Remove Images</p>	<p>Removal Process: Direct requests (Right to Erasure/Objection) immediately to the DPO. Acknowledge receipt and remove the image from all digital platforms (websites, social media accounts) without undue delay.</p> <p>Timescale: Respond fully within one calendar month.</p>	<p>Data Subject Rights Policy (ORG/DP/010). Subject Access Request Policy (ORG/DP/002).</p>
<p>8. Managing Legacy Images</p>	<p>Review and Delete: Conduct periodic review of older images against the Document Retention Schedule (ORG/DP/008). Securely and irreversibly delete images once the retention period has expired.</p>	<p>Storage Limitation Principle. Data Retention and Deletion Policy (ORG/DP/008).</p>