

<b>Report on</b>	Revised Photographic Policy
<b>Date of Meeting</b>	7 June 2018
<b>Reporting Officer</b>	Ursula Mezza
<b>Contact Officer</b>	Ursula Mezza

<b>Is this report restricted for confidential business?</b>	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	x

<b>1.0</b>	<b>Purpose of Report</b>
1.1	The report outlines changes to the Council's Photographic Policy to reflect the requirements of the General Data Protection Regulation (GDPR).
<b>2.0</b>	<b>Background</b>
2.1	The new GDPR came into effect on 25 May 2018, repealing the existing Data Protection Act and bringing considerable legislative change which places more stringent requirements on organisations, particularly in terms of proving their compliance with the data protection principles.
2.2	As part of the preparation for the introduction of GDPR, the photographic policy has been reviewed and revised.
<b>3.0</b>	<b>Main Report</b>
3.1	Images of individuals and groups can be considered as personal data and must, therefore, be processed in line with the principles GDPR and on the basis of consent (that is, that the individual has given clear consent for their personal data to be processed for a specific purpose).
3.2	This means that, while it was considered good practice to obtain consent in the past, it was not a requirement. The revised policy strengthens the requirement for consent in all cases, with the exception of large public events.
3.3	In the case of large public events where it is not practicable to obtain consent, the Council will process data on the basis of legitimate interest (the processing is necessary for the Council's legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.) However, special measures will also be put in place to ensure event attendees are aware in advance and during an event that images will be recorded.
3.4	Images containing personal data taken prior to 25 May 2018 and for which the Council does not hold written consent forms will be processed on the basis of legitimate interest.

3.5	The revised policy is appended to the report, with additions and changes marked in red.
<b>4.0</b>	<b>Other Considerations</b>
<b>4.1</b>	<b>Financial, Human Resources &amp; Risk Implications</b>
	Financial: N/A
	Human: Obtaining consent where it is required, particularly at large events, may impact on staff resources.
	Risk Management: The revisions assist in the mitigation of risk associated with non-compliance with the new GDP Regulation.
<b>4.2</b>	<b>Screening &amp; Impact Assessments</b>
	Equality & Good Relations Implications: the revised policy has been equality screened and screened out.
	Rural Needs Implications: N/A
<b>5.0</b>	<b>Recommendation(s)</b>
5.1	That the Committee accepts the revised Photographic Policy.
<b>6.0</b>	<b>Documents Attached &amp; References</b>
	Photographic Policy