

Use of photos of children policy



This document outlines the War Memorials Trust's (the "Trust") statement on using photos of children in its publications and on its website. It has been prepared by Trust staff with legal advice.

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1. Introduction

The purpose of the Trust's Learning Programme is to educate children about the history and significance of war memorials, and to help them develop the skills and understanding to continue to preserve our war memorial heritage in the future.

From time to time the Trust may take and use photographs of children taking part in activities carried out through the Learning Programme, or other war memorial related activities carried out through their school or youth group. The Trust may also use photos of children taken by third parties and shared with the Trust, including photos submitted to us through the learning website showcase or professional photos taken at publicity events. The purpose of this policy is to outline the purpose of these photographs and the steps the Trust will take to obtain permission to use them and to ensure they are not misused in any way.

All War Memorials Trust staff are committed to protecting the welfare of all the children they work with.

Photographs of children are classed as personal data under the terms of the Data Protection Act 1998. We will not use images of identifiable individuals for the Trust's purposes without the consent of either the parent, guardian or carer.

2. Definitions

England, Wales, Northern Ireland and Scotland each have their own guidance setting out the duties and responsibilities of organisations to keep children safe, but they agree that a child is anyone who has not yet reached their 18th birthday. The same definition applies throughout this document.

3. What the Trust will use photographs for

The Trust will only use photographs of children taken by Trust staff, Regional Volunteers, staff at organisations with whom the Trust is working (for example a class teacher during a school visit or a youth group leader) or other relevant third parties who have given the Trust permission to use their photographs, such as a professional photographer or

the parent/carer of an individual child, that show children participating in activities that form part of, or are of a similar nature to those undertaken by, the War Memorials Trust Learning Programme. Such photographs may be used on the Trust's websites or in the Trust's quarterly Bulletin (which is sent to the Trust's members and supporters) to celebrate the success of the children's work and to provide further information about the Trust and the Learning Programme. They may also appear in advertising or publicity materials, or materials produced for education and training purposes. The Trust will not pass these images onto any other organisation to use unless part of a partnership project between the Trust and another official partner. Copyright of images will remain with the copyright holder and be governed by the Trust's general copyright policy, which can be downloaded from www.warmemorials.org.

4. Type of photographs used

Photographs taken by or for the use of the Trust will usually be focused on the activities or work being undertaken, rather than on the children carrying out this work. It is therefore unlikely that photographs will contain close up views of any individual, or views of any individual directly facing the camera, but this might be the case occasionally if, for example, children are photographed posing with their finished work. Where possible, photographs of children will be taken when there are at least three children or adults in the picture, but again this is not always possible. Where this is not possible, the photographer will try to ensure that the child's face is wholly or at least partly obscured, for example by taking a photograph of a child's work over their shoulder or by only showing a side view of the child.

Individual children's names will not usually appear in any article, webpage or other publication in which a photo of that child appears, although the names of the children and the adult that has given consent for the Trust to use the photograph may be stored on the Trust's supporter database, which is on a secure server. The exception to this will be where the publication or article refers to or is written by a specific child and photos of that individual are used. Photographs used by the Trust of larger groups of children may be accompanied by a caption identifying the school or youth group shown in the photograph and a very general explanation of what the photograph shows (for example, *children from X Primary School researching the names on a war memorial*) but no individuals will be identified.

It is likely that, in some photographs of this nature, children will be wearing a school or youth group uniform which could make them identifiable. In these cases, the Trust will follow guidance from the school or youth group concerned when deciding whether such uniform should restrict the photographs taken. However, in most cases and if the guidelines mentioned above are followed, the identifiable parts of a uniform (e.g. a school emblem on a jumper or a Scout troop unit badge) are likely to be obscured altogether or be so small in the photograph that they cannot be used to identify the child.

The Trust will retain all images and may use them for an indefinite period of time.

5. Obtaining permission to use photographs

The Trust recognises and respects that, despite these precautions, parents and carers may not want their children to be included in photos taken by the Trust for the purposes mentioned above. Therefore, wherever possible, written permission to use photographs

of a child will be obtained by the parents and carers of the children with whom the Trust is planning to work.

It is likely that the majority of the work undertaken by the Trust with children will be arranged through a school or youth group in advance of any visit. Therefore, when booking such a visit, the Trust will send staff a consent form to be completed by parents and carers and returned to the leading member of staff organising the visit. It will then be the responsibility of the leading member of staff at the event (e.g. class teacher or youth group leader) to identify children who do not have permission to be photographed to Trust staff. The Trust will not be held responsible if images are taken and used when they have taken all precautions but have not been advised that a child cannot be included.

If it is not possible to obtain written permission from parents and carers prior to a visit, the Trust will follow the policy and guidance of the school or youth group concerned when deciding which children may be photographed. It is assumed that schools and youth groups also obtain permission from parents and carers before allowing children to be photographed at school or at school events such as a Remembrance service, and this will inform any decision taken. If there is any doubt over whether it is appropriate to take photographs including any individual child, none will be taken of that child.

If any parent or carer wishes to withdraw permission for a photograph of their child to be used by the Trust for the purposes outlined above, they may do so by writing to the Trust Director at 14 Buckingham Palace Road, London, SW1W 0QP or emailing learning@warmemorials.org. Photographs concerning their child will be removed from the Trust's records and websites they appear and will be destroyed.

6. Policy review

The use of photographs of children policy is reviewed annually by the Director in association with other staff and with legal advice. The Board of Trustees will be advised if any changes are required. The policy may also be reviewed as required and the Trust reserves the right to make changes as necessary.