

Declaration: Lunchbox Fund's Child Photograph and Video Policy

Lunchbox Fund commits to upholding the Important principles and obligations from legislation and best practice contained in the Children's Act (VA), General Data Protection Regulation (GDPR) and Protection of Personal Information (POPI) Acts(Children's Act)

Lunchbox Fund commits to implementing Section 9 of the Children's Act: In all matters concerning the care, protection and wellbeing of a child the standard that the child's best interest is of paramount importance must be applied. We believe Children need special protection (GDPR, Children's Act and POPI Act) and hold that Children are identified as "vulnerable individuals" and deserving of special protection.

Lunchbox Fund believes that every person has the right to privacy which includes a right to protection against the unlawful collection, retention, dissemination and use of personal information (Constitution – Section 14, POPI Act). Lunchbox Fund commits to our obligations under the POPI Act which include:

- a) Only to collect information and images that needed for a specific purpose.
- b) To ensure data is relevant, accurate and up to date.
- c) Only to hold information/data as needed, and only for as long as needed
- d) To allow the subject of the information to see it upon request.

The Lunchbox Fund:

1. Obtains written permission from a competent person prior to the processing of personal information concerning a child by (POPI Act, Part C). The competent person means any person who is legally competent to consent to any action or decision being taken in respect of any matter concerning a child such as a parent/guardian/school principal.
2. Understands that consent is voluntary for both adults and children. Therefore, any person may decide to withdraw their consent at anytime, even if they have provided written consent originally.
3. Ensures that reasonable measures are in place to protect the integrity and confidentiality of the personal information collected from children (POPI Act, Part C).
4. Submits all employees to independently executed background checks to ensure unblemished criminal record with no previous criminal complaints, charges, fines or probational/custodial sentences.

Lunchbox Fund Photographic policy for taking photographs/images of children:

1. Parents/Guardians/School Principals are provided within required to sign memorandums of understanding by Lunchbox Fund outlining Lunchbox Fund's use of images of the child for a specific purpose.
2. Where children old enough to consent, Lunchbox Fund will try to get the consent of the child.
3. No images will be taken that may cause any harm, ridicule or emotional pain to the child
4. Only images that are relevant to the organisation's activities and services and within well-defined boundaries are permitted to be taken
5. There will be no identifying personal information accompanying the images such as the child's name, location or contact details.
6. No information about children's hobbies, likes or dislikes or location will be displayed to ensure these are not used as grooming tools
7. Children will never be photographed when wearing minimal clothing i.e. when children are participating in swimming activities, sports, dance/drama or gymnastics.
8. Children will never be portrayed in a negative light e.g. unkempt, crying, fighting, unwell etc as this may infringe on the child's dignity.

9. Children are never left unchaperoned/alone with LBF Employees or Photographer.
10. Elements/drawings not part of the original photo will not be added to photos
11. Special care will be taken when using photos of children with special needs.
12. Lunchbox Fund facilitated visitors to the school who are not Lunchbox Fund Personnel or Lunchbox Fund appointed professional photographer may NOT take photographs or video images of the children using a camera, mobile phone or video recorder.
13. Images or video recordings of children are stored digitally on Lunchbox Fund storage server on a cloud-based, password-protected storage site (Dropbox) with restricted access by nominated staff members only.
14. Hard copies of images are utilised only within Annual Report. Limited number are printed and a log is kept of who these are sent to (currently funders only)
15. Shared images for Funder use are kept in separate folders for tracking.

Photographs by Professional Photographer

1. Lunchbox Fund works with only on professional photographer: Jonx Pillemer - who has signed an agreement with the organisation to ensure that he works and uses images in line within LBF policies.
2. Full copyright of all photographs taken in and around schools and of children belongs to Lunchbox Fund.
3. Professional photographer or Fieldworker have contracted with Lunchbox Fund that images cannot be sold or used for other purposes.
4. School, Professional Photographer and Fieldworker are aware that Photographer/Fieldworker must not be unsupervised nor have individual access to children.

Lunchbox Fund notes that non-compliance with the POPI Act may lead to financial and reputational risks; negative media publicity; loss of stakeholder confidence and trust; fines issued by the Information Regulator and civil action by a data subject. Non-compliance with the POPI Act could also expose Lunchbox Fund, or the responsible party to a penalty of a fine and/or imprisonment of up to 12 months. In certain cases the penalty for non-compliance could be a fine and/or imprisonment of up to 10 years (Section 107).

The Lunchbox Fund's policy on obtaining and publishing images of children participating in The Lunchbox Fund's School Nutrition Programs is published at www.thelunchboxfund.org or available on request via: info@thelunchboxfund.org.