

Merton Mencap

**Managing Images
Policy and Procedure**

Last reviewed
January 2026

Next review
January 2027

**This policy and procedure has been adopted by Merton Mencap
through its Executive Committee which remains responsible for its review**

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Policy

People with a learning disability and/or autism

Photos and videos of people with a learning disability and/or autism attending our services and activities (service users) will only be taken and processed in these circumstances:

- consent is first obtained from the service user (if aged 18 or over and considered to have capacity to decide) or from their responsible carer (if aged under 18, or aged 18 or over without capacity to decide)
- consent status is recorded on the service user's care plan
- photos and videos will be used only for the purposes of promotion, publicity or reporting our work to our funders and supporters, or providing to parent or responsible carer (e.g. to show their son/daughter taking part in our activities)
- photos and videos will be taken by Merton Mencap staff using Merton Mencap devices (unless permission for another device or third party to take the photo or video has been provided from a senior manager, e.g. CEO, Service Manager)

The name of the service user will not be disclosed with the photo or video unless consent has been obtained from the service user (if aged over 18 and with capacity) or from their responsible carer (if aged under 18, or aged over 18 without capacity).

Parents & carers

We will ask parents & carers who attend our services, activities and other events for their consent to be included in any photos or videos before they are taken, and will not include people who do not give their verbal consent.

Public

At our public events, e.g. community fundraisers, we will ask people (including those unknown to the charity, the public) if they wish to be included in any photos or videos before they are taken, and will not include people who do not give their consent. We will only include young people with the consent of their parent or responsible carer.

Devices capable of taking images (e.g. mobile phones, tablets)

Only Merton Mencap staff managing the service or activity (e.g. Team Leader, Travel Trainer, Mentor) are permitted to have devices present but they should be password protected and not accessible to service users.

All other staff working are required to switch off their devices and store them out of reach, before service users arrive and until service users depart.

Third parties

If a third party has been given permission by a senior manager to take photos or videos at our activities and services (e.g. professional photographer), they must be

- provided with a brief of what is required
- supervised by a Merton Mencap manager during their visit
- be advised by the Merton Mencap staff member in charge on the day of the people to only include where consent has been provided

Photos or videos taken by permitted third parties are the property of Merton Mencap and third parties are required to provide all images and delete originals, as required.

Procedure

It is the responsibility of the Finance & Executive Assistant to keep a record of the whereabouts of Merton Mencap devices issued to staff, which staff are required to return straight away when requested.

It is the responsibility of the relevant manager (e.g. Service Manager) to ensure consent status is recorded on the service user's care plan.

Photos and videos must be removed from devices and stored on the charity's central database system only, and not transferred onto other devices. The file name of the photo or video must include the names of the people shown.

If a service user or responsible carer withdraws consent after initially providing it, the relevant manager should update the consent status on the care plan, identify photos or videos on the charity's central database system which includes that service user and remove them, including from the charity's web sites and publicity materials. Removing the service user may include blurring their image (so they cannot be identified) or, if not possible, deleting the file completely.

When taking photos and videos, the staff member must ensure no identifiable extra people are included.

Photos and video must **not** be taken if the person(s) is

- eating, taking medication, using the toilet or receiving personal care
- not fully clothed
- experiencing an upsetting situation
- indicating they do not want the photo or video taken (even if consent has been previously provided)

If any staff member is approached by persons asking if they can take photos or video of our service users and activities, this must be referred to the CEO or senior manager for agreement.

Photo editing & Artificial Intelligence (AI)

Editing photos after they have been taken should be limited to cropping or making minor adjustments such as correcting lighting or, as referred to above, blurring.

No additional modifications to photos, including using AI, are permitted.

Audit Guidance

Check	Evidence
Is a central record being maintained which shows the whereabouts of all MM Devices?	Ask Finance & Executive Assistant for records Check whether these records are being maintained
Are all staff aware of the policy statements in this document, as outlined above?	Ask staff about their understanding of this policy and its use
Are images properly stored and maintained centrally?	Ask Finance & Executive Assistant to see systems for sorting images