



PHOTOGRAPHY, VIDEOGRAPHY AND AUDIO POLICY

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1.0 Policy Statement

Edinburgh Dog and Cat Home (the Home) is committed to a policy of protecting the rights and freedom of individuals with respect to the processing of their personal data. Personal data means data which relates to a living individual who can be identified from that data.

In accordance with the above, taking and retaining photographs and videos of people is considered personal data under the General Data Protection Regulation (GDPR), and the data protection principles apply. You must get consent from anyone who appears in a photograph or video before it is taken or recorded. In this policy photography, video and audio may be referred to as 'photography' as the same principles apply to all types of media.

It is especially important that we seek permission when taking photos of children and young people, or vulnerable people regardless of the situation. Images must not be shared or used by a third-party organisation unless we have explicit consent to do so. By gaining consent and observing the permissions we have for photos and videos, we can provide necessary duty of care and protection of privacy to our supporters, customers, staff and volunteers.

This policy applies to all Home personnel. You must read, understand and comply with this policy when taking and using photographs on our behalf. This policy sets out what we expect from you for the Home to follow applicable law. Compliance is mandatory.

2.0 Getting Consent

For consent to be valid, it must be voluntary and informed, and the person consenting must have the ability to make the decision. For the purposes of the Home's photography, videography and audio recordings, this involves ensuring that individual(s) understand that they are being recorded and how their image or recording may be used.

2.1 Recording Consent

We have a [photo, video and audio consent form](#) at Edinburgh Dog and Cat Home to keep a record of consent that has been given for capture and use of these media. Before taking photos or videos you must ensure that anyone who will be photographed has completed this form. You may use the verbal consent section of the form where it may not be possible for the individual to sign a consent form.

Before taking or using any images of members of the public, you must consider their vulnerability and mental capacity for consent. This is particularly important in relation to people using our food bank service, or anyone being supported by our outreach

service. If the individual does not seem to have the capacity to provide consent and there is not a guardian in place to provide consent, or that using their image may prove detrimental to the individual concerned, the image should not be used.

A member of SLT must approve using any image, video or audio of an individual engaged with our food bank or outreach programme.

Staff taking photos, video and audio recordings are responsible for managing their files securely and recording consent in a suitable and prompt way.

You must add media files and attached consent forms to our Resource Space platform within one week of capture.

Consent forms themselves contain personal data. You must keep paper copies in a locked drawer or cupboard or shred them immediately after scanning and uploading to Resource Space.

Please refer to the [Resource Space Policy and Guide](#) for step-by-step instructions on how to complete this or refer to the Digital Engagement Manager for guidance.

3.0 Photography at Large / Public Events

3.1 Getting Consent from Large Groups

Where photography and video recording is taking place at a large event, it may not be practical to secure consent forms from every member of the public who is recorded. At any event, regardless of the size, you must make it clear in all pre-event communications that photographs and video will be taken and offer the opportunity for people to opt-out from their image being used. You must make it clear why we are using that person's image, how long we intend to use the image for, and what we will be using it for. You should use the following statement:

There will be photography and video recordings taken at this event. These images may be used for promotional purposes, across our digital channels and within our future newsletters or publications. The images taken from this event may be used at any time, normally within a five-year period from the date of capture. If you do not wish your images to be used in this way, please make your wishes known to a member of staff.

This statement should be displayed using one or more of the following methods:

- During any online registration processes (if applicable)

- By making an announcement at the event
- By displaying reasonably prominent signage in clear view at the event

3.2 Opting Out

If an individual chooses to opt out from their photo being used, they must be provided with a form of visual identification (e.g. a lanyard or sticker) to ensure the photographer can avoid taking their photo during the day. Staff should also record a description of the individual in case the identification is not visible in a photograph. For large events where a professional photographer is used, they must be briefed on those who have opted out.

3.3 Children and Young People

Parent(s) or guardian(s) must complete the photography and video consent form before taking photos of those under the age of 18, regardless of how large or public the event is.

4.0 Photography of Animals in Rehoming

4.1 Staff Taking Photos and Videos

Staff working at the Home are permitted to take photographs of the dogs and cats who are in our care, providing that doing so does not cause any stress or harm to the animal involved.

Such photographs may be shared internally to staff via Workplace regardless of the status of the animal.

Only photographs of animals who are available for rehoming on our website and app may be shared publicly. Photos of animals who are not available for rehoming must never be shared publicly. Any exception to this for marketing and communications purposes must be discussed and agreed with the Kennel Management and a member of SLT to assess risk.

4.2 Public Taking Photos and Videos

Members of the public, partners and other external visitors (including those interested in adoption) are not permitted to take photographs or videos of any animals on site.

Members of the public visiting for a tour, event or educational visit should ask for staff permission before taking a photo or video. Any photography or video taken should only be of animals who are available for adoption and taken out with the kennels (in the paddocks or yard) unless in exceptional circumstances approved by a member of SLT.

5.0 Photography of Animals in Boarding

Staff are not permitted to photograph or video pets who are using our boarding services, unless authorised by the Director of Operations or Kennel Manager. In this case only the following circumstances would apply:

- There has been pre-agreement with Police Scotland or other commercial boarding contractors
- There is a welfare concern with the animal
- For veterinary reasons / records.

6.0 Photography of Staff and Volunteers

It is expected that, as part of your role at the Home, staff and volunteers may be photographed for marketing purposes. All staff have the right to withdraw from having their images used and should inform the People Business Partner to ensure that images and videos are not taken or shared.

7.0 Rights and Responsibilities

7.1 Data Protection Officer

Responsibilities of the Data Protection Officer:

- to inform and advise SLT and individual employees about our obligations to comply with the GDPR and other data protection laws including photography consent;
 - to monitor compliance with the GDPR and other data protection laws, and with our data protection policies, including managing internal data protection activities; raising awareness of data protection issues, training staff and conducting internal audits;
- Please contact the Data Protection officer with any questions about the operation of this policy or the GDPR or if you have any concerns that this policy is not being or has not been followed.

The Data Protection Officer is the Director of Facilities and Business Development. You can email them dataprotection@edch.org.uk, or call 0131 669 5331.

7.2 Individual Employees

All employees will, through proper training and responsible management:

- observe all forms of guidance, codes of practice and procedures about the collection and use of photographs and videos for the Home
- understand fully the purposes for which the Home uses photographs and videos
- collect and use appropriate images only in accordance with the purposes for which it is to be used by the Home to meet its service needs or legal requirements.
- ensure the images are destroyed (per the provisions of GDPR) when no longer required.
- on receipt of a request by or on behalf of an individual for images held of them will immediately notify their line manager/Data Protection Officer
- not send any images for which we do not have consent, outside of the organisation without the authority of the Data Protection Officer
- All photography/video consent forms should be digitised and filed securely with the relevant image(s) on Resource Space

7.3 Photography Subjects' Rights

The Home is fully committed to facilitating access by photography subjects to their personal data, and exercise of their rights in relation to personal data.

Photography subjects have rights when it comes to how we handle their personal data. These include rights to:

- withdraw consent to use of their image at any time;
- receive certain information about our processing activities;
- request access to their personal data that we hold;
- restrict processing in specific circumstances;
- prevent processing that is likely to cause damage or distress to the data subject or anyone else;
- be notified of a personal data breach which is likely to result in high risk to their rights and freedoms;
- make a complaint to the supervisory authority about the use of the image

You must verify the identity of an individual requesting data under any of the rights listed above (do not allow third parties to persuade you into disclosing personal data without proper authorisation).

Please direct any data subject requests to the Data Protection Officer.