Swindon Town FC **Community Foundation**
Football in the Community

Foundation Park, County Ground Lane, Swindon, Wiltshire SN1 2FD
Tel: 01793 421303 | **Mob:** 07919 112982

www.STFCfoundation.com

Swindon Town FC
Community Foundation

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Use of images Policy

Reviewed – November 2026

To be reviewed – November 2027

Signed _____

Jon Holloway (Director of Community)

Signed _____

Shane Hewlett (Head of Foundation)

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STFC COMMUNITY FOUNDATION PHOTOGRAPHIC IMAGES OF CHILDREN POLICY

GUIDELINES

1 Policy Introduction

1.1.1 The safety and well-being of the Participants at STFC Community Foundation is the responsibility of the

Foundation Manager, the staff, the board of Trustees body and the parents/carers/guardians of those children. The Foundation Manager has overriding responsibility for Participants,

1.2 When deciding whether or not to allow photography and/or video recording in the Programme, the Foundation Manager has to consider many complex aspects of the law and child safety. Human Rights legislation and the Data Protection Act 1998 give people certain rights, and it is the right to 'privacy' that is the issue when using photographs or other images. The Copyright, Designs and Patent Act 1988 moved the ownership of copyright to the photographer (or their employer) and away from the person commissioning and paying for the photographs, unless there is an agreement otherwise. Therefore, if a private company is hired to video a match, unless there is a contractual agreement otherwise, the company will own the copyright and can use the recording for their own purposes – e.g. as a publicity video.

1.3 The Information Commissioner's Office (ICO) has offered advice regarding the use of photographs and video recordings taken, and differentiates between PERSONAL and OFFICIAL use –

2. Parents/Carers/Guardians & Other Visitors taking Photographs and/or Video at School Events for Personal Use

2.1 As the Foundation Manager has this overriding responsibility to decide whether or not parents/carers/guardians, etc., should be permitted to take photographs and/or video recordings at events and open evenings and Sports fixtures.

2.2 It is not necessary for consent to be obtained from each parent/guardian/carer if 'personal photography 'is permitted; as such images are exempt from the provisions of the Data Protection Act.

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Notwithstanding the fact that such photos/recordings are primarily for personal use, there will always be the risk that an opportunist will seek to use the images elsewhere than in a private album. The proliferation of Internet web pages and social networking sites has given rise to increased concerns that
images will be misused and that a child's face or body could be used to represent matters wholly contrary to the wishes of the parents/carers/guardians of those Participants. Digital TV channels constantly seek footage and images for 'real life' shows and programs specialising in humorous video clips. Therefore, before the Foundation Manager can grant any permission for parents/carers/guardians to capture images, it is incumbent on him/her to obtain the agreement of those recording that the images will not be misused.
This may be done by making it a condition of entry and placing a header on the entry tickets or programmes for the event, and reinforcing it with a public announcement before the event commences.

2.3 The effort expended attempting to obtain a restrictive agreement as to use of videos and photographs may be prohibitive. Even if the person capturing the image(s) undertakes to abide to such an agreement, enforcing the agreement after it has been breached will both be too late and impracticable: unless there has been a breach of the criminal law, it would be a matter for the Programme and/or affected parties to pursue it through a civil court. This may well prove to be both costly and stressful for those concerned. Persons capturing images must be made aware that misuse (i.e. for anything other than personal use) might constitute a breach of data protection legislation.

2.4 On each occasion it will be a matter for the Foundation Manager to consider whether or not photography and/or videoing by parents/carers/guardians will be permitted, but the presumption is that photography and Videoing by parents/carers/guardians, etc., will not be permitted, unless otherwise specified. The Foundation Manager will ensure that parents/guardians/carers are informed of his decision for each event affected.

2.5 When personal photography and/or videoing is not permitted, the Foundation Manager may consider appointing an individual or organization to photograph or video the event (subject to the provisions is section 3, below). However, there will often be cost implications, and it might not be practicable in all instances –e.g. there may be instances where the Foundation Manager is aware of a student(s) or children who are at particular risk, so it may be the case that even a professional should

not be engaged to record or photograph an event. If the decision is made to engage an 'official' person, the permission of parents/carers/guardians will be required for each child concerned. An 'official' person may be engaged in addition to permitting private image capture.

2.6 If permission is given for private image capture, consideration should be given to setting aside a specific area from where the images may be captured so that it might be properly regulated. This might be a limited area at the back of the main hall (if an indoor event) or adjacent to a sporting activity. It may be necessary to limit the number of person allowed into the limited area at any one time due to health and safety considerations. The taking of images outside of these areas should then be prohibited to prevent the intentional or accidental capture of images that might pose a risk to Participants – e.g. taking pictures of partially clothed children in changing areas.

2.7 In cases where an 'official' person is appointed as in 2.5, and where a parent/carer/guardian of a particular Participants(s) informs the Programme that their child/children is/are not to be photographed/videoed, consideration may be given to not having the event captured on video, etc., or withdrawing that student from the performance, or alternate arrangements for such a child may be agreed between the Foundation Manager and Parent/Guardian as appropriate to the situation, However, such instances must be treated in confidence, and care must be taken not to embarrass and alienate the student(s) in question.

2.8 See Appendix 3 regarding DBS checks and security issues surrounding official photographer /filmmakers, etc., and the storage of images (personal data) by them.

2.9 Photography in any form is strictly prohibited in or around toilets, changing rooms, or any room being used as a changing facility.

Procedure Official Photography and Videoing at STFC Community Foundation for Professional Use

3.1 When taking a picture, STFC Community Foundation must –

(a) Obtain the consent of the person in the picture or from their parent or carer.

(b) Only use the photo or video in its intended context

(c) Follow the commitment made by the Programme:

• Not to name the child;

- Not to use the photograph out of context;
- Not to use the photograph to illustrate sensitive or negative issues.

3.2 When photographing/videoing Participants, the Programme must –

(a) Ensure that parents/carers/guardians of Participants have consented for general photography. Any images going beyond the Programme need additional specific consent.

(b) Ensure all children are appropriately dressed;

(c) Avoid images that only show a single student with no surrounding context of what they are learning or doing. Photographs of three or four Participants are more likely to also include their learning context;

(d) Not use images of a Participant who is considered very vulnerable, unless consent has been given.

(e) Avoid naming Participants. If one name is required then use the first name only where possible;

(f) Use photographs or videos that represent the diversity of the Participants participating;

(g) Report any concerns relating to any inappropriate or intrusive photography to the Foundation Manager;

(h) Remember the duty of care and challenge any inappropriate behaviour or language;

(i) Not use images that are likely to cause distress, upset or embarrassment, and

(j) Regularly review stored images and delete unwanted material, in accordance with the

Programme Data Protection Policy.

3.3 Parental Permission

3.3.1 Use of official images of Participants requires the consent of the parents/carers/guardians. The consent

Covers the use of images in publications and on the website.

3.3.2 When a parent does not agree to their child being photographed, the Foundation Manager must inform staff and make every effort to comply sensitively.

When photographic images are transmitted or shared beyond the establishment e.g. television Broadcasts, images on websites, specific permission should be obtained.

3.4 Inter-Club Fixtures

Apply these guidelines to inter-school events. If a Participant from Community Foundation for whom photographic consent has been declined is involved in one of these events, the Foundation Manager of the other club(s) must be informed and all efforts taken to ensure that that particular child is not photographed or videoed. It will be a matter for the Organiser of the event to discuss any issues with the other school.

3.6 Displays in the Programme

Still photographs shown on displays and video clips available during open/parents' evenings should

Depict Participants in an appropriate way. They should not display images of Participants in inappropriate or revealing clothing so appropriate levels of integrity and decency are maintained. Do not use photographs or images likely to cause embarrassment.

3.7 Accidental Photography

If a parent/carer/guardian has asked that a Participant not be photographed or videoed, all efforts must be made to ensure that the child is NOT photographed/videoed. However, if the student is in advertently caught on camera, e.g. in the background, as a reflection, etc., all identifying features (including distinctive apparel) must be obscured beyond recognition before use. If that cannot be done, image(s) must be permanently deleted (or erased) and not used. In the case of traditional non-digital photography, that will include the destruction of the negatives/transparencies, etc. any printed copies must also be destroyed.

3.8 Copyright Agreements

The Copyright, Designs and Patent Act 1988 moved the ownership of copyright to the photographer (or

their employer) and away from the person commissioning and paying for the photographs, unless there is an agreement otherwise. Therefore, if a contracted outside body is engaged to photograph and/or video a Programme event, consideration must be given to reaching an agreement with that body that the copyright must remain with STFC Community Foundation. If such an agreement cannot be reached, the Foundation Manager must try to obtain an agreement that the body will not use the photographs or recorded material for anything other than the purpose for which it was made – e.g. to provide a record of the event for parents/carers/guardians, the Participants and staff. It will be essential for the purpose to be stated in any agreement. If no such agreement can be reached, the services of that body should not be used.

4 Participants Photographing Each Other

4.1 This practice can occur extensively during offsite activities particularly during residential periods. Staff should maintain the supervision and management control specified in the Programme policy governing offsite visits. There may be incidents where Participants take inappropriate photographs, perhaps showing friends inappropriately dressed. Staff should endeavour to discourage this practice, but ultimately parents are responsible for monitoring their child's use of cameras and subsequent use of their image involved.

4.2 There are occasions when, as part of a Programme activity on programme premises, Participants may be involved in taking photography or video imagery of each other, such as for school newsletters, or English/drama activities. Staff must supervise such activities and maintain responsibility for monitoring
Participants' use of the cameras. Only programme equipment may be used for these purposes. The use of these images will be the responsibility of the staff and Foundation Manager.

5 Newspapers

The following scenarios can occur:

(a) Team photographs:

• When everyone is prepared to allow team photographs and full names to be published. In this situation publication can occur.

• If a parent is not happy to have a child's name printed on a photograph then consideration could be given to publishing the photograph with no names. The Foundation Manager/Director of Finance and

Operations should make every effort to ensure, in conjunction with the newspaper editors, that this occurs.

• If parents of a Participant have indicated that the child is vulnerable and should not have a photograph printed then a team photograph may not be appropriate.

(b) Photo opportunities:

• When an establishment invites a newspaper to celebrate an event, the Trust Manager should make every
effort IN ADVANCE to ensure that the newspaper's requirements could be met.

• Except for large group photographs, many papers may prefer to publish the full names of anyone in a photograph they print. However newspapers usually prefer to work with smaller groups of Participants. It must be made clear to the newspaper's representatives that the full names must not be published. If no agreement can be reached, the session should not be permitted to take place.

6 Use of Internet/Intranet Sites

The IT manager should ensure that the Programme only uses appropriate images that follow this guidance for example, if a Participant has successfully completed a gymnastics award, it would be appropriate to show the student in a tracksuit rather than leotard.

7 Mobile Devices

Participants are able to use mobile devices within sessions in the Programme when permission is given by the Coach. The device must not be used for photography or videoing purposes on Programme premises.

Social Media

This guidance has been developed in response to request for advice. It is essential that clubs, volunteers, members and players make informed decisions about how they use the internet, mobile phone and email communications.
Social media (including personal and professional websites, blogs, chat rooms and bulletin boards; social networks, such as Facebook, Linked-in, Twitter and My Space; video-sharing sites such as YouTube; and e- mail) are a common means of communication and self-expression.

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8 Equality, Diversity and Inclusion

Football is for everyone, it belongs to, and should be enjoyed by anyone who wants to participate in it, whether as a player, official, staff member, volunteer or spectator. Swindon Town FC Community Foundation recognises that providing equality of opportunity, valuing diversity and promoting a culture of inclusion are vital to our success.

We want our staff, coaches, volunteers and participants to reflect the diversity of the communities that we serve and influence. We aim to be a place where people can be free to be themselves no matter what their identity or background. We will ensure that equality is embedded in all of our activities, policies and decisions.

To report incidents and allegations of discriminatory actions or behaviour, our equality, diversity and inclusion policy is available at www.stfcfoundation.com

STFC Community Foundation will

1. Refrain from publishing comments about other clubs, players or referees and any controversial or potentially inflammatory subjects.

2. Avoid hostile or harassing communications in any posts or other online communications. Harassment is any offensive conduct based on a person`s race, sex, gender identity, national origin, colour, disability, age sexual orientation, veteran status, marital status, religion or any other status identified and protected by law.

3. Identify all copyrighted or borrowed material with citations and links. When publishing direct paraphrased quotes, thoughts, ideas, photos or videos, give credit to the original publisher or author.

4. If it maintains a website, blog, chat room, video-sharing site, bulletin board or other social media that promotes their club, should remember they are responsible for reviewing responses to online posts and resolving any concerns about the propriety of the responses before they are posted.

5. If a blogger or any other online participant posts an inaccurate, accessory or negative comment about the club or anyone associated with the club, do not respond to the post and contact SWF for guidance/advice

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STFC Community Foundation Staff Recommendations

Do

- Ensure all the privacy settings are locked so that the page (s) are used explicitly for club matters and are not used as a place to meet, chare personal details or have private conversations.
- Nominate a club official to monitor the club social networking page regularly and remove access for anyone behaving inappropriately.
- Make sure everyone within you club knows who is responsible for monitoring the content of the social networking areas and how to contact them.
- Provide all users with the best practice guidance using social networking sites
- Gain written parent/carer permission before access is given to U18s.
- Inform the SWF if you have received inappropriate, threatening or offensive material as this may be needed as evidence

Don`t

Unless a child/young person is a person is a direct relation, the coaches, managers, referees, and club officials should not:

- Accept as a friend, players or referees U18 on social networking sites they are members of or share their own personal social networking sites with children or young people involved in youth football
- Make contact with children or young people known though football, outside of the football context on social networking sites.
- Use internet or web based communications to send personal messages of a non-football nature to a child or young person.
- Engage in any personal communications, ‘Banter’ or comments.