

POLICY

# IMAGES POLICY

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# IMAGES POLICY

## 1. INTRODUCTION

SeeBeyondBorders is a not-for-profit organisation that is registered as a charity in Australia, Ireland and the UK, and operates as a registered international non-government organisation in Cambodia. Our mission is to provide Cambodian children with access to quality teaching and learning at school.

SeeBeyondBorders' staff, volunteers and program participants work in schools with teachers and children therefore it is imperative that the organisations have a clearly defined Child and Vulnerable People Protection policy, a Safeguarding Policy and effective procedures that govern all SeeBeyondBorders' entities.

## 2. DOCUMENT PURPOSE

SeeBeyondBorders produces digital and print publications for the purposes of publicising its work, fundraising and advocacy. Promotional material is produced and distributed through various media such as:

- Internet sites, including the SeeBeyondBorders' website
- Official social media platforms such as YouTube, Twitter, Facebook, Instagram and LinkedIn
- External publications such as newspapers and magazines
- SeeBeyondBorders' publications such as Annual Report, Transparency Report and the Strategic Plan
- Posters and flyers in hard and soft copy
- Reports and proposals related to fundraising and donor reporting. This includes bespoke books for donors

The purpose of this policy is to ensure the collection and use of photographs and/or film (images):

- Protects the personal information of individuals
- Protects the identity of children
- Presents all subjects (whether children, other vulnerable people, or adults) in a dignified and respectful manner and not in a vulnerable or submissive manner
- Respects the individual's right to control how and for what purpose their personal information is displayed.

In preparing this policy, the Australian [Department of Foreign Affairs' policy Consent for use of images/videos](#) has been used as a guide as well the Australian [Department of Foreign Affairs' Child Protection Policy](#), the UK Aid Direct [Communications Guide](#), and the [Dochas Code of Conduct on Images and Messages](#).

This policy should be read in conjunction with SeeBeyondBorders' [Child Protection and Vulnerable People Protection Policy](#), [Safeguarding Policy](#) and [Communications Policy](#).

## 3. ASSESSMENT OF RISK

SeeBeyondBorders recognises that there are a number of risks inherent in using images of individuals on social media and other publically available publications (particularly images of children and vulnerable people). These risks include the risk that an individual's rights to protection, privacy and dignity are infringed and in the case of child subjects, the risk that social media images are misused or

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used in the publication of child exploitation material; the risk that the child is abused by the photographer; the risk that a child is located by an offender because their identity is not protected in the image; and the risk that the child suffers retribution or punishment because their identity is not protected.

We take these risks extremely seriously and have put a variety of mitigation strategies in place, which are outlined in more detail in this policy. This includes ensuring images portray children in a dignified and respectable way; training SeeBeyondBorders Personnel; obtaining informed consent from every subject; carrying out robust recruitment procedures; and concealing identities and locations.

These risks are covered in our organisational risk register with the 'use of images' rated as a High Risk and therefore discussed at Board level on a regular basis.

#### **4. DEFINITIONS**

**Child/children:** In accordance with the United Nations Convention on the Rights of the Child (1989), SeeBeyondBorders defines a child as any person below the age of 18 years, regardless of local laws or other definitions.

**Vulnerable person:** In accordance with the Australia Working with Vulnerable People Act (2011), SeeBeyondBorders defines a vulnerable person as someone who is disadvantaged. For example, through a physical or mental disability; social or financial hardship.

**Image:** Includes photographs and videos, in print and digital form recorded using a camera, mobile phone or video.

**Parent/guardian:** Means the biological parent or the person legally responsible for the care of a person under the age of 18 years.

**Informed consent:** In relation to this policy, informed consent means that an individual has given written consent to the taking and use of images of themselves, or in the case of a child a parent/guardian has given written consent to the taking and use of images of their child based upon appreciation and understanding of how those images will be used by SeeBeyondBorders. In addition, we will also seek verbal consent from the child/children themselves wherever possible.

**Publication:** The act or process of presenting or reproducing material in print or electronic form that is made available to the public.

**Code of Conduct:** A document that sets out how SeeBeyondBorders expects staff, volunteers, program participants and visitors to conduct themselves both professionally and personally. It includes a specific reference to this Images Policy. All SeeBeyondBorders' staff, volunteers, program participants and visitors are required to sign a [Code of Conduct](#) declaration, confirming (in part) they "have read, understand and will abide by SeeBeyondBorders' Child Protection Policy and Images Policy".

#### **5. POLICY**

To protect the people with whom it is involved, children and vulnerable people in particular, SeeBeyondBorders will:

- I. Ensure that when photographing, filming, or publishing images of any individual, children or vulnerable people in particular:
  - Local traditions or restrictions for reproducing personal images are adhered to before

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- photographing or filming.
- Informed consent is obtained in writing before photographing or filming including an explanation of how the photograph or film will be used. This process will be conducted in Khmer. Communication will be adapted for those with sensory (eg hearing or sight) disabilities.
  - All publications present all subjects, especially children in a dignified and respectful manner, in accordance with local cultural and religious customs and not in a vulnerable or submissive manner, and that any children are fully clothed with shoulders covered and not in poses that could be seen as sexually suggestive.
  - Images honestly represent and convey the context and complexity of the situations in which they are taken.
  - File labels, meta data and text descriptions do not reveal identifying information about a child or vulnerable person when sending images electronically or publishing images in any form. This includes full names, names of schools, specific geographical location details and any other information that may enable a third party to identify and locate a specific person as a result of a SeeBeyondBorders publication. We will appoint selected members of the SeeBeyondBorders team with cross reference access to the library of photographs and the informed consent forms, to ensure and document that there is informed consent for images before publication.
  - Guidelines in Appendix B of this policy are followed for photography/videography of adults
- II. Require all staff, volunteers and visitors to read and understand the Images Policy, and understand that they may be the subject of photos or videos during their association with SeeBeyondBorders (if they have given consent) and to sign and adhere to SeeBeyondBorders' Code of Conduct.
  - III. Provide all staff and volunteers with training on this policy, (in conjunction with training in our Safeguarding, Child Protection and Inclusion Policies), and guidelines (in Khmer and English) on how to obtain informed consent, how to record and store images, and how images can be published.
  - IV. Ensure there is a dedicated staff member (system administrator) who is in charge of maintaining the storage of images and the codifying of images with written consent on a specific register. Access to this register is restricted so as only a limited number of staff designated by the Director of Development have access to photographs of children with their names.
  - V. Not allow external photographers to be unsupervised or with access to individual children.
  - VI. Ensure any individuals or organisations working with SeeBeyondBorders on school-based programs (including professional photographers) are aware of our Images Policy, and require them to sign and adhere to SeeBeyondBorders' Code of Conduct.
  - VII. Ensure there is no identifying personal information accompanying published photographs of children and vulnerable people, such as names of children, or personal identifiers.
  - VIII. Only use images that are relevant to SeeBeyondBorders' activities, such as children participating in an activity specifically associated with SeeBeyondBorders' programs.
  - IX. Obtain permission from parents/guardians in writing, (and where practical, verbally from the child) before photographs and /or film are taken, clearly outlining the purpose of using the image and how it is to be used and for how long (this includes informing the permission giver

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that if the consent covers publication on the internet that even if the image is removed by SeeBeyondBorders there is a risk that the image may still be available). Should the parent/guardian be unable to read, write or understand the form due to illiteracy or sensory disabilities for example, a representative of SeeBeyondBorders must read and explain the form in person to the parent/guardian before asking the parent/guardian to indicate their consent by signing the form or providing a thumb print if they are not able to sign their name.

- X. Provide all subjects (and parents/guardians) with the option to withhold or withdraw consent for images to be taken or published. Consent will continue indefinitely unless withdrawn by the subject or the parent/guardian. Make it clear that there will be no negative repercussions from denying or later withdrawing consent.
- XI. Obtain consent from parents/guardians in writing, (and where practical, verbally from the child) to the publication of images that show the child in a group situation (where identifiable) such as a classroom or playground.
- XII. Not make any payments or any other form of compensation to subjects, or in the case of children, their parents/guardians in exchange for their photograph or video being taken or published.
- XIII. Not use images of children from commercial or other sources for which there is no documented informed consent from the child's parents/guardians, or from the child. This does not include the sharing of articles from reputable publications where it would be reasonable to assume consent was received for images and where it would not be practical for SeeBeyondBorders to be in receipt of documented informed consent.
- XIV. Only publish images or videos that have been approved by the CEO or Director of Development

## 6. **IMPLEMENTATION**

### **Image Guidelines**

The guidelines in Appendix B of this policy are followed for all photography/videography of adults. Informed consent is always sought before any images are taken.

The following guidelines apply to the use of any images of children, whether published electronically or in print, where a child may be identified, either from facial features, or by association (eg., location, clothing, or personal items):

1. No image of a child (unless the child is not easily identifiable) is to be published (online or in print) without **documented informed consent** being obtained in advance from the parent/guardian in writing, (and where practical, verbally from the child) of any child involved.
2. Consent will be obtained before the photograph/film is taken.
3. If a child or vulnerable person becomes distressed at any time when their photograph/film is being taken, even if informed consent has been granted, the photographer/videographer will cease and will ensure the person is comfortable before and if resuming. Any photographs or video that has been taken when a person has become distressed will not be destroyed for a minimum of 10 years. The photographs or video will be filed in a different folder and labelled appropriately for easy retrieval.

4. Obtaining informed consent involves the following:
  - I. A permission form (Appendix A attached) is to be provided in Khmer to the parent/guardian of every child being photographed.
  - II. The form must provide details about the nature of the photograph to be taken and how the photo/video is to be used (publications, social media, etc).
  - III. SeeBeyondBorders' staff must explain verbally or in writing that images published online can be removed by SeeBeyondBorders, but this does not mean they are necessarily removed completely and there is a risk they will remain there in the future.
  - IV. The parent/guardian should be asked to sign and date the form. If the child has given verbal approval (where practical), that should be noted on the form and signed by a representative of SeeBeyondBorders and another adult known to the child i.e. teacher or school principal.
  - V. Should the parent/guardian be unable to read, write or understand the form due to illiteracy or sensory disabilities for example, a representative of SeeBeyondBorders must read and explain the form in person to the parent/guardian before asking the parent/guardian to indicate their consent by signing the form, or providing a thumb print if they are not able to sign their name.
  - VI. Contact details for SeeBeyondBorders will be provided to all parent/guardian signatories to keep after they have signed the consent form. These contact details will provide the parent/guardian with the right to withdraw permission at any time by contacting SeeBeyondBorders.
  - VII. School Principals will also be asked whether there are particular children that should always be excluded from group photographs for confidentiality reasons, and to identify them. This information will be kept confidential and it will not be for SBB to determine why the Principal has made such a determination.
  - VIII. With agreement from school principals selected schools will include the SeeBeyondBorders' photo permission consent form when providing parents/guardians with the enrolment documentation at the beginning of the school year. Parents/guardians will be informed that they can opt-out from providing permission.
  
6. Each set of images involving an identifiable child or vulnerable person (including in group situations) must have a documented consent form, and a register will be maintained by the system administrator to enable cross-referencing of images with the relevant consent form. Access to this register is restricted so as only a limited number of staff designated by the Director of Development have access to photographs of children with their names.

### **Collection and Maintenance of Personal Data**

SeeBeyondBorders is identified as a Data Processor and is required under the Data Protection Act 2018 (UK and Ireland), incorporating the General Data Protection Regulations (GDPR), to be transparent about the data relating to living individuals who can be identified from the data we hold on them. SeeBeyondBorders will adhere to the below listed principles and ensure personal data is collected in accordance with its Privacy Policy and that:

- Data is processed lawfully, fairly and transparently
- Data is processed for a specific, explicit and legitimate purpose
- Data is accurate and kept up to date
- Data is not kept longer than necessary for the purpose.

In order to demonstrate that we have consent to use images it is essential that SeeBeyondBorders maintains relevant personal data. This personal data will be kept for 10 years after which time this data and associated images will be destroyed. This time period is in keeping with our retention policy for HR and Finance documents.

### **Treatment of existing images**

1. SeeBeyondBorders currently has a large library of images that are retained for program documentation. These images are stored securely, and only authorised staff have access to these images as designated by the Director of Development.
2. To minimise any potential child protection risk arising from publication of historic library photos, SeeBeyondBorders will not publish any images without recorded written consent.
3. All images published by SeeBeyondBorders, including in social media, will comply with this policy.
4. The ethical decision making committee will review any images that need to be considered from an ethical viewpoint. This committee is comprised of Program based staff and members of the communications team. No images that raise ethical considerations shall be published without having first been approved by this committee.
5. Although all staff, volunteers and visitors will be briefed on this policy and asked to sign the Code of Conduct that they will abide by this, SeeBeyondBorders recognises that with the rise of social media, there is still a risk that images will be published against this policy.
  - a. In such cases involving existing staff and volunteers, action will be taken using SeeBeyondBorders Code of Conduct and the staff member/volunteer will be requested to remove the image from where it has been published.
  - b. In cases involving previous staff and volunteers, SeeBeyondBorders will write to the person who has published the image and request they remove it from publication.
  - c. In cases involving visitors, SeeBeyondBorders will write to the person who has published the image and request they remove it from publication.

## **7. POLICY MANAGEMENT**

This Policy has been approved by the Australian Board and the Trustees of SeeBeyondBorders' other entities as noted below.

Amendments and or developments will be recommended to the Board from time to time as deemed appropriate by senior management. Formal reviews are recommended within three years from the anniversary date of approval by the Board. Recommendations for minor changes can be approved by the CEO before the Board review every three years, and recommendations for changes to the background or policy in practice can be approved by the relevant Sub-Committee.

Doc ref	Doc type	Approved by Australian Board Date	Minute ref.	Approved by UK Trustees Date	Minute ref
IP/06/2020/1.0	Policy UpDate	29.06 2020	Item 8	21 <sup>st</sup> July 2020	Agenda item 5
IP/09/2020/1.0	Policy Update	Board 16.09.2020	Item 8		
IP/06/2021/2.0	Policy Update	Board 28.06.2021	Item 3	Trustees 11 Aug 2021	Item 5
IP/06/2021/2.1	Policy Update	CEO Approved 13 Sept 2021		CEO Approved 13 Sept 2021	

## APPENDIX A

### Child Photo Consent Form

Name of child	_____		
School Name	_____	District	_____
Initial purpose of photography/filming	_____		
	Date	_____	

SeeBeyondBorders recognises the need to ensure the welfare and safety of all children taking part in any activity associated with our organisation. In accordance with our images policy we will not permit photographs, video or other images of children and young people to be taken without the consent of the parents/guardians (and where practical, the child).

We would like to ask for your consent to take photographs/videos of your child as outlined above.

It is likely these images may be used as:

- a record of the activity or the event
- in a written evaluation report of the activity or event
- publicity for SeeBeyondBorders' activities or events on leaflets/posters
- publicity material for magazines/books
- SeeBeyondBorders' websites and social media sites (Facebook, Twitter, LinkedIn, YouTube etc.)
- SeeBeyondBorders' partners' websites and social media sites (Facebook, Twitter, LinkedIn, YouTube etc.)
- illustrations of the activities or events in published articles
- future donor/funding applications or reports to donor organisations

These photos may be published online, and distributed to various people and organisations around the world, and even if removed by SeeBeyondBorders, may continue, due to the nature of the World Wide Web, to exist in perpetuity.

I have read and understand this notice, and <b>consent to / do not consent to</b> the collection and use of my child's image, as outlined above (ensure a tick is placed next to each item that consent is given for).			
I understand I can withdraw this consent at any time by contacting SeeBeyondBorders (details below).			
Name of parent/guardian	_____		
Signature of parent/guardian	_____	Date	_____
Name of SBB staff member	_____	Role	_____
Signed on behalf of SBB	_____	Date	_____
<i>Where applicable</i>			
Name of Witness	_____	Relationship to child	_____
Signature of Witness	_____	Date	_____

**CONTACT** SeeBeyondBorders Tel: 053 5139 666 Email: [info@seebeyondborders.org](mailto:info@seebeyondborders.org)

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## **Appendix B – Photography/Videography of Adults**

**Compliance with Australian NGO Accreditation Guidance Manual – June 2018 Section D 2.3 - *If the ANGO uses images of people involved in projects, it should gain their permission in a way that is culturally appropriate and contextually sensitive and ensure that they are aware of how the images may be used.***

In general we do not go to quite the same lengths to protect the identity of adults included in our photographs as we do for children when these photographs or videos are used in our communications. However there are circumstances where we would take the same precautions and in all instances we do ensure that we obtain written consent, we preserve the dignity and values of any subjects in our pictures or other communications material and we show them in an appropriate and representative context. We do also ensure that as far as possible we provide opportunities for individuals to understand the way any images are used and opt to not appear in any of our material so that they can preserve the level of privacy they deem appropriate to their circumstances.

Specific actions taken are as follows:

### **For Teachers and other Education Authority Officials:**

We have specific signed agreements with teachers and schools that we work with. These include a statement that provides consent to SeeBeyondBorders to take and publish photographs that may include them or an employee of the Ministry of Education carrying out their education role in an appropriate manner within the school or other education related gathering.

### **Events including those where community members or other adults not employed by the Education Ministry may attend:**

We advise participants at the start of the event that photographs will be taken and ask individuals to make it known to the photographer if they do not want to be included in any published pictures.

### **Community members:**

Where we ask community members for comment or to provide a story which is accompanied by a photograph, we ask for their specific consent to the publication of their responses and or photograph. This written consent may be in the form of a signed statement or a completed form by a member of the SeeBeyondBorders staff where the individual is not sufficiently literate to complete the form themselves. Often community members are vulnerable people and special care is taken not to be exploitative in any way with the pictures or videos we may use.

### **In all cases prior to publication:**

All communications go through a thorough review process before they are published. Communications staff are trained on how to determine whether a photograph is contextually appropriate and how to preserve the dignity and values of the subject. No communication can be published without the approval of the Director of Development or the CEO. No teaching aid or resource can be published without the approval of the Education Program Manager.