

St. John's Church 'Taking and publishing photographs including websites' Policy

Taking and publishing photographs of children is usually enjoyed by children and parents and can bring good publicity, but there are some important issues to note. The issues are the same for still photographs or films, and regardless of the particular technology used. For convenience they are all referred to as images. Images count as personal data under The General Data Protection Regulation 2016/679, and therefore the principles of the Act apply. It is therefore important that the consent of the children and their parents is obtained for the taking and use of images. Do not take pictures of children without another adult present. Those taking photographs need to bear in mind that parents and carers may have good reasons for refusing consent, for example:

- If individual children are identified, it would be possible for paedophiles to use them to target prospective victims
- Some children may have been subject to disputed custody matters, be in Local Authority care, adopted or they may be subject to a witness protection scheme, and their whereabouts should not be too widely known. Parents and carers of the affected children will know this and will appropriately withhold consent without necessarily giving the reason
- Photographs taken using digital cameras can be manipulated for child pornography, which is a growing problem on the Internet. This is particularly relevant if children are scantily dressed.

Good practice is therefore as follows:

Obtain consent from parents and children before taking images. Consent need not be in writing if it is not proposed to publish the pictures in any way, but if they are going to be posted up, used in a newspaper or magazine (including the Diocesan or parish newspapers and magazines), or put on the Internet, then a specific consent should be obtained. Since images are usually taken in the context of a specific activity for which parental consent is sought, the simplest way of dealing with this is to add a suitable wording to the parental consent form.

- If the image is to be published, avoid naming the child
- If the child is named, avoid using their image
- If children are scantily dressed, e.g. for swimming, then:
 - Focus on the activity rather than a particular child
 - Avoid full face and body shots
 - Consider the age of the children involved
- Be clear about whether the image is to be retained for further use
- Store the image securely.

It is necessary to exercise common sense in the application of these guidelines in the case of a general photograph of a public event, such as a church fete, where no individual or group of people is the focus. It would not be practicable to obtain the prior consent of everyone concerned, nor is this required by data protection law. It is still appropriate to consider carefully where and how such photographs should

be displayed. Schools, including church schools, will have their own policies which apply to children on
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school premises, or engaged in school sponsored activities. The Department for Children, Schools and Families also publishes advice on this issue, available on their website.

Newspapers and other print media are bound by the Press Complaints Commission Code of Practice, of which the latest version was issued 1 June 2004. Legitimate journalism is a 'special purpose' under the Data Protection Act, which exempts it from the requirement of security, but there are numerous restrictions on photographing children. These are not likely to be relevant to church use but advice if needed should be obtained from the Diocesan Communications Department.

Sources

https://www.holytrinityeastbourne.org.uk/UserFiles/File/Safeguarding/Recommended_Practice.pdf

<https://www.canterburydiocese.org/media/forms/safeguarding/photoconsent.pdf>

Agreed 28th February 2019