

# ELA TRAINING SERVICES

## Photography and Filming Policy and Procedure



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## PHOTOGRAPHY AND FILMING POLICY AND PROCEDURE

### Statement of Intent

ELA Training Services understands that your privacy is important to you and that you care about how your personal data is used. We respect and value the privacy of all our staff, associates, learners, employers and other stakeholders and will only collect and use personal data in ways that are described here, and in a way that is consistent with our obligations and your rights under the law.

We live in an age in which digital technology has vastly increased the use, and potential misuse of photography and Filming. Photographs and Filming for ELA Training Services, learner and trainer/assessor uses and those that appear in the media and ELA Training Services social media, are a source of pleasure, pride and celebration of learner achievement.

However, learners are often abused by someone they know. The risk of a learner being directly targeted for abuse through being identified by a stranger is very small. Providing reasonable steps are taken to ensure an appropriate photograph and/or film, and to protect the full name and contact details, photography and filming by ELA Training Services staff and the media is allowed, within safe practice guidelines.

### Definition and Scope

This Privacy Policy explains how we use your personal data (Photos and Filming): how it is collected, how it is held, and how it is processed. It also explains your rights under the law relating to your personal data.

Under GDPR the privacy rights of individuals are protected more robustly, and there are three articles of the legislation that are of particular relevance:

- The right to be informed (articles 13 and 14) You must be clear about the context of how the photos/film are being used. For example, you could not use photos for social media if permission had only been given for printed brochures.
- The right to access (article 15) Individuals have the right to access their personal data (photos/film) on request and receive confirmation regarding how these are being used.
- The right to erasure (article 17) Individuals have the right to request photos/films to be removed from websites, social media or future versions of printed materials.



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## Everyone Safe While Celebrating Achievements

At ELA Training Services we care deeply about keeping everyone safe, especially the young, vulnerable and adult learners we work with. At the same time, sharing photographs and films of our activities can help us celebrate the successes and achievements of our learners, provide a record of our activities, bringing learning to life and raise awareness of our organisation. These images help us show others the success which happens from the learning that takes place by our L&D Coaches and/or assessors, whether that's through printed materials, our website, or social media.

We know how important it is for you to feel proud of your achievements and to have photos or films that capture those special moments.

But we also need to be careful. Taking and sharing images comes with responsibilities, especially when it involves young people and the vulnerable. The NSPCC reminds us that there are risks if images are used in the wrong way, and that organisations should take steps to protect everyone involved.

Here are some things to be aware of:

- Photos or films might include personal details that make someone identifiable.
- Sharing images online or in publications can sometimes lead to risks, especially if personal information is included.
- Some images might be inappropriate or not suitable to be shared.
- Images can be copied, changed, or used in ways that weren't intended.

This is why ELA Training Services has a photography and filming policy. It helps learners, families, staff, and volunteers understand how we balance the benefits of sharing images with the need to keep everyone safe. We want to make sure that any photos or films used are respectful, appropriate, and celebrate your achievements in the right way.

## Issues of Consent

- The Data Protection Act 2018 affects our use of photography and filming. This is because an image of a learner is personal data for the purpose of the Act, and it is a requirement that consent is obtained from the parent of a young person under the age of 18 years for any photographs or film recordings. It is also important to ascertain the views of the young person.
- Consent must be provided in writing, email, learner application form or other digital means, before photographs and/or filming take place to be used by ELA Training Services.
- ELA Training Services will consult all learners including young people and vulnerable adults about the use of their photograph / film image prior to these



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being taken. This ensures they are aware that the photography and/or filming is taking place and understand what the picture and/or film is going to be used for.

### Key conditions for an employer use of the training providers media

If a training provider has taken and published images or videos of apprentices, employers cannot automatically reuse or republish that content without ensuring the following:

#### Check the Original Consent

- The training provider must have obtained **explicit consent** from the apprentice (and parent/guardian if under 18) for the specific uses of the media.
- If the consent only covers use by the **training provider**, the **employer must not** reuse the media without obtaining separate consent.

#### Data Protection Compliance (UK GDPR)

Even if the training provider has published the content, the employer becomes a **data controller** if they reuse it.

This means the employer must:

- Have a **lawful basis** for processing the image/video (usually consent).
- Provide a **privacy notice** explaining how the media will be used.
- Respect any **withdrawal of consent**.

#### Safeguarding and Reputational Risk

- Especially for apprentices under 18, employers must ensure that any reuse of media aligns with **safeguarding policies**.
- Using media without proper permissions could damage trust and lead to complaints or legal issues.

#### Best Practice: Written Agreement

Ideally, there should be a **written agreement** between the employer and training provider outlining:

- Who owns the media.
- Who can use it and for what purposes.
- How consent is managed and recorded.

### ELA Training Services will:

- Never use a learner's full name online to accompany a photograph or film
- Use the minimum information necessary to accompany a photograph or film
- Only use images of under 18s where permission has been granted
- Only use images of learners in suitable dress
- Store photographs securely in a secure location and only authorised staff will have access to them



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- Images will not be stored on unencrypted portable equipment such as laptops, memory sticks and mobile phones.
- Personal equipment will not be used to take photos and recordings of children. Only cameras or devices belonging to ELA Training Services will be used
- When photos or films are taken (by the L&D Coach / assessor with permission) of children (aged under 18) participating in assessment activities, these will be stored on the company mobile (password secured) and uploaded to the e-portfolio as soon as practically possible (again, password secured). Once uploaded, the photo and/or film will be deleted from the company mobile.
- Photos will be kept if they are relevant and after that time destroyed or archived.
- Addresses or other personal details will not be disclosed in detail, but we may state, for example, 'Emily B' and the name of the programme they completed i.e. APM Level 4.
- Requests to stop using images can be made at any time in writing, or email to [safe@ela-training.co.uk](mailto:safe@ela-training.co.uk) If a request is made to stop using an image, they will not be used in future publications but may continue to appear in publications already in circulation.
- Where photographs are taken at an event attended by large crowds (an organised function for example), this is regarded as a public area, so it is not necessary to gain permission from everyone in a crowd shot.

## Review

The effectiveness of this procedure and associated arrangements will be reviewed annually under the direct supervision of the Chief Operating Officer.

Adoption Date	Updated	Review Date	COO
08/2018	31/07/2025	01/08/2026	



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