

## Photography and Film Policy

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'Cheltenham College' refers to Cheltenham College Senior School *and* Cheltenham College Preparatory School (including Cheltenham College Pre-Prep and Nursery School)

'College' refers to Cheltenham College Senior School

'Cheltenham Prep' refers to Cheltenham College Preparatory School

'Nursery and Pre-Prep' refers to Cheltenham College Nursery School and Pre-Prep

(To be read in conjunction with the Data Protection Policy, Privacy Notice for Pupils, Parents and Guardians, and Cheltonian Society members, and Privacy Notice for Staff)

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## **1. Introduction**

This Policy is intended to provide information to Cheltenham College pupils and their parents, carers or guardians (referred to in this policy as "parents"), and members of the public about how images are normally used by Cheltenham College

It predominantly covers Cheltenham College's use of pupil images, but also applies to our use of cameras and filming equipment, and images of staff, alumni and visitors attending Cheltenham College-run events and activities. The use of cameras and filming equipment by parents and pupils themselves, and the media, are also covered.

It applies in addition to Cheltenham College's other agreements in place with parents and any other information Cheltenham College may provide about our use of images and personal data in general, for example, our Privacy Notices. Images of pupils in a safeguarding context are dealt with under the Cheltenham College's relevant safeguarding policies.

## **2. Why do we store and process images?**

Certain uses of images are necessary for the ordinary running of Cheltenham College; other uses are in the legitimate interests of Cheltenham College and its community and are unlikely to cause any negative impact on individuals. Cheltenham College is entitled lawfully to process such images and take decisions about how to use them, subject to any reasonable objections raised.

In addition, our use of images may sometimes rely on consent (for example, Marketing and Publicity). Parents who accept a place for their child at Cheltenham College are invited to indicate agreement to Cheltenham College using images of him/her as set out in this policy by signing the relevant consent form. However, parents should be aware that certain uses of their child's images may be necessary or unavoidable (for example, our use of CCTV for security purposes and identification of pupils for internal administrative purposes).

Parents should be aware that, from the age of 13 (or 12 in Scotland) and upwards, the law recognises pupils' own rights to decide and have a say in how their personal information – including images – is used.

Any parent (or pupil over the age of 13) who wishes to limit the use of images of a pupil for whom they are responsible can withdraw their consent and request that the details and any images of the pupil are removed from Cheltenham College systems at any time. In addition, any individual (including visitors to Cheltenham College) may object to Cheltenham College's use of their image, as detailed within the Section on Marketing and Publicity.

Queries may be directed to either [dataprotection@cheltenhamcollege.org](mailto:dataprotection@cheltenhamcollege.org), [info@cheltenhamcollege.org](mailto:info@cheltenhamcollege.org), or [marketing@cheltenhamcollege.org](mailto:marketing@cheltenhamcollege.org).

## **2a. Exam Requirements and Performance Analysis**

As a necessary part of supporting our academic sport activity, sports fixtures and training sessions may be recorded. This material will either be required as examination evidence (for example, submission to an external exam board in line with the board's policies and procedures) or for in-class performance analysis purposes. Visiting pupils from other schools, academies or Cheltenham Colleges taking part in fixtures may be incidentally recorded, but at no stage will they or visiting members of staff be named.

## **2b. Identification and Security**

All pupils are photographed on entering Cheltenham College and, thereafter, at intervals, for the purposes of internal identification. These photographs identify the pupil by name, year group, house and form/tutor group.

CCTV is in use on Cheltenham College premises, and will sometimes capture images of pupils, parents, staff and visitors to Cheltenham College. Images captured on Cheltenham College's CCTV system are used in accordance with Cheltenham College's CCTV Policy.

## **2c. Formal Individual and Group Photography**

Formal individual and group photographs (of year groups, houses, the full school and/or teams) will be taken annually of all pupils and are made available for pupils and their families to purchase via a secure, restricted site. Forenames and surnames will be attached to these formal, official images. They will only be reproduced externally (as detailed in the Section on Marketing and Publicity) if all participants consent to its reproduction.

Gillman & Soame is the Data Processor contracted by Cheltenham College to fulfil this purpose. Archival school photographs of Cheltenham College may also be available from their site. Their full Privacy Notice and Data Protection Officer contact details may be found on their website.

## **2d. Marketing and Publicity (by Cheltenham College)**

### *Images of Pupils*

Photographs and video footage (live or recorded) may showcase a specific pupil's achievement or award; the past week's or fortnight's events and activities; or a specific event, including sports matches, plays, musical performances, Speech Day, Chapel ceremonies and other Cheltenham College events, visiting seminars and exhibits. We hope parents will feel able to support Cheltenham College in using pupil images to celebrate pupils' sporting and academic achievements, and to promote the work of Cheltenham College.

Where we rely on consent in order to share images of pupils, images featuring pupils without consent who cannot be reasonably identified (i.e. if they are in the distant background or not facing the camera) may still be posted.

Use:	Names included:	Grounds for Processing:
Displayed internally on digital and conventional notice boards within Cheltenham College premises.	Forename; Surname	Legitimate Interests
Attached to internal communications in order to share our activities privately with the Cheltenham College community (parents, pupils, staff, Council members and alumni), including email and by post.	Forename; Surname	Legitimate Interests
Published in printed publications exclusively available to pupils and their families (e.g. Leavers Books).	Forename; Surname	Consent
Published within retrospective <b>annual</b> printed material such as The Cheltonian Floreat, Cheltenham College News, Prep Connected and The Year. Please note that printed material is also available online.	Forename; Surname	Consent
Published within retrospective <b>regular</b> printed material such as Cheltenham College News and Prep Connected. Please note that printed material is also available online.	Forename only; And the first letter of the surname if more than one pupil has the same forename	Consent
Published on Cheltenham College's website, and where appropriate, via Cheltenham College's social media channels. These include, but are not limited to, Twitter, Facebook, Instagram and YouTube. It applies to posts authored by College accounts AND the content of posts authored by non-College accounts that are then re-tweeted, shared, or reposted (or similar) by a non-College account	Forename only; And the first letter of the surname if more than one pupil has the same forename	Consent
Promotional images of Cheltenham College including pupils used for Marketing purposes published in print, on our website and social media channels.	None	Consent

### Images of Staff

It is expected that images of staff, in connection with their employment or engagement at Cheltenham College, will be published for marketing and promotional purposes (as detailed within our Privacy Notice for Staff).

### Images of Visitors to Cheltenham College

Cheltenham College reserves the right to use cameras and filming equipment at Cheltenham College to run events. On arrival attendees (which may include parents, guardians, carers, alumni, and other visitors to Cheltenham College) will be informed that photography or filming will take place. Images (without names) taken at these events may be used for press purposes or to promote similar future events.

Attendees may request to be positioned out of shot or receive confirmation that any images, featuring themselves, are not to be used by Cheltenham College. Any visitor who wishes to object to Cheltenham College's use of their image should email the event organiser.

### Images of Alumni

Cheltenham College is committed to maintaining relationships with any alumni (including former staff and parents) who wish to preserve their connection with our community. Images will therefore be shared, but only in line with current data protection legislation, as detailed below.

<b>Use:</b>	<b>Names included:</b>	<b>Grounds for Processing:</b>
Images over 100 years old and/or following confirmation that featured individuals are deceased (subject to copyright and confidentiality agreements).	Forename; Surname	No longer subject to Data Protection legislation
Images of living individuals published internally or externally (in printed publications or via social media channels). These images are accompanied by content detailing their achievements, activities and/or connection to Cheltenham College.	Forename; Surname	Consent
Images of groups shared internally either via the closed Cheltonian Society network or internal publications (i.e. a commemorative booklet given to attendees at a reunion).	Forename; Surname	Legitimate Interest
Images of groups attending Cheltenham College events published internally and externally (in printed publications or via social media channels)	None	Legitimate Interest

## **2e. Marketing and Publicity (by Third Party Organisations)**

### Images taken by Third Parties

Third party organisations may include:

- ☐ Schools, Academies, Colleges and Universities
- ☐ Media organisations (including News Outlets)
- ☐ Organisations beyond the Education Sector hosting events or trips attended by Cheltenham College pupils (for example, a pupil may participate in a concert to raise money for a charity)

Parents should be aware that other organisations may take photos of our pupils; for example, during a Sports fixture photographs may be taken of the match. Every reasonable effort will be taken to ensure that third parties are aware that, should they wish to publish images of a specific pupil, they must either ask permission from the pupil and their parents directly or request that Cheltenham College staff do the same on their behalf.

*Images requested for use by Third Parties*

Images (taken by Cheltenham College, including images with accompanying names) will only be released to another organisation after additional consent has been given by the pupil and/or their parents or guardian. There is a partial exception for schools, academies and colleges with whom Cheltenham College has entered into a formal, signed partnership arrangement, as follows:

<b>Use:</b>	<b>Names included:</b>	<b>Grounds for Processing:</b>
Images of pupils requested for use by a third party	None; or  Forename; Surname	Consent  One-off consent must be requested on every occasion; this use is not covered by Cheltenham College's internal consent list
Images of pupils taken by or requested for use by schools, academies and colleges with whom Cheltenham College has entered a formal, signed partnership arrangement: <ul style="list-style-type: none"> <li>- All Saints Academy</li> <li>- St John's Primary School</li> <li>- Edureach</li> <li>- Cheltenham Education Partnership (CEP)</li> </ul> Each organisation is responsible for identifying pupils for whom no consent has been gathered.	None	Consent  Unnamed photographs of pupils, for whom we have already have consent for Cheltenham College use, which are taken at jointly attended events may be published by both organisations.
	Forename; Surname	Consent  One-off consent must be requested on every occasion; this use is not covered by Cheltenham College's internal consent list

**2f. Archiving in the 'Public Interest'**

Images may be retained permanently by Cheltenham College for the following purposes:

- Enabling research and investigation, including academic, historical or genealogical research;
- Enabling the discovery and availability of personal, community and corporate identity, memory and history; and
- Enabling educational use.

Images retained in the 'Public Interest' will only be processed in line with Data Protection legislation, which necessarily entails access restriction.

### **3. Retention**

Cheltenham College is committed to storing and processing images only for as long as is required by a specific Cheltenham College process or where there is a compelling legitimate case for storing and processing that data. All images are retained in line with our Retention Guidelines.

### **4. Security**

All staff are given guidance on Cheltenham College's Policy related to taking, storing and using images of pupils, and on the importance of ensuring that images of pupils are made and used responsibly, only for Cheltenham College purposes, and in accordance with Cheltenham College's policies and the law.

External professional photographers and the media are accompanied at all times by a member of staff when on Cheltenham College premises. Cheltenham College uses only reputable professional photographers and makes every effort to ensure that any images of pupils are held by them securely, responsibly and in accordance with Cheltenham College's instructions.

Cheltenham College takes appropriate technical and organisational security measures to ensure that images of pupils held by Cheltenham College are kept securely and protected from loss or misuse. Cheltenham College will take reasonable steps to ensure that members of staff only have access to images of pupils held by Cheltenham College where it is necessary for them to do so.

## **5. Use of Cameras and Filming Equipment by Parents and Pupils**

### **5a. By Parents**

Parents, guardians or close family members (hereafter, parents) are welcome to take photographs of (and where appropriate, film) their own children taking part in Cheltenham College events, subject to the following guidelines, which Cheltenham College expects all parents to follow:

- When an event is held indoors, such as a play or a concert, parents should be mindful of the need to use their cameras and filming devices with consideration and courtesy for cast members or performers on stage and the comfort of others.
- In particular, flash photography can disturb others in the audience, or even cause distress for those with medical conditions; Cheltenham College therefore asks that it is not used at indoor events.
- Parents are asked not to take photographs of other pupils, except incidentally as part of a group shot, without the prior agreement of that pupil's parents.
- Parents are reminded that such images are for personal use only. Images which may identify other pupils should not be made accessible to others via the internet (for example on Facebook), or published in any other way without their consent.

- Parents are reminded that copyright issues may prevent Cheltenham College from permitting the filming or recording of some plays and concerts. Cheltenham College will always print a reminder in the programme of events where issues of copyright apply.
- Parents may not film or take photographs in changing rooms or backstage during Cheltenham College productions, nor in any other circumstances in which photography or filming may embarrass or upset pupils.
- Cheltenham College reserves the right to refuse or withdraw permission to film or take photographs (at a specific event or more generally), from any parent who does not follow these guidelines, or is otherwise reasonably felt to be taking inappropriate images.
- Cheltenham College may sometimes record plays and concerts professionally (or engage a professional photographer or film company to do so), in which case CD, DVD or digital copies of the DVDs and CDs may be made available to parents for purchase. These copies will only feature visual footage of pupils that have consented to their image being used. They will not identify pupils by name unless prior consent has been given.

### **5b. By Pupils**

All pupils are expected to sign and comply with the ICT Pupil Acceptable Use Policy Agreement, which covers the use of cameras and filming equipment (including mobile phones), and any distribution of images. Pupils are encouraged to look after each other, and to report any concerns about the misuse of technology, or any worrying issues to a member of the pastoral staff.

The misuse of images, cameras or filming equipment in a way that breaches this policy, or any of Cheltenham College's other policies is always taken seriously, and may be the subject of disciplinary procedures or dealt with under the relevant safeguarding policy as appropriate.

### **6. Your right to access, rectify, restrict or erase personal data**

In line with current Data Protection legislation, pupils, parents, staff and visitors to Cheltenham College may request access to, rectification, restriction or erasure of their personal data. For more information regarding your rights, please refer to our Privacy Notices (available online) or email [dataprotection@cheltenhamcollege.org](mailto:dataprotection@cheltenhamcollege.org).