



Athena Learning Trust

Photo Consent Policy

Review

Reviewed on: 20th December 2024

Reviewed by: Trustees

Review Period: Annual

Version: 1.0



1. Introduction

1.1 This policy is intended to clearly set out Athena Learning Trust's ('the Trust') guidelines for taking, using, and storing photographs and videos of students. It aims to protect the privacy and safety of our students while allowing the schools within the Trust to document and celebrate school activities and achievements.

1.2 This policy applies to all photographs, images and videos taken of our students and applies to all staff, trustees, governors, consultants, self-employed contractors, casual workers, agency workers and volunteers. It also applies to anyone visiting our premises.

1.3 This policy sets out the circumstances in which it is necessary to obtain consent for student photographs, images and videos under the UK General Data Protection Regulation (UK GDPR). A failure to obtain the appropriate consent for photographs, images and videos can result in legal action being taken against the Trust for breaching the data protection principles as set out in the UK GDPR.

1.4 A breach of this policy may, in appropriate circumstances, be treated as a disciplinary matter.

2. Meaning of 'Consent'

2.1 Under the UK GDPR, consent is defined as any freely given, specific, informed and unambiguous indication of an individual's wishes. This means that consent must be specific and may not be implied or guessed.

2.2 The clearest way to obtain consent will be to provide a consent form to an individual for them to sign confirming that they agree to the use of photography for a specific purpose.

2.3 The Trust's procedure for collecting consent permissions is set out here - [Procedure for checking permissions of students](#).

3. Photographs for Internal Use

3.1 At the beginning of each academic year, parents and carers will be asked to provide written consent confirming that they agree for their child's images to be photographed and the use of their images in school-related activity. This will cover photographs and videos used for the following purposes:

- (a) Classroom displays and projects

- (b) School newsletters and yearbooks
- (c) School website and social media pages (with appropriate privacy settings)
- (d) Internal school records

3.2 When obtaining written consent for photographs, parents and carers will be informed that they can withdraw their consent at any time.

3.3 The Trust's procedure for collecting consent permissions is set out here - [Procedure for checking permissions of students](#)

4. Photographs for External Use

4.1 Where images of students are intended to be used externally, consent must be obtained from parents or carers prior to using the image. This will include the images being used for the following:

- (a) Local or national media publications
- (b) Marketing or promotional materials
- (c) Images used for fundraising purposes
- (d) Social media (for example, on publicly available social media pages)

4.2 When obtaining consent from parents and carers for student images to be used externally, they will be informed specifically what the images will be used for and where the images will be published.

4.3 When obtaining written consent for photographs, parents and carers will be informed that they can withdraw their consent at any time.

5. Photographs Taken by Visitors

5.1 Parents and visitors will usually be permitted to take photographs of their own children at school events, unless there are particular circumstances where it would not be in the best interests of a child (or children) for photographs to be taken.

5.2 The UK GDPR does not apply to individuals taking photographs for their own personal use; this will include posting photographs and videos on their own private social media accounts. However,

parents and visitors will be asked to refrain from publishing images of other students on social media in order to avoid inadvertently putting a student at risk of harm.

5.3 Detailed guidance for parents and carers on the use of photography in schools is available on the Information Commissioner's Office website - [Taking photos in schools | ICO](#).

6. Photographs of Students aged 12+

6.1 When students are aged 12 or above, they will generally be competent to exercise their own rights under the UK GDPR and provide their own consent. Therefore, students aged 12 or above will also be asked to provide their consent for the Trust's use of their images. This is in addition to parental consent.

6.2 In order to ensure the safety and wellbeing of all students, parental consent will always be sought for the Trust's use of photographs regardless of the age of the student.

6.3 In the case of a dispute, for example where a parent withholds consent and a student provides it, the best interests of the student will be paramount and it will not usually be appropriate to use the images.

7. Verbal Consent

7.1 In most circumstances, consent will be collected in writing via a consent form. This is the clearest way to demonstrate that valid consent has been collected for the use of the images.

7.2 However, the Trust recognises that there will be some circumstances where it is not possible for consent to be obtained in writing (for example, the consent is required the same day). In these cases, verbal consent can be sought from parents and carers (and also students aged 12 or above if necessary).

7.3 In cases where consent is sought verbally, the Trust will explain what the images will be used for and where the images will be published.

7.4 A record must then be kept of the details of the consent provided, including the date the consent was given in accordance with the Trust's Data Protection Policy.



8. Use of Images

8.1 All photographs, videos and images must be used in a respectful and appropriate manner. Images of individuals are 'personal data' for the purposes of the UK GDPR and must be treated in accordance with the Trust's Data Protection Policy.

8.2 In accordance with the UK GDPR, images must only be used for the purposes for which they were collected and which was explained at that time. If the Trust wants to use the images for a different purpose at a later date, consent must be sought to use the images for a new purpose.

8.2 Images must not be altered or manipulated in any way that could distort reality or be potentially embarrassing or harmful to the student.

9. Publication of Images

9.1 Prior to any images being published externally (for example on a school website, in the press or on social media), consent records of the students concerned must be checked to ensure that consent has been obtained.

9.2 A failure to review consent records prior to images being published externally can result in students being placed at risk of harm and legal action and/or complaints being made against the Trust.

10. Social Media

10.1 Prior to publishing images on the Trust's social media pages, the following steps must be taken:

(a) Consent records must be checked to confirm that consent has been obtained for the student's images to be used on social media.

(b) Appropriate security settings must be used.

(c) Comments must be monitored and any inappropriate consent must be removed.

11. Withdrawal of Consent

11.1 Parents and carers (and students aged 12 or above) have the right to withdraw their consent for photographs at any time.



11.2 Where consent for photographs is withdrawn, this request must be dealt with promptly and the Trust's records must be updated to demonstrate that consent has not been provided.

11.3 The Trust's procedure for updating consent permissions is set out here - [Process for when permissions change - Google Docs](#)

11.4 In some circumstances, individuals may also make a 'right to erasure' request under the UK GDPR. If this occurs, the request must be forwarded immediately to the Data Protection Officer in accordance with the Trust's Data Protection Policy.

12. Storage and Security

12.1 All photographs, videos and images must be stored securely in accordance with the Trust's Data Protection Policy.

12.2 Photographs, videos and images must not be taken on personal devices and must only be taken on school devices.

12.3 Access to the images will be restricted to members of staff on a need-to-know basis.

12.4 The photographs, videos and images will only be kept for as long as necessary for the purpose in which they were collected in accordance with the Trust's Data Protection Policy and Data Retention Policy.

12.5 Photographs of students will usually be kept for the period of time in which the student is at the Trust before they are securely destroyed in accordance with the Trust's Data Retention Policy.

13. Data Breach Procedure

13.1 A breach of this policy (for example, publishing an image externally without consent) may result in a 'personal data breach' under the UK GDPR.

13.2 All actual, or suspected, personal data breaches must be reported immediately to the Trust's Data Protection Officer in accordance with the Trust's Data Breach Procedure.

14. Relevant Policies, Procedures and Guidance

14.1 The following Trust policies and procedures are also relevant to the use of images:

- (a) Data Protection Policy
- (b) Data Retention Policy
- (c) Data Breach Procedure

14.1 Further information and resources are also available on the Information Commissioner's Office website:

- (a) [Taking photographs: data protection advice for schools | ICO](#)
- (b) [How should we obtain, record and manage consent? | ICO](#)

15. Concerns and Complaints

15.1 Any concerns or complaints regarding the use of student images should be raised via the school's complaints procedure and will be referred to the Trust's Data Protection Officer where appropriate.

15.2 Parents and carers may also make a complaint directly to the Information Commissioner's Officer about the Trust's use of student images.

16. Review

16.1 This policy will be reviewed on an annual basis, or earlier should there be any legislative changes that will impact the validity of this policy.