

Photo Consent Policy

created September 2024

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Church of England Guidance for Photo Consent

This policy gives advice on how photo consent should be obtained from everyone attending events run by Blackburn Diocesan Board of Education.

Photography of Children: Consent


Photography of children and young people involved in church activities can be very positive and bring useful publicity, but there are some important issues to note. The issues are the same for still photographs, digital images or films. For convenience they are all referred to as images.

Images count as sensitive personal data under the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). As with all such data, they should only be used with the consent of the person in the image.

The list below provides a simple point of reference for gaining consent regarding the use of images of children

- Children under the age of 13: consent should be gained from their parents;
- Children aged between 13 and 16: consent should be gained from parents and the children themselves;
- Children aged 17: consent should be gained from the children themselves.

Please note that the above list shows 'all you need to do', rather than 'all you might want to do'. It would be good practice to ask a child younger than 13 before you use their photograph, and to inform the parents of a 17 year that their child has agreed to the use of their image.



Let parents (and children over 13: see above) know how, where and in what context an image may be used – for example, on a public website, through social media or in a printed resource.

Consent is not needed if children appear in a wide-angle group photograph in a public space (for instance, a photograph of the church fete). A church is not a public place in this sense but there may still be occasions when it would not be reasonable, practical or proportionate to secure consent for every individual child who appears in the photograph. In these circumstances, organisers should make clear to all participants and parents that these kinds of images will be taken, and for what purposes. For instance, if the event is a church service, nativity play or similar, then a verbal notice can be given out at the beginning for the leader of the service or event, asking that any parent who objects to images being made of their child should either remove their child from view of the camera or approach the leader afterwards to ensure that any image they object to is not used. Consent can also be implied; if an activity leader invites people to be part of a group photograph, then those who gather for the photograph have given their consent by virtue of having done so.

Complete a parental consent form for use of images of children, possibly as part of the process for registering and consenting the child's participation in the activity or event. See model registration template.

Leaders of activities have a responsibility to put in place arrangements to ensure that any 'official' photographers can identify (or be informed about) which children should not be subject to close-up photography.

Best Practice with Photography

Think carefully before taking any images showing children and young people on your website, social media or other publications.

Consider what the images will be used for and whether consent will be required (see below);

Do not supply full names of children along with the images, unless:

- It is considered necessary e.g. celebrating a performance or achievement
- the child and parent(s) or carer(s) have consented
- Only use images of children in suitable dress or kit, being particularly mindful of some activities (e.g. swimming) which involve partial states of dress. Additionally, avoid pictures of children in school uniform where the name of the school is visible

Keep images of children securely

- Hard copies of images should be kept in a locked drawer
- Electronic images should be in a protected folder with restricted access;
- Images should not be stored on unencrypted portable equipment such as laptops, memory sticks or mobile phones. If such storage is unavoidable, the images should be kept in a password protected folder or on a device protected with a code or some other secure method of access such as fingerprint identification.
- Avoid, if possible, using any personal equipment to take photos and recordings of children on behalf of the church – use only cameras or devices belonging to your organisation. This may not always be achievable but it is best practice. If personal equipment has to be used for church purposes, delete the photographs of individual children once they have been used for the purpose for which they were taken;

For guidance on the Data Protection Act and other privacy regulations, visit the Information commissioner's office (ICO) website.

Photography/filming by parents and others at activities/events.

There will be circumstances in which parents and other attendees at activities want to take photographs, for instance concerts, plays, and choirs. For youth events in particular, many young people will have a camera on their mobile phone and will regularly post images of themselves and their friends on social media. It will be important in the planning stages of events to:

- Decide on the activity approach to photographs/filming for 'attendees';
- This does not apply when, for instance, parents are taking photographs of children's events for their own use.
- Clarify and promote the photography rules for the event to all church to all participants;
- Warn parents, attendees and young people that there can be negative consequences to sharing images linked to information about their own or other people's children on social media – and care should be taken about 'tagging';
- Children who are in care should not be photographed as this could put them at risk;
- Make sure that there are procedures to respond to and manage any concerns arising, including a named person to report any concerns to.
- For young people, you may wish to consider a discussion amongst your group regarding how they wish the images they take of each other to be used, and what restrictions they feel should be observed. This will be more meaningful and effective with young people than a set of rules imposed by adult leaders.

Photography Guidance for Adults

When an adult is the main subject or would be recognised, you should seek consent from the adult, letting them know how their image will be used. As with children, consent can be implied. If they lack capacity to consent do not use their image.

Remember that consent for use of the photograph or film is only for that one purpose and should not be reused in any other promotional event without further consent.

Some organisations provide specific activities targeted at people with care and support needs. If you wish to take photographs or will be filming people with care and support needs there are additional issues to consider:

- Adults must be able to consent to their image being used;
- Legally, the only person who can offer consent for the use of their image is the adult themselves. Family members such as adult children, parents, spouses or siblings and support workers/ personal assistants should not be approached to sign consent forms for adults
- Information about how the images will be used should be provided to an adult in an accessible format, using for example, easy-to-read language or pictures
- If you have any concerns that an adult does not have the capacity to give consent to photography or filming, or understand that photographs or films are being taken during an activity, you must discuss this with them, including if appropriate, any support person or personal assistant for the adult; If after this conversation you feel that the adult still cannot give consent then do not use their photograph.

BDBE Photo Consent Process

Blackburn Diocesan Board of Education standard approach to obtaining photo consent at events and storing consent information thereafter:

1. At the initial stages of planning your event, think about whether you will need photos / videos. If so, you will need to obtain photo consent from every guest and also give them the option if they don't want to have their photo taken
2. Include a photo consent section with clear terms and conditions in the booking form for the event that follows the steps outlined in the new [digital photo consent form](#) – if a delegate doesn't give consent for photos they need to give permission for themselves to be identified either with a reference photo at the event or with a sticker or a badge
3. At the point of registration at the event, any delegates with no photo consent should either have their reference photo taken or be given an identifying sticker or badge
4. At the event, provide a clearly labelled area in the venue where no filming or photography will take place, mention this to delegates at registration. The digital team have No Filming Zone signs which can be used at your event
5. At the event, the digital team will make a reasonable effort not to photograph or video the delegates with no photo consent and those who choose to stay in the No Filming Zone. However, this does not guarantee that this person will not be caught in the background of wide angle shots, if this does happen, then the reference photo will be used to identify that person and the digital team will decide if that person shall be blurred out of the background or if that shot will be designated not to be used.
6. After the event, the photo consent information should be stored on the staff One Drive and should be filed in a sensible place
7. If someone would like to withdraw their consent at any time after the event see the following page for the process

BDBE Consent Withdrawal Process

By law, anyone can withdraw their consent for an organisation to use any images or videos taken, even if they previously gave consent. Therefore, it is important that we have an established process in place should someone approach us and ask for any images or videos taken of them or a family member to be removed from public view.

This is the timeline of events that we need to follow in order to carry out withdrawal of consent:

1. Someone contacts the DPO (Data Protection Officer) via email (directorofeducation@blackburn.anglican.org) in order to withdraw consent for their image to be used in publicity
2. DPO contacts the Digital Team who send the Consent Withdrawal Form to the person in question. This form will ask for their contact information, details of the event(s) at which they were digitally captured and a screenshot of them appearing in any images or a reference photo for the Digital Team to use to identify them
3. The Digital Team will use the reference photo to locate the person in any captured content and will remove any published appearances of their likeness from BDBE managed social media platforms, YouTube channels and the BDE website. This will cause past posts and videos to be taken down from public view
4. The Digital Team will look through the raw footage and images stored on OneDrive and move any affected items into a 'Do Not Use' folder.
5. The Digital Team will then contact relevant Event Leads affected and will assess whether a replacement edit or social media posts needs to be made
6. Once we are sure that all likenesses of the person have been removed, we will contact them and inform them of the completion of their request by outlining what steps have been taken