

## PHOTOGRAPHY ETC. - NOTES FOR LEADERS

**Introduction:** Photographs and video footage are personal information (data) and must be processed in accordance with data protection law. For further information see the data protection (GDPR) resources on the Church website at: <https://freechurch.org/resources/gdpr>.

### **Consent:**

For the purposes of data protection, in terms of the Data Protection Act 2018 children aged 12 or over in Scotland are presumed to have the capacity to give consent, unless the contrary is shown. However, from a safeguarding perspective, consent for the taking and using of images should always be obtained from a parent or guardian of children under the age of 16. In addition, it is advised that children aged 12 and over be consulted as to whether they wish to be photographed or have their image used in any way. If the child does not consent then no image should be taken to include the child, even if the parent consents.

In the case of images of anyone aged 16 or over, and where such images will be published online and thereby made available publicly (such as on a church website), explicit written consent must be obtained from the individual, using the template consent form referred to in the Permission Form. This is essential in order to comply with data protection law – again see <https://freechurch.org/resources/gdpr>.

**Official Photographer:** Best practice indicates that at church events it is best to organise an ‘Official Photographer’, who has been accredited by the church, and who should show suitable ID.

**Identifying Children:** The names of children should not be included when images are displayed on notice-boards or otherwise published. In the case of a ‘church directory’ of photographs, it would be best if children were grouped in families, and such directories not on permanent display if the hall is used by organisations outside the church.

**Websites:** To avoid, as far as is possible, the misuse of children’s images placed on church websites, a number of issues need to be considered:

- **Explicit consent:** As explained above, this should always be obtained. It should also be borne in mind that many people still do not comprehend how the web allows anyone to access information and pictures. Names and addresses of children pictured should not be included on websites.
- **Appearance:** Due consideration needs to be given to pictures in respect of certain activities or clothing, for example, swimsuits or athletics dress may not be suitable for use on the Web. Local Safeguarding Coordinators should be consulted before pictures are published.
- **Confidentiality:** In some instances where children are estranged from one or more parents/guardians, it would be inappropriate to use a picture identifying a child or locality.