

GUIDANCE

USING IMAGES OF CHILDREN:
PHOTOGRAPHS, VIDEOS, WEBSITES &
WEBCAMS
March 2007



USING IMAGES OF CHILDREN: PHOTOGRAPHS, VIDEOS, WEBSITES & WEBCAMS

Introduction

We live in an age in which digital technology has vastly increased the use, and potential misuse of photography. Publicity around such issues has led the SSCB to develop this multi-agency policy about the use of such images.

Most children are abused by someone they know and the risk of a child being directly targeted for abuse through being identified by a stranger is so small that, providing that reasonable steps are taken in planning events where video or photography is being used the practice should be allowed. Children who have been previously abused in this way may feel threatened by the use of photography, filming etc and staff should remain sensitive to any children who appear uncomfortable and should recognise the potential for misinterpretation.

Generally, photographs for school, club and family use and those that appear in the press are a source of pleasure and pride which we believe usually enhances self-esteem for children and young people and their families and the practice should continue within safe practice guidelines.

The following guidance should be used by all organisations that work with children in Surrey but should be compatible with their internal policies.

1. Issues of Consent

The Data Protection Act 1998 affects our use of photography. This is because an image of a child is personal data for the purpose of the Act and it is a requirement that consent is obtained from the parent of a child or young person under the age of 18 years for any photographs or video recordings for the purposes beyond the activity of the organisation. It is also important to ascertain the views of the children or young people involved. (A consent form can be found at the end of this document). Where children are Looked After organisations must check consent with the Social Worker on the corporate parent's behalf.

Consent gained for photographs or videos may not extend to website or webcam use so it is important to check the status of existing consent when introducing such technology.

Parents retain the right to withdraw consent at any stage but they need to do so in writing.

For schools who may want to take a number of photographs during the course of a school year a single consent form for that year should suffice. For other organisations for whom it may be a less frequent or one-off event it may be necessary to seek consent for each occasion. Whatever course is chosen it should be clear to parents what period is being covered by the consent form.

2. Planning Photographs of Children

Images and details of pupils from schools or clubs allow for the remote possibility that people outside could identify and then attempt to contact them directly. The measures described below should help to minimise the risk of such unsolicited attention.

Where possible, use general shots of group activities rather than close up pictures of individual children. Consider the camera angle; photographs take over the shoulder or from behind are less identifiable. Use images of children in suitable dress and take care photographing sports activities to maintain modesty.

Consider alternatives. Is a photograph of the children necessary or could an article be illustrated by the children's work for example?

Third parties will generally be under the same obligations as your organisation to obtain parental consent to the use and distribution of photographs. You should therefore ask the third party to guarantee to you that all relevant consents have been given and that they are entitled to provide you with the imaged.

5. Use of Images of Children by the Press

(Please also refer to the recommendations in Section 3 above, Identifying Pupils)

There may be occasions when the press take photographs of children involved with your organisation when they are taking part in a larger event, e.g. sports gathering. The same guidance regarding consent applies on those occasions.

The manner in which the press use images is controlled through relevant industry codes of practice as well as the law. However, given your responsibility to parents and pupils it is sensible to check that any broadcasters or press photographers are aware of the sensitivity in detailed captioning, one to one interviews and close photography.

6. Brochures, Prospectuses and Publicity Material

It is always best to avoid using personal details or full names of any child in any promotional material. Follow the DfES advice above.

7. Videos

You must have parental consent before any child can appear in a video. Parents can video recordings of events for their own person and family use as they are not covered by the Data Protection Act. (Please also refer to Section 10). Potential difficulties in this area could be avoided if the organisation adopts the policy of taking an official video of the event and making copies available to parents.

8. Websites

This is an area that gives particular concern to parents because of the potential misuse of images by paedophiles. With digital photography there is the remote possibility that images of children could be produced, manipulated and circulated without the parent's permission or children's knowledge. The dual concern which follows such a risk is that children might be exploited and an organisation may be criticised or face action.

It is important to take care with identification and to respect parental views on the use of any photography on a website.

We recommend that you visit the *Child Exploitation and Online Protection Centre* www.ceop.gov.uk

11. The Storage of Photographs

Photographs must be maintained securely for authorised use only and disposed of either by return to the child, parents or shredded as appropriate.

12. Official Photographs

Many organisations, particularly schools will periodically invite an official photographer into their setting to take portraits/photographs of individual children and or groups. It is essential that when considering such an activity organisations undertake their own risk assessment in terms of the validity of the photographer/agency involved and establish what checks and vetting has taken been undertaken. Procedures should also ensure that levels of supervision are appropriate to safeguard the welfare of children at all times when visitors are present.

13. Useful Sources of Information

The Information Commission www.dataprotection.gov.uk

Press Complaints Commission <u>www.pcc.org.uk</u>

ww454.1aprg.uk45j-84.72 -0.9 refB0 0 12 40 16 510.5003 Tm0 0 0 scn0 7 Tc()Tj9-28.0De.79ts



Using Photographic Images of Children Seeking Your Consent

Dear Parent of Guardian

This letter explains why we need to ask for your consent to any photographs or filming that may be taken of your child while he or she is taking part in activities that we would like to record. When you have read it please complete and return the form overleaf to let us know your wishes.

Generally, photographs of children for organisations, school and family use and occasionally for publication in the local press are a source of pleasure and pride and are to be welcomed. However, we live in an age in which technology has vastly increased the use and potential misuse of photographs. In the recent past there has been concern about the possibility of a child being identified by a photograph in the press or in the filming of an organisation's event in case they are put at risk of being targeted for abuse.

Surrey Safeguarding Children Board believes that the risk of a child being



Using Photographic Images of Children Consent Form

2000 Control C
(Insert name of organisation here)
To: (Name of Parent/Guardian)
Child's Name:
Sometimes we take photographs or videos of children when they are involved in the activities of our organisation. We may use the pictures or video recordings for our own use and to promote the work of the organisation in the media and on our website. To comply with the Data Protection Act 1008 we need your permission to photograph or make any recordings of your child.
Occasionally, the organisation may be visited by the news media (usually local newspapers) to take photographs or film of an event at the school. Pupils will often appear in these images which will be published in local newspapers or even broadcast on television.
Please answer the questions below
May we take photographs of your child and use them (unidentified by their full name): Appendications
In publications On the organisation's website On video or webcam?
(Please note that websites can be viewed throughout the world and not just in the United Kingdom)
Please circle your answer YES / NO
2. Do you consent to your child being photographed by local newspapers and other news media on the basis that their full names will be published along with the picture?
Please note that:
(a) newspapers will be asked to avoid using the child's name if their image is put on the newspaper's own website(b) this consent will also be taken to apply to television images, provided that your child is not named without your specific agreement.
Please circle your answer YES / NO
I have read and understood the organisation's policy. My decision on whether to give consent will remain valid for the duration of my child's involvement in the organisation unless I notify them in writing.
Signed (Parent/Guardian
Date: