

# APPENDIX 9 TAKING PHOTOGRAPHS AND VIDEO OF CHILDREN AND YOUNG PEOPLE

Version 1



Since the introduction of the Data Protection Act in 1998, churches must be careful **when using photographs, videos and web cams** of clearly identifiable people. The Data Protection Act was subsequently revised in 2018 enforcing even stricter controls regarding collection and use of data, consents etc.

There are several issues to be aware of:

- Permission must be obtained of the people (children and adults) who will appear in a photograph, video or web cam image before the photograph is taken or footage recorded. (See notes - the onus can be placed on people to **opt out** rather than to **opt in**.)
- It must be made clear why that person's image is being used, what you will be using it for, and who might want to look at the pictures.
- If images are being taken at an event attended by large crowds, such as a sports event, this is regarded as a public area and permission from a crowd is not necessary.
- If photographs or recordings of children's/ youth groups are made and individual children can be easily identified, children's / youth leaders must find out whether any parents do not want their children to be in the photograph.
- Children and young people under the age of 18 should not be identified by surname or other personal details. These details include e-mail or postal addresses, telephone or fax numbers.
- When using photographs of children and young people, it is preferable to use group pictures.
- Obtain written and specific consent from parents or carers before using photographs on a website.

## Applying these guidelines

The following additional notes may help in applying these guidelines.

1. There are no current instances on record of inappropriate images of children being recorded in a church setting. Any such illegal images are readily available on the web for those who want to find them. Therefore, these guidelines have more to do with the Data Protection Act 2018 and respect for individual's rights than with Child Protection.

2. It is not necessary to have an "opt-in" clause for children/young people. It is quite acceptable to have an "opt-out" clause so that any child or parent who wishes for their child not to be photographed or filmed notifies the church. Form 11 "Using Images of Children" may be distributed to all children and young people when they first join a church activity, or at the start of a new year, or prior to an occasion when it is known that filming will take place.

3. Opting out may also take place verbally at an event, or by moving out of shot. A general invitation may be made to the whole of a group to be filmed or photographed. Individuals are then at liberty to opt out by moving out of shot or to request that any image of them or their children that may be captured is not used.

4. Where images are taken at a public event permission from a crowd is not necessary. Footage of a BBQ on Ward Street (Bank Holiday, Aug 28<sup>th</sup> 2005) falls into this category. However, where individuals become the main focus of the shot it is appropriate to seek permission before any public use of it is made, as was done in this case.

5. When filming takes place in many churches it is possible to use a general statement regarding filming and give people the option of sitting in certain seats (usually behind pillars) where they can be sure that they will not be visible on camera. In our church, with no pillars, this is more difficult. If there are events where we expect to film the congregation a note in the Bulletin can be included to the effect that certain seats would be out of shot. In normal circumstances these would be likely to be at the back on the right hand side.

6. It is customary for filming and photography to take place at weddings and guests know this and can choose not to attend if this is an issue. The main focus of such filming is the Bride and Groom along with their family. Guests can choose to opt out of photographs / video in the customary fashion by alerting those filming or by just staying out of shot. Their wishes should be respected.