



Lumen Academy

Embrace

Educate

Empower

Data Protection Policy

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Document History

Version	Status		Date	Author	Summary Changes
V1			Aug 26	S Clark	Statements made clearer

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1. Policy statement

1.1 Lumen Academy is committed to promoting and achieving equality of opportunity for all students, parents, staff, visitors and job applicants.

1.2 Everyone has rights with regard to the way in which their personal data is handled. During the course of our activities, we will collect, store and process personal data about our pupils, workforce, parents and others. This makes us a data controller in relation to that personal data.

1.3 We are committed to the protection of all personal data and special category personal data for which we are the data controller.

1.4 The law imposes significant fines for failing to lawfully process and safeguard personal data and failure to comply with this policy may result in those fines being applied.

1.5 All members of our workforce must comply with this policy when processing personal data on our behalf. Any breach of this policy may result in disciplinary or other action.

2. About this policy

2.1 The types of personal data that we may be required to handle include information about pupils, parents, our workforce, and others that we deal with. The personal data which we hold is subject to certain legal safeguards specified in the UK General Data Protection Regulation ('UK GDPR'), the Data Protection Act 2018, and other regulations (together 'Data Protection Legislation').

2.2 This policy and any other documents referred to in it set out the basis on which we will process any personal data we collect from data subjects, or that is provided to us by data subjects or other sources.

2.3 This policy does not form part of any employee's contract of employment and may be amended at any time.

2.4 This policy sets out rules on data protection and the legal conditions that must be satisfied when we process personal data.

3. Definition of data protection terms

3.1 All defined terms in this policy are indicated in bold text, and a list of definitions is included in the Annex to this policy.

4. Staff roles & responsibilities

4.1 The Director has overall responsibility for ensuring that Lumen Academy Ltd complies with all relevant data protection obligations.

4.2 As Lumen Academy Ltd we are required to appoint a Data Protection Officer (“DPO”). Our DPO is our principal and can be contacted by emailing at monika.sethi@lumenacademy.co.uk

4.3 The DPO is responsible for ensuring compliance with the Data Protection Legislation and with this policy. Any questions about the operation of this policy or any concerns that the policy has not been followed should be referred in the first instance to the DPO. The DPO is also the first point of contact for data subjects whose data the school processes, and for the ICO.

4.4 All members of our workforce are responsible for:

4.4.1 Collecting, storing and processing any personal data in accordance with this policy;

4.4.2 Informing the academy of any changes to their personal data, such as a change of address; and

4.4.3 Contacting the designated Data Protection Lead in the following circumstances:

4.4.3.1 With any questions about the operation of this policy, data protection law, retaining personal data or keeping personal data secure;

4.4.3.2 If they have any concerns that this policy is not being followed;

4.4.3.3 If they are unsure whether or not they have a lawful basis to use personal data in a particular way;

4.4.3.4 If they need to rely on or capture consent, draft a privacy notice, deal with data protection rights invoked by an individual, or transfer personal data outside the European Economic Area;

4.4.3.5 If there has been a data breach;

4.4.3.6 Whenever they are engaging in a new activity that may affect the privacy rights of individuals; and

4.4.3.7 If they need help with any contracts or sharing personal data with third parties.

4.7 All staff and director are provided with data protection training as part of their induction process. Data protection will also form part of continuing professional development, where changes to legislation, guidance or the academy’s processes make it necessary.

5. Data protection principles

5.1 Anyone processing personal data must comply with the data protection principles. These provide that personal data must be:

5.1.1 Processed fairly and lawfully and transparently in relation to the data subject;

- 5.1.2 Processed for specified, lawful purposes and in a way which is not incompatible with those purposes;
- 5.1.3 Adequate, relevant and not excessive for the purpose;
- 5.1.4 Accurate and up to date;
- 5.1.5 Not kept for any longer than is necessary for the purpose; and
- 5.1.6 Processed securely using appropriate technical and organisational measures.
- 5.2 Personal Data must also:
 - 5.2.1 be processed in line with data subjects' rights;
 - 5.2.2 not be transferred to people or organisations situated in other countries without adequate protection.
- 5.3 We will comply with these principles in relation to any processing of personal data by Lumen Academy Ltd.

6 Fair and lawful processing

6.1 Data Protection Legislation is not intended to prevent the processing of personal data, but to ensure that it is done fairly and without adversely affecting the rights of the data subject.

6.2 For personal data to be processed fairly, data subjects must be made aware:

- 6.2.1 that the personal data is being processed;
- 6.2.2 why the personal data is being processed;
- 6.2.3 what the lawful basis is for that processing (see below);
- 6.2.4 whether the personal data will be shared, and if so with whom;
- 6.2.5 the period for which the personal data will be held;
- 6.2.6 the existence of the data subject's rights in relation to the processing of that personal data; and
- 6.2.7 the right of the data subject to raise a complaint with the Information Commissioner's Office in relation to any processing.

6.3 We will only obtain such personal data as is necessary and relevant to the purpose for which it was gathered and will ensure that we have a lawful basis for any processing.

6.4 For personal data to be processed lawfully, it must be processed on the basis of one of the legal grounds set out in the Data Protection Legislation. We will normally process personal data under the following legal grounds:

- 6.4.1 where the processing is necessary for the performance of a contract between us and the data subject, such as an employment contract;
- 6.4.2 where the processing is necessary to comply with a legal obligation that we are subject to, (e.g the Education Act 2011);
- 6.4.3 where the law otherwise allows us to process the personal data or we are carrying out a task in the public interest; and
- 6.4.4 where none of the above apply then we will seek the consent of the data subject to the processing of their personal data.

6.5 When special category personal data is being processed then an additional legal ground must apply to that processing. We will normally only process special category personal data under following legal grounds:

6.5.1 where the processing is necessary for employment law purposes, for example in relation to sickness absence;

6.5.2 where the processing is necessary for reasons of substantial public interest, for example for the purposes of equality of opportunity and treatment;

6.5.3 where the processing is necessary for health or social care purposes, for example in relation to pupils with medical conditions or disabilities; and

6.5.4 where none of the above apply then we will seek the consent of the data subject to the processing of their special category personal data.

6.6 We will inform data subjects of the above matters by way of appropriate privacy notices which shall be provided to them when we collect the data or as soon as possible thereafter, unless we have already provided this information such as at the time when a pupil joins us.

6.7 If any data user is in doubt as to whether they can use any personal data for any purpose then they must contact the DPO before doing so.

Vital Interests

6.8 There may be circumstances where it is considered necessary to process personal data or special category personal data in order to protect the vital interests of a data subject. This might include medical emergencies where the data subject is not in a position to give consent to the processing. We believe that this will only occur in very specific and limited circumstances. In such circumstances we would usually seek to consult with the DPO in advance, although there may be emergency situations where this does not occur.

Consent

6.9 Where none of the other bases for processing set out above apply then the academy must seek the consent of the data subject before processing any personal data for any purpose.

6.10 There are strict legal requirements in relation to the form of consent that must be obtained from data subjects.

6.11 When pupils and/or our Workforce join Lumen Academy Ltd a consent form will be required to be completed in relation to them. This consent form deals with the taking and use of photographs and videos of them, amongst other things. Where appropriate third parties may also be required to complete a consent form.

6.12 In relation to all pupils under the age of 13 years old we will seek consent from an individual with parental responsibility for that pupil.

6.13 We will generally seek consent directly from a pupil who has reached the age of 13, however we recognise that this may not be appropriate in certain circumstances and therefore may be required to seek consent from an individual with parental responsibility.

6.14 If consent is required for any other processing of personal data of any data subject, then the form of this consent must:

6.14.1 Inform the data subject of exactly what we intend to do with their personal data;

6.14.2 Require them to positively confirm that they consent – we cannot ask them to opt-out rather than opt-in; and

6.14.3 Inform the data subject of how they can withdraw their consent.

6.15 Any consent must be freely given, which means that we cannot make the provision of any goods or services or other matter conditional on a data subject giving their consent.

6.16 The DPO must always be consulted in relation to any consent form before consent is obtained.

6.17 A record must always be kept of any consent, including how it was obtained and when.

7 Processing for limited purposes

7.1 In the course of our activities as Lumen Academy Ltd, we may collect and process the personal data set out in our Record of Processing Activities. This may include personal data we receive directly from a data subject (for example, by completing forms or by corresponding with us by mail, phone, email or otherwise) and personal data we receive from other sources (including, for example, local authorities, other schools, parents, other pupils or members of our workforce).

7.2 We will only process personal data for the specific purposes set out in our Record of Processing Activities or for any other purposes specifically permitted by Data Protection Legislation or for which specific consent has been provided by the data subject.

8 Notifying data subjects

8.1 If we collect personal data directly from data subjects, we will inform them about:

8.1.1 our identity and contact details as Data Controller and those of the DPO;

8.1.2 the purpose or purposes and legal basis for which we intend to process that personal data;

8.1.3 the types of third parties, if any, with which we will share or to which we will disclose that personal data;

8.1.4 whether the personal data will be transferred outside the European Economic Area ('EEA') and if so the safeguards in place;

8.1.5 the period for which their personal data will be stored, by reference to our Retention and Destruction Policy;

8.1.6 the existence of any automated decision making in the processing of the personal data along with the significance and envisaged consequences of the processing and the right to object to such decision making; and

8.1.7 the rights of the data subject to object to or limit processing, request information, request deletion of information or lodge a complaint with the ICO.

8.2 Unless we have already informed data subjects that we will be obtaining information about them from third parties (for example in our privacy notices), then if we receive personal data about a data subject from other sources, we will provide the data subject with the above information as soon as possible, thereafter, informing them of where the personal data was obtained from.

9 Adequate, relevant and non-excessive processing

9.1 We will only collect personal data to the extent that it is required for the specific purpose notified to the data subject, unless otherwise permitted by Data Protection Legislation.

10 Accurate data

10.1 We will ensure that personal data we hold is accurate and kept up to date.

10.2 We will take reasonable steps to destroy or amend inaccurate or out-of-date data.

10.3 Data subjects have a right to have any inaccurate personal data rectified. See further below in relation to the exercise of this right.

11 Timely processing

11.1 We will not keep personal data longer than is necessary for the purpose or purposes for which they were collected. We will take all reasonable steps to destroy, or erase from our systems, all personal data which is no longer required.

12 Processing in line with data subject's rights

12.1 We will process all personal data in line with data subjects' rights, in particular their right to:

- 12.1.1 request access to any personal data we hold about them;
- 12.1.2 object to the processing of their personal data, including the right to object to direct marketing;
- 12.1.3 have inaccurate or incomplete personal data about them rectified;
- 12.1.4 restrict processing of their personal data;
- 12.1.5 have personal data we hold about them erased
- 12.1.6 have their personal data transferred; and
- 12.1.7 object to the making of decisions about them by automated means.

The Right of Access to Personal Data

12.2 Data subjects may request access to all personal data we hold about them. Such requests will be considered in line with the Trust's Subject Access Request Procedure.

The Right to Object

12.3 In certain circumstances data subjects may object to us processing their personal data. This right may be exercised in relation to processing that we are undertaking on the basis of a legitimate interest or in pursuit of a statutory function or task carried out in the public interest.

12.4 An objection to processing does not have to be complied with where the academy can demonstrate compelling legitimate grounds which override the rights of the data subject.

12.5 Such considerations are complex and must always be referred to the DPO upon receipt of the request to exercise this right.

12.6 In respect of direct marketing any objection to processing must be complied with.

12.7 Lumen Academy Ltd is not however obliged to comply with a request where the personal data is required in relation to any claim or legal proceedings.

The Right to Rectification

12.8 If a data subject informs Lumen Academy Ltd that personal data held about them at Lumen Academy Ltd is inaccurate or incomplete then we will consider that request and provide a response within one month.

12.9 If we consider the issue to be too complex to resolve within that period then we may extend the response period by a further two months. If this is necessary, then we will inform the data subject within one month of their request that this is the case.

12.10 We may determine that any changes proposed by the data subject should not be made. If this is the case, then we will explain to the data subject why this is the case. In those circumstances we will inform the data subject of their right to complain to the Information Commissioner's Office at the time that we inform them of our decision in relation to their request.

The Right to Restrict Processing

12.11 Data subjects have a right to "block" or suppress the processing of personal data. This means that Lumen Academy Ltd can continue to hold the personal data but not do anything else with it.

12.12 Lumen Academy Ltd must restrict the processing of personal data:

12.12.1 Where it is in the process of considering a request for personal data to be rectified (see above);

12.12.2 Where Lumen Academy Ltd is in the process of considering an objection to processing by a data subject;

12.12.3 Where the processing is unlawful but the data subject has asked Lumen Academy Ltd not to delete the personal data; and

12.12.4 Lumen Academy Ltd no longer needs the personal data but the data subject has asked Lumen Academy Ltd not to delete the personal data because they need it in relation to a legal claim, including any potential claim against Lumen Academy Ltd.

12.13 If Lumen Academy Ltd has shared the relevant personal data with any other organisation, then we will contact those organisations to inform them of any restriction, unless this proves impossible or involves a disproportionate effort.

12.14 The DPO must be consulted in relation to requests under this right.

The Right to Be Forgotten

12.15 Data subjects have a right to have personal data about them held by Lumen Academy Ltd erased only in the following circumstances:

12.15.1 Where the personal data is no longer necessary for the purpose for which it was originally collected;

12.15.2 When a data subject withdraws consent – which will apply only where Lumen Academy Ltd is relying on the individuals consent to the processing in the first place;

12.15.3 When a data subject objects to the processing and there is no overriding legitimate interest to continue that processing – see above in relation to the right to object;

12.15.4 Where the processing of the personal data is otherwise unlawful;

12.15.5 When it is necessary to erase the personal data to comply with a legal obligation; and

12.16 Lumen Academy Ltd is not required to comply with a request by a data subject to erase their personal data if the processing is taking place:

- 12.16.1 To exercise the right of freedom of expression or information;
- 12.16.2 To comply with a legal obligation for the performance of a task in the public interest or in accordance with the law;
- 12.16.3 For public health purposes in the public interest;
- 12.16.4 For archiving purposes in the public interest, research or statistical purposes; or
- 12.16.5 In relation to a legal claim.

12.17 If Lumen Academy Ltd has shared the relevant personal data with any other organisation, then we will contact those organisations to inform them of any erasure, unless this proves impossible or involves a disproportionate effort.

12.18 The DPO must be consulted in relation to requests under this right.

Right to Data Portability

12.19 In limited circumstances a data subject has a right to receive their personal data in a machine-readable format, and to have this transferred to another organisation.

12.20 If such a request is made then the DPO must be consulted.

13 Data security

13.1 We will take appropriate security measures against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data.

13.2 We will put in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction.

13.3 Security procedures include:

- 13.3.1 Entry controls. Any stranger seen in entry-controlled areas should be reported to Reception
- 13.3.2 Secure lockable desks and cupboards. Desks and cupboards should be kept locked if they hold confidential information of any kind. (Personal information is always considered confidential.)
- 13.3.3 Methods of disposal. Paper documents should be shredded. Digital storage devices should be physically destroyed when they are no longer required. IT assets must be disposed of in accordance with the Information Commissioner's Office guidance on the disposal of IT assets.

13.3.4 Equipment. Data users must ensure that individual monitors do not show confidential information to passers-by and that they log off from their PC when it is left unattended.

13.3.5 Working away from the academy premises – paper documents. Hard copy documents containing personal data must not be taken off site unless strictly necessary for academy business. Lumen Academy Ltd recognises that legitimate school activities such as marking children's exercise books may take place off site at times. The member of staff concerned must take all necessary precautions to ensure that hard copy personal data is kept secure at all times, keeping it covered whilst in transit, and locked away in a secure place otherwise. No personal data may be kept offsite for longer than necessary for the academy activity in progress. Staff must ensure that no data breaches occur, such as data being lost, stolen, or accessed by an unauthorised person such as a visitor or household member. When a staff member ceases employment with Lumen Academy Ltd, all paper documents containing personal data must be returned to the academy.

13.3.6 Working away from the academy premises – electronic working. Staff are prohibited from all forms of transfer or processing of electronic personal data on any type of privately-owned device, including USB drives. Staff may work away from academy premises using academy issued equipment. Files which do not contain personal data may be saved onto academy owned, encrypted storage media, should the academy issue such equipment for this purpose. Staff must only save personal data onto secure file locations which the academy has authorised, such as Academy (eg the drive(s)) or a academy approved cloud service. Under no circumstances may staff email personal data to a private email account, or transfer or store data using a cloud service which the academy IT department has not approved.

13.3.7 Document printing. Documents containing personal data must be collected immediately from printers and not left on photocopiers.

13.4 Any member of staff found to be in breach of the above security measures may be subject to disciplinary action.

14 Data Protection Impact Assessments

14.1 Lumen Academy Ltd takes data protection very seriously and will consider and comply with the requirements of Data Protection Legislation in relation to all of its activities whenever these involve the use of personal data, in accordance with the principles of data protection by design and default.

14.2 In certain circumstances the law requires us to carry out detailed assessments of proposed processing. This includes where we intend to use new technologies which might pose a high risk to the rights of data subjects because of the types of data we will be processing or the way that we intend to do so.

14.3 Lumen Academy Ltd will complete an assessment of any such proposed processing and has a template document which ensures that all relevant matters are considered.

14.4 The DPO should always be consulted as to whether a data protection impact assessment is required, and if so how to undertake that assessment.

15 Disclosure and sharing of personal information

15.1 We may share personal data that we hold about data subjects, and without their consent, with other organisations. Such organisations include the Department for Education, Education and Skills Funding Agency “ESFA”, Ofsted, health authorities and professionals, the Local Authority, examination bodies, other schools, and other organisations where we have a lawful basis for doing so.

15.2 Lumen Academy Ltd will inform data subjects of any sharing of their personal data unless we are not legally required to do so, for example where personal data is shared with the police in the investigation of a criminal offence.

15.3 In some circumstances we will not share safeguarding information. Please refer to our Child Protection Policy

15.4 Further detail is provided in our Record of Processing Activities.

16 Data Processors

16.1 We contract with various organisations who provide services to Lumen Academy Ltd, including:

16.1.1 Payroll providers, school meal providers, student support services, the local authority, IT service providers, exam boards and exam moderators, school trip providers, providers of medical services, school photographers, staff pension providers

16.2 In order that these services can be provided effectively we are required to transfer personal data of data subjects to these data processors.

16.3 Personal data will only be transferred to a data processor if they agree to comply with our procedures and policies in relation to data security, or if they put in place adequate measures themselves to the satisfaction of Lumen Academy Ltd. Lumen Academy Ltd will always undertake due diligence of any data processor before transferring the personal data of data subjects to them.

16.4 Contracts with data processors will comply with Data Protection Legislation and contain explicit obligations on the data processor to ensure compliance with the Data Protection Legislation, and compliance with the rights of Data Subjects.

17 Images and Videos

17.1 An announcement will be made at the start of school events to advise parents and other attendees whether photographs and videos are permitted at that event. Permission for parents and visitors to take photographs and videos may not be given for reasons including safeguarding, licensing and copyright.

17.2 Lumen Academy Ltd asks that parents and others do not post any images or videos which include any child other than their own child on any social media or otherwise publish those images or videos.

17.3 As Lumen Academy Ltd we want to celebrate the achievements of our pupils and therefore may want to use images and videos of our pupils within promotional materials, or for publication in the media such as local, or even national, newspapers covering school events or achievements. We will seek the consent of pupils, and their parents where appropriate, before allowing the use of images or videos of pupils for such purposes.

17.4 Whenever a pupil begins their attendance at Lumen Academy Ltd they, or their parent where appropriate, will be asked to complete a consent form in relation to the use of images and videos of that pupil. Where the academy is relying upon consent, we will not use images or videos of pupils for any purpose where we do not have consent.

17.5 Further information regarding photographs and visual images is provided in Annex 2 of this document.

18 CCTV

18.1 Lumen Academy operates CCTV at its site.

19 Changes to this policy

19.1 We may change this policy at any time. Where appropriate, we will notify data subjects of those changes.

20 Responsibility

20.1 The Director of Lumen Academy Ltd has a responsibility for the oversight of this and all policies within the academy and may delegate the implementation and review of this policy in accordance with our Scheme of Delegation.

ANNEX 1

DEFINITIONS

Term	Definition
Data	is information,, which is stored electronically, on a computer, or in certain paper-based filing systems
Data Subjects	for the purpose of this policy include all living individuals about whom we hold personal data. This includes pupils, our workforce, staff, and other individuals. A data subject need not be a UK national or resident. All data subjects have legal rights in relation to their personal information
Personal Data	means any information relating to an identified or identifiable natural person (a data subject); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person
Data Controllers	are the people who or organisations which determine the purposes for which, and the way, any personal data is processed. They are responsible for establishing practices and policies in line with Data Protection Legislation. We are the data controller of all personal data used in our business for our own commercial purposes
Data Users	are those of our workforce (including Governors and volunteers) whose work involves processing personal data. Data users must protect the data they handle in accordance with this data protection policy and any applicable data security procedures at all times
Data Processors	include any person or organisation that is not a data user that processes personal data on our behalf and on our instructions
Processing	is any activity that involves use of the data. It includes obtaining, recording or holding the data, or carrying out any operation or set of operations on the data such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction. Processing also includes transferring personal data to third parties
Special Category Personal Data	includes information about a person's racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, physical or mental health or condition or sexual life, or genetic or biometric data
Workforce	Includes, any individual employed by the Lumen Academy Ltd such as staff and those who volunteer in any capacity including Advisory Board, Director, and parent helpers

ANNEX 2

Photographs and Visual Images

Background

At Lumen Academy Ltd, we recognise photography as a useful tool, and it is used routinely in many ways. For example, for record keeping, for classroom displays, as part of teaching, and as an important part of children's own work and their learning. On occasions photographs are also used for the press, or for the academy website, social media, to celebrate achievement and for other promotional purposes. We also recognise that parents may wish to take photographic images/and or record video images of their own children participating in academy events. However, we are also sensitive to the wishes and rights of parents who may not want their children to be photographed, and/or who might have concerns about the possible future use of such images.

We are very aware of our responsibility to protect the children in our care from harm, and we will take every possible step to do so.

The taking of photographs in academy is an increasingly complicated and sensitive area, because technology has now made it much easier for pictures and images to be used, shared or distributed inappropriately, both as printed material or as a digital image. Increased use of the Internet and social media has also presented new issues. It is therefore important that schools and educational institutes take practical steps to ensure that photography on their premises, or at any of their events, reflects the protective ethos of the school/academy.

In order to ensure that, as far as possible, such photography complies with safeguarding requirements, the advice provided below should be followed. For clarity the following definitions are provided and refer to this entire document.

Photographs / Photography refers to any photographic image, still or moving, captured by any photographic device, including mobile phones. This includes analogue and digital images, still and moving images including video footage, however stored or transmitted.

Academy curriculum / internal use:

Photographs/digital images or video footage taken for curricular use, or for displays, workbooks, school trips, notice boards, academy events and/or assessment purposes.

Academy Publicity photography

Photographs/digital images/video footage used to help promote and publicise the success of the academy through newsletters or the prospectus. This may on occasion also involve outside agencies such as the local press.

Academy Websites / Social Media photography

Photographs/digital images/video footage used to celebrate individual, class and/or team success, for promotional purposes, or highlight good practice within the academy.

Academy Photographer

Class and individual/family academy photographs taken by a reputable commercial photographer and sold to parents. Parents are always advised of this in advance and will have the opportunity to consent.

Academy Events

Photographs or videos taken of academy concerts, productions and other performance events, sports events (including sports day), sports fixtures, fetes, enrichment and 'challenge' events, educational visits, services, etc. Unobtrusive and sensitive photography will normally be permitted, if it is possible at a particular point in the event, though some restrictions may be necessary for reasons of safeguarding/ child protection or out of respect for the rights and privacy of parents who have not provided consent for their child being photographed. Video or sound recording of copyright musical or theatrical performance is normally forbidden.

The Legal Position

It is not illegal for photographs of children to be taken in academy by staff and using school equipment but it is sensible to comply with all current recommendations and/or good practice since photographs and video images of individuals are classed as personal data under Data Protection Legislation. Therefore, such images may only be used for academy publicity or for similar purposes in cases in which the consent of the parent or legal guardian has been collected.

At Lumen Academy Ltd, we will not display personal images on websites, in publications or in a public place where such consent has not been given and will avoid naming individual children unless consent to do so has been given.

It is standard practice for a photograph to be recorded of each child and stored on the school MIS system for safeguarding purposes.

Parental Consent

As a minimum requirement, all parents/carers will need to know that their children may be photographed at academy and the opportunity will always be open for parents to withhold or withdraw consent for:

1. Photographs or videos taken by members of staff for academy-based publicity and promotional purposes and to celebrate achievement (eg academy newsletters/ prospectus / websites / social media)
2. Photographs or videos taken by members of the press who are on the academy premises by invitation in order to celebrate individual, group or academy success.
3. Photographs or videos taken by parents and other family members of children at the academy during any academy concerts, performances, sports events and other similar events organised by the academy.

The Consent Form will be issued to all parents as part of the academy admission process and a central file record retained of any responses received. If consent is not specifically given by a parent/carer, then the academy will infer that consent has not been granted. The views of parents who, for any reason do not wish their child/children to appear in such photographs will be respected at all times and all reasonable

measures will be taken to ensure compliance with their request, including when on educational visits, sports fixtures, etc.

Use and Storage of Photographs and Video Images

Photographs taken as records of events or for educational purposes may be displayed around academy on display boards and/or in evidence files and are then archived after use in line with the Record Retention Policy.

Photographs:

Are not exchanged with anyone outside academy or held for private use. Members of staff are only permitted to take photographs and/or digital images of children in “academy or educational provision settings” and may only use academy approved and purchased cameras or recording equipment. The use of personal mobile phones to take digital images is not permitted. Neither staff nor other adults within academy are permitted to take photographs of children in a one to- one situation or when children are in vulnerable situations, such as when they are upset or not appropriately dressed. Photographs may only be stored in a secure location for example on the academy’s internal server.

As part of specific curriculum items and on certain special occasions (e.g. at leavers’ ceremonies), children may be allowed by staff to take photographs of each other. This will always be at the discretion of staff, who will intervene, if necessary, to prevent the taking of inappropriate images or videos.

Should the academy learn about any inappropriate use of images involving children, the academy will take immediate and proportional action including, if judged necessary by staff in consultation with the principal, recording and reporting of any incidents which could raise child protection concerns.

Photography during academy events

While we recognise and will try to accommodate the wishes of family members to take photographs or videos of their own children or grandchildren during academy events, including concerts, productions and other performance events, sports days, etc., we also recognise that the taking of photographs, videos and the increasing use of mobile phones to record images can prove very distracting to both the performers and others in the audience, especially if carried out insensitively.

It is also the responsibility of the academy to ensure that we are always compliant with safeguarding requirements and do not put at risk the safety of any vulnerable children. In addition, such events can involve all children throughout academy or at the very least all the children from a particular key stage and sometimes may even include children from other schools/academies, such that complying with the wishes of those parents who do not wish their child to be photographed is a complex and sensitive matter.

In order to minimise disturbance, the academy will, if possible, arrange for official photographs of concerts, productions and other such performance events to be recorded by nominated and DBS checked individuals (e.g. staff, director, parent). These

photographs and/or video could then be made available to parents for a donation to academy funds shortly after the event when they sign to say it is solely for personal use and not for distribution. However, if family members do wish to take photographs or video with their own cameras during a performance, or indeed during any other school event, the academy will normally permit this, providing that the following ground rules are adhered to in order to respect others and ensure safeguarding is not compromised:

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In the case of concerts, productions and other performance events:

- As an invited guest of the academy ensure that you follow their requests as to when and where you can safely take photographs, and only of your own child. This will usually be at the end of an event and only in a particular area.
- Every effort will be made that all images taken at academy events are exclusively for personal use and are not uploaded to the internet under any circumstances, posted on social networking sites or openly shared in other ways.
- Refrain from taking further photographs and/or video when requested to do so by staff. To avoid any disappointment and confusion, all parents will be notified of the requirement to observe the constraints on the use of photography and digital images in advance of any academy performances, productions or other similar events.

As noted above, it may be necessary for the academy to request that no photography or filming take place at an academy event (for example, to account for specific safeguarding needs, for copyright or performance rights). In such circumstances, this restriction will, as far as possible, be made clear to all those attending before the event begins. Anyone who continues to take photographs, video or other images after being informed of such a restriction will be asked by a member of staff to stop and to delete any material they have recorded.

Please note that the use of personal cameras, mobile phone cameras or other recording equipment is prohibited on academy premises at all other times. Children may then only be photographed by members of staff and using academy equipment, and only if the parents or legal guardians of a child have consented.

Please speak to the principal if you are unsure about the appropriate use of photographic or recording equipment and/or subsequent use and sharing of images.

Academy Websites / Social Media

Academy websites support communication with parents and pupils and helps to promote and publicise the success of the academy. Pupil's schoolwork is sometimes displayed on the website and can occasionally include discreet images of children engaged in curriculum or enrichment activities. Images of children are never used in cases in which parents or legal guardians have not given consent. Any requests from parents to remove images of their children will always be respected but parents must realise that images/videos posted in a public domain such as the academy's website/social media account are accessible from the wider world.

Responsibility

Director of Lumen Academy has a responsibility for the oversight of this and all policies and may delegate the implementation and review of this policy in accordance with our Scheme of Delegation.

Reviewed By:	Summer Clark	September 2026
Next Review Date:		September 2027
Approved by Director:		1 st September 2026
Signed:		



Monika Sethi
Principal and Director