



## Photographic rights and storing images

### 1.0 How photographs and Videos will be used by Let's Enable

All photos and videos will be kept in line with the Data protection Act 2018 and consent sought via a consent form. Here is a list of how photographs and videos may be used by Let's Enable:

- Website
- Social media platforms
- Funding applications
- Progress records

Pictures and videos will be reviewed yearly and consent obtained.

Parental and child consent – if the adult/child does not have the capacity to consent then this must be provided by a guardian, parent or carer.

### 1.1 The purpose and scope of this policy statement

Let's Enable works with children, adults with care and support needs and families as part of its horse care sessions. The purpose of this policy statement is to:

- protect children, young people and adults with care and support needs who take part in Let's Enable's services, events and activities, specifically those where photographs and videos may be taken
- set out the overarching principles that guide our approach to photographs/videos being taken during our events and activities
- to ensure that we operate in line with our values and within the law when creating, using and sharing images of children, young people and adults. This policy statement applies to all staff, volunteers, service users and anyone associated with Let's Enable.

We believe that:

- children, young people and adults should never experience abuse of any kind
- we have a responsibility to promote the welfare of all children, young people and adults and to take, share and use images and videos safely.



We recognise that:

- sharing photographs and films of our activities can help us celebrate the successes and achievements of our service users and provide a record of our activities and raise awareness of our organisation
- the welfare of the children, young people and adults taking part in our activities is paramount
- children, their parents, adults and carers have a right to decide whether their images are taken and how these may be used, regardless of age, disability, gender reassignment, race, religion or belief, sex or sexual orientation
- consent to take images of children, young people and adults is only meaningful when it is understood how the images and videos will be used and stored and are fully aware of the potential risks associated with the use and distribution of these images and videos. If the child or adult does not have the mental capacity to consent, then consent should be sought through parents or carers and the risk of sharing images and videos made clear. Where possible consent from the child or adult should always be sought
- there are potential risks associated with sharing videos and images online.

We will seek to keep children, young people and adults safe by:

- always asking for written consent from a child, young person or adult or their parent or carer before taking and using images or videos. If the child or adult does not have the mental capacity to consent, then consent should be sought through parents or carers
- always explaining what images and videos will be used for, how they will be stored and what potential risks are associated with sharing images
- making it clear that if a child, adult, or their family or carer withdraw consent for an image to be shared, it may not be possible to delete images that have already been shared or published
- changing the names of children or adults whose images are being used in our published material whenever possible (and only using first names if we do need to identify them)
- never publishing personal information about individual children or adults and disguising any identifying information (for example the name of their school or a school uniform with a logo).
- All staff and volunteers must not keep photographs and videos of service users on their devices, any photographs and videos must be deleted.



We will reduce the risk of images and videos being copied and used inappropriately by:

- only using images of children or adults in appropriate clothing (including safety wear if necessary)
- using images and videos that positively reflect the service users involvement in the activity.

Images or videos can be reported via online platforms, or through Let's Enable. The email to report this to is [info@letsenable.co.uk](mailto:info@letsenable.co.uk). If the images or videos raise a concern or are explicit a safeguarding can be raised and the police contacted. We will ensure everyone involved in our organisation knows the procedures to follow to keep children and adults safe. Please see the safeguarding and online safety policy for further information.

### **1.2 Photography and/or filming for personal use**

When children or adults themselves, parents, carers or spectators are taking photographs or filming at our events and the images are for personal use, we will announce details of our photography policy before the start of the event. This includes:

- reminding parents, adults, carers and children that they need to give consent for Let's Enable to take and use their images
- Children, adults, parents and carers should be reminded that if photos or videos are taken during the event then permission from everyone in the photograph must be obtained before sharing
- recommending that people check the privacy settings of their social media account to understand who else will be able to view any images they share
- reminding children, adults, parents and carers who they can talk to if they have any concerns about images being shared.

### **1.3 Photography and/or filming for Let's Enable's use**

If we hire a photographer for one of our events, we will seek to keep children, young people and adults with care and support needs safe by:

- providing the photographer with a clear brief about appropriate content and behaviour
- ensuring the photographer wears identification at all times
- informing children, adults, their parents and carers that a photographer will be at the event and ensure they give written consent to images which feature their child or adult with care and support needs being taken and shared



- not allowing the photographer to have unsupervised access to children or adults at risk
- not allowing the photographer to carry out sessions outside the event or at a service users home
- reporting concerns regarding inappropriate or intrusive photography following our child and adult protection procedures.

#### **1.4 Photography and/or filming for wider use**

If people such as local journalists, professional photographers (not hired by Let's Enable) or students wish to record one of our events and share the videos or images professionally or in the wider world, they should seek permission in advance. They should provide:

- the name and address of the person using the camera
- the names of children or adult at risk of harm they wish to take images or videos of (if possible)
- the reason for taking the images or videos and/or what they will be used for
- a signed declaration that the information provided is valid and that the images and videos will only be used for the reasons given.

Let's Enable will verify these details and decide whether to grant permission for photographs/films to be taken. We will seek consent from the children or adults who are the intended subjects of the images and their parents or carers and inform the photographer of anyone who does not give consent. If a child or adult does not have the mental capacity to consent then consent will be obtained from a parent or carer. At the event we will inform children, adults, parents and carers that an external photographer is present and ensure the photographer is easily identifiable, for example by issuing them with a coloured identification badge. If Let's Enable is concerned that someone unknown to us is using their sessions for photography or filming purposes, we will ask them to leave and (depending on the nature of the concerns) follow our child and adults at risk protection procedures.

#### **1.5 Personal Image sharing**

Parents and carers need consent to share images of other people's children – parents should not share on social media unless they have asked permission from other parents or carers. Any external photography or filming will be agreed with by parents and consent obtained (signed document).



## 2.0 If consent to take photographs is not given

If children, adults, parents and/or carers do not consent to photographs being taken, we will respect their wishes. We will agree in advance how they would like to be identified so the photographer knows not to take pictures of them and ensure this is done in a way that does not single out the child or adult or make them feel isolated. We will never exclude a child or adult from an activity because we do not have consent to take their photograph or video.

### 2.1 Storing images

We will store photographs and videos of children and adults securely, in accordance with our safeguarding policy and Data Protection policy. We will keep hard copies of images in a locked drawer and electronic images in a protected folder with restricted access or on an encrypted memory stick. Images and videos will be reviewed regularly.

Let's Enable does not permit staff and volunteers to use any personal equipment to take photos and recordings of service users. Only cameras or devices belonging to Let's Enable should be used.

This policy was implemented on: 01/10/2022

This policy was last reviewed on:

Signed:

Nina Linzell

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Updated on: 12/02/2024

Nina Linzell

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