

The Taking, Use and Storage of Photographs and Videos Policy

Version Control

1. Full Document Number:	COMPOL001
2. Version number:	1.0
3. Superseded version number:	New document
4. Document owner job title:	Director of Communications/Dean of Education
5. Department / function:	Communications & Education
6. Approved by:	Management Committee
7. Date of approval:	29 September 2021
8. Next review date:	September 2024
9. Date of Equality Impact Assessment:	8 September 2021
10. Equality Impact Assessment Reference Number:	EIA-62147
11. Does this policy apply to LSTM Group (LSTM and subsidiaries?)	Yes
12. Add document to external LSTM website?	Yes

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Modifications from previous version of document

Version	Date of issue	Details of modification

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1 Scope

This policy applies to the taking, use and storage of photographs and videos policy by LSTM staff, students and external affiliates

2 Introduction and Context

Photographs and videos are routinely used by LSTM for education, research and publicity purposes. Footage may be taken by school staff, students or acquired through third parties including online sources.

Independent of how they are sourced, LSTM has both a safeguarding and legal responsibility that must be upheld. This document sets out the guiding principles for the taking, use and storage of photographs and videos by LSTM. Any imagery representing LSTM – in printed materials, online, and on display in the buildings — has a prominent role in shaping narratives around LSTM and its role in Global Health relations. LSTM’s values include “an ethical ethos founded on respect, accountability and honesty”.

The capture and use of images and videos has an impact on issues such as dignity, respect and equality, and are critical therefore to the implementation of the LSTM values by all members of the school community.

In summary:

- Think carefully before you take any images of people.
- Consider the narrative that the image(s) suggest.
- If your project and/or teaching requires images of people, you will need to implement a range of processes to deliver this, including a consent process. Working with local partners is strongly recommended.
- Images are data and should be used and stored appropriately.

3 Equality and Diversity

LSTM is committed to promoting equality of opportunity, combatting unlawful discrimination and promoting good community relations. We will not tolerate any form of unlawful discrimination or behaviour that undermines this commitment and is contrary to our [Equality and Diversity policy](#).

4 Safeguarding

In line with our [Safeguarding policy](#) and procedures, LSTM's processes reflect our organisational commitment to keeping children and vulnerable adults safe.

5 Roles and Responsibilities

Director of Communications will have overall responsibility for ensuring images and videos used in official LSTM communications, including promotional material or displayed on the official webpages and social media platforms were taken, are used and stored according to the guidelines set out in this policy.

Dean of Education will have oversight for ensuring images and videos used in an education and educational marketing context by LSTM were taken, being used and are stored according to the guidelines set out in this policy.

Communications team will hold this responsibility for images and videos that they provide to be used in other external facing contexts. Fundraising department will also contribute to this responsibility in the case of fundraising materials.

LSTM Investigators/Teachers will have overall responsibility for ensuring images or videos taken as part of their research projects and teaching are taken, are used and stored according to this policy.

All students and staff: It is staff and students' responsibility to safeguard and protect all individuals with whom they interact, particularly children and vulnerable adults. They should ensure LSTM's activities do not harm and so should follow this policy and adhere to the photography tips & tricks guidelines issued by the Communications Department.

6 Taking of Photographs and Videos

LSTM staff and students are strongly encouraged to take a participatory approach when collecting images, allowing subjects to define themselves and the issues represented. In general, it is advisable to work in partnership with organisations and individuals across the globe, particularly in lower- and middle-income settings, to ensure that images appropriately represent and advocate for the person(s) or issue(s) presented. The building of collaborative relationships over time can facilitate the collection of ethical and effective images, as can the inclusion of research participants or community members as photographers.

Individuals photographed should always be consulted about the use of their image. You must ensure that they are aware that the image is being taken and understand what the picture is going to be used for. Guidance on this process is provided in the LSTM image use consent document. Consent should be recorded on the accompanying form [see *appendix*].

Where subjects lack the capacity to give consent, permission must be sought from their legal guardian. In addition, no pressure must be placed on subject(s) to give their consent for photographs/recordings to be made.

Employing/interacting with a third party

When LSTM interacts with a third party – including press or television companies – to take photographs or videos, the individual/company should be informed of and abide by LSTM guidelines.

In addition, and where relevant, third parties must sign a confidentiality agreement and contracts should include data processing terms. To ensure compliance with data protection policies, staff are encouraged to seek advice from the Data Protection Officer (dataprotection@lstmed.ac.uk).

Photographers/film makers should NOT have unsupervised access to children.

Images produced before this policy was produced - LSTM Archived Historical Material

Images taken before this policy was put in place were produced with limited evidence of the values in place informing the practice of taking images. These include important images which form useful resources for teaching and learning about LSTM's history. These images should be preserved as part of LSTM's history – although principles of image ownership still apply. They will be held by a nominated library representative in the LSTM archives, under the responsibility of the Head of Information Services, and release will be determined on a case-by-case basis. When in doubt please consult the Director of Communications. See also paragraph *Images and films for use in education*

Guidelines for obtaining consent

Individual Photographs:

When any individual is photographed/recorded you must ensure they are aware that footage is being taken and understand what it is going to be used for, including the expected audience. Any signs of reluctance or confusion should be a cue to stop the consent process, refrain from taking footage.

Written consent – using the LSTM consent form [see appendix] – should be used where possible, but verbal consent may be more appropriate in some cases. Where relevant (i.e. naming the individual in publication) verbal consent should be recorded in written form, including the name of the individual(s), confirmation that they understood the purpose/uses/audience for the image/recording, and the signature of the person taking verbal consent and date.

Photographs of Children:

Children for purposes of this policy are individuals under the age of majority, which is 18 as per the UN charter on the Rights of the Child. Children's data requires special protection. Where subject(s) are under the age of majority, permission and informed consent must also be obtained from the child's parent or legal guardian. Where subjects lack the capacity to give consent, permission must be sought from their legal guardian.

Group Photographs:

Individuals within group photographs should be asked to provide written consent where possible. If this is not practical due to the size of the group or nature of the event being recorded, the individuals present should be verbally informed that their image will be included in the photograph and the purpose(s) for which the photograph may be used. Individuals should then have the opportunity to opt out of inclusion in the photograph, without any repercussions for themselves or others in their community. The aforementioned verbal consent should ideally be recorded as above. This may be done in a range of ways, for example, people who consent to inclusion may be asked to assemble at one end of a room for the photograph, or options being provided for those who do not wish to be included in photographs during a day-long event e.g., wearing of different coloured lanyards.

General Photographs:

If individuals cannot be identified from the photograph there is no requirement to obtain consent to take, display or publish the photograph. This may include images or recordings in which faces and any other identifying features are obscured, but caution should be used around potential linking of data (see section 6 – 'Identification of subjects'). Wherever possible, individuals who would be captured in photographs or recordings should be informed and given the opportunity to move out of shot. Whilst it is normally acceptable to take photographs of buildings, public events and art-installations in the UK this may not be the case in other countries. Therefore, you may need to seek permission(s) or obtain a licence.

7 Use of Photographs and Videos

LSTM has a safeguarding responsibility to make sure that its staff and operations do no harm and protect children and vulnerable adults. Accordingly, the following set of guidelines should be adhered to when using photographs or videos.

Reason and purpose:

All photographs and videos should accurately represent any depicted situation both in its immediate and in its wider context. Images should be taken based on values of respect and equality. Clear explanation should be given of the use that will be made of the photos or recordings - teaching, publicity, research reports etc., and the expected audience (students, general public etc.). Using personal data beyond its original purpose can be a breach of data protection principles and is prohibited under [LSTM's Data Protection Policy](#).

Appropriateness of images:

Our photographs are an expression of our approach to equality and non-discrimination. Therefore, individuals should be pictured in a dignified and respectful way, with a view to justice across communities and global locations (a potential question to consider is whether subjects are depicted in ways that show the same respect as we would show members of our own communities). Photographs and videos should not stereotype or discriminate against people, situations, or places.

The images should conform to the highest standards in relation to human rights and protection of children and vulnerable people. For example, photographs should not show subjects in demeaning ways, or in situations that may make them vulnerable to censure, punishment, ridicule, or embarrassment. Care should be taken to avoid photographs that include nude or partially clothed individuals unless this is contextually appropriate e.g. clinical photographs. Images of children should only be used where relevant (for example cases referring to paediatric health). Photographs involving any other potentially vulnerable or marginalised individuals should be approached with extreme care and sensitivity.

Identification of subjects:

Footage should not include personal details such as names, email addresses, home addresses or telephone numbers. Identifiers or contact information should not be published with images or recordings unless there is a clear public interest in doing so, e.g., the name and role of senior staff members – with consent – on LSTM website. When photographs are used with no record of consent every effort should be taken to anonymize the image by obscuring facial or other identifying features. The wider context should also be noted here: in cases where images could be linked with other (identifiable) data held on the individual by LSTM, the image/recording is classed as personal data, and thus notification of data collection should be given.

Images and films for use in education:

While most cases of image or film use for education will fall under the general guidance provided elsewhere in this document, there may be individual instances which usual standards of image capture and use may be contravened. These include the use of otherwise-inappropriate images of children or those containing nudity. Such cases require acknowledgement and rigorous informed consent (using the LSTM image use consent form, with careful attention to the sharing of information on the requirements, use and audience of the images/films). Wherever possible, steps should be taken to protect the anonymity of subjects in these cases.

With respect to historical images of value, the section on “LSTM Archived Historical Material” should be consulted. Basic principles governing the usage of such historical images are outlined in a relevant GMC document (see under ‘Additional information’ below), namely that:

- 1 Anonymised images or films, and those in which there is a record that consent was obtained, can continue to be used
- 2 For images or films wherein individuals may be identifiable, and with no record of consent being obtained, the source should not be used if it is clear from the context

that consent was not given for the image/film to be taken, or if the photographed individual or one acting on their behalf withdraws consent.

These principles can provide a basis for decisions on the use of individual historical images in teaching.

In the case of non-LSTM affiliated teaching staff providing teaching on LSTM courses, the current image use policy should be shared with external lecturers during HR's 'Right to Work' check with external lecturers , and they should be encouraged to abide by the guidelines provided.

Inclusion of images/films produced by a third party in LSTM materials:

If photographs are supplied by third parties, whether by an institution, individual or an agency, the provider of the images must be able to confirm that any clearly identifiable individuals have consented to distribution and subsequent use of the photograph. It is ultimately LSTM's responsibility to ensure that permission has been obtained.

If you wish to use a photograph for which no consent was sought at the time or for which you are unsure whether consent was given, you must make reasonable efforts to obtain consent. If it is impossible to trace the subject and gain consent, you should consider whether they were aware that their photograph was being taken. When photographs are used with no record of consent every effort should be taken to anonymize the image by obscuring facial or other identifying features. Even where consent has been provided, removal of identifying features should be considered where reasonably possible, in line with the data minimisation principle,

Copyright considerations:

For copyright purposes, images such as photographs, videos, illustrations, diagrams, graphs and charts are considered to be 'artistic works', and subject to the relevant copyright legalisation. However, section 3.2 '*Illustration for Instruction*' of the 2014 Copyright, Design and Patent Act permits the use of copyright images to illustrate a teaching point. Although it should be noted that this exception is subject to Fair Dealing, meaning copying is restricted to what is required for the teaching session and in no circumstances impact the rights holder. Consequently, using a copyright image in a face-to-face lecture or illustrate online education material would not normally represent a conflict with the copyright holder's normal exploitation of his/her work. Please note that the source of the image must be acknowledged. For some artistic images other related rights might also need to be considered. For example, a logo or cartoon character may be registered as a trademark.

If a rights holder has made his or her work available under the Creative Commons licence, you are free to use it without seeking permission. The Creative Commons licence comes in a number of variations to protect different rights, and it is important to check that your intended use will not infringe any of these.

All Creative Commons licenses require that you attribute the author/creator.

8 Storage of images/footage

Photographs and videos containing images of individuals constitute “personal data” and the use of such falls under the provision of the Data Protection Act 2018.

Therefore, all media and signed consent forms must be kept securely. Hard copies should be kept under lock and key and any scanned copies should be in a password protected folder. Similarly, the digital images or video recordings of individuals and in particular children must be kept secure. Hard copies of images should be kept in a locked drawer and electronic images should be in a protected folder with restricted access. The folder should be on a secure server and device. Any storage devices used should be encrypted where possible, and only LSTM equipment used.

Images taken on external devices should be deleted once downloaded onto the secure server. The time between capture and download of any image or video should be no more than 48 hours. Mobile phones are all too frequently used to capture images without the subject(s) being aware.

Therefore, the use of these devices should be strongly discouraged. Third party systems for image sharing such as iPhoto, Flickr, and Google Photo should not be used for LSTM work, in line with the LSTM [Information Security Classification Matrix](#) and [IT Acceptable Use Policy](#). Any use of images on social media should adhere to LSTM's social media policy.

9 Additional Information

- The Dóchas Code of Conduct on Images and Messages

https://dochas.ie/sites/default/files/Images_and_Messages.pdf

- NSPCC guidance

<https://learning.nspcc.org.uk/research-resources/briefings/photography-sharing-images-guidance/>

- GMC guidance

<https://www.gmc-uk.org/ethical-guidance/ethical-guidance-for-doctors/making-and-using-visual-and-audio-recordings-of-patients>

- [ARISE guidance](#)
- [PhotoVoice Statement of Ethical Practice](#)
- [RADI-AID Research report: A Study of Visual Communications in Six African Countries](#)
- [Photography: Tips, tricks & some things to consider](#) (LSTM SharePoint)
- [LSTM use of Social Media Code of Practice](#)

9 Appendices

[Consent for Use of Images Guidance and Template](#)