

# Photo consent for community groups

## Getting permission to take photos and videos at community events

It can be really useful to take photos or videos at your event. You can use them afterwards to publicise your activities, and people often like to see photos of their community having fun together. However, you should make sure the people you are photographing are happy to be photographed and understand how the images will be used. Remember that people might have their own reasons for not wanting themselves or their children to be photographed, and it is important to respect this.

### Photos and films of children

Before photographing or filming children, let their parent / guardian know that you are doing so and why, and make sure they are happy with this. It is particularly important to make sure that they know if the images might be used on a website.

One way to do this is to get consent in writing, using a simple consent form. Parents / guardians can sign this to say that they give permission for their child to be photographed/filmed, and for the images to be used in certain ways. If it is completely impractical to get signed consent from every parent, you should still make sure parents and guardians are aware that their children are being photographed and why (e.g. by making an announcement, or by asking as you go along).

If you do use a photo consent form, make clear on it **why** you are taking photos. For example:

- ♦ “The images and videos will be used to help further the work of Anytown Community Group.”
- ♦ “The images and videos will be used to help Anytown Community Group achieve its aims”.
- ♦ “The images and videos will be used by Anytown Community Group for fundraising and publicity purposes”.

If you think you might want to share the images with another organisation (for example, if you are a PTA, you might want to share them with a school), you should state this on the form too.

To help people understand how the images might be used specifically, it is also a good idea to give some examples of the particular ways you might publish them. This doesn't need to be an exhaustive list of everything you might ever do with them, so long as you make it clear that you might use them in different ways than those listed.

If you might use them online, you should state this clearly. For example, you could say:

- ♦ “These images / films may be used by Anytown Community Group in their printed and online publicity, on social media, in newspapers and magazines, or in any other ways that further the aims of Anytown Community Group.”

Discuss with your group what you might want to use the photos for, and how. You can use the samples attached as a template to make your own form. (Alternatively, you can use these templates exactly as they are, providing your group agrees with the wording and that it covers everything you want to cover. To do this, just write your group name into the blank boxes on the form.)

## Photos and films of adults and young people

Before taking photos or videos of adults or young people, make sure they understand that they are being photographed and why. Young people can give their own photo consent if they are able to understand what they are consenting to. It is sensible to assume that people aged under 12 can't do this. You should use your judgement to decide whether people aged 12 and over can give their own consent. If you are not sure they are able to understand, you should seek consent from a parent or guardian.

You can let adults and young people know they are being photographed by:

- ♦ Displaying signs at the event. There is an example attached.
- ♦ Advertising in the publicity for the event
- ♦ If practical, making an announcement.

If possible, you can give people an opportunity to opt out of having a photo taken (e.g. by telling them before taking a photo). If this is not possible, it is still important to make sure people are informed that photos/films will be taken, so that they can leave if they don't want to be in them.

## Photos, videos and the law

Photographs, videos and other media (e.g. audio) in which individuals can be identified can be seen as **personal data** in the eyes of the law, and must be taken, stored and used in line with data protection principles. This means that:

- ♦ They must only be **used for the purpose they were taken for**, and no other purpose. So, if you took the photos to help your group to publicise its work and fundraise, you should only use them for this purpose.
- ♦ They must be **suitable** for the purpose they are taken for, and **not excessive**. So, for example, in order to publicise your group you probably don't need hundreds of photos of the same person, or photos of someone doing something which is nothing to do with your group.
- ♦ They must not be held longer than necessary. So, if your group dissolved and no longer needed publicity, you should no longer keep the photos.
- ♦ They must be destroyed if the people in them ask you to destroy them.
- ♦ They must be held, and disposed of, securely so that they don't end up in the hands of a third party.

In most cases, it is against the law to take and use photos of people without their consent. There are some exemptions to this – photos and videos can be taken and used without consent if they will be used for journalistic, literary or artistic purposes that are in the public interest. But you shouldn't rely on this unless you are sure it applies to your group.

## Copyright

Copyright rules mean that photos, films and other media can only be used with the permission of the person who created them. So, if someone takes photos at your event, those photos are the copyright of the person who took them, and should only be used with their permission. If they give their permission for you to use them for a particular purpose (e.g. for your publicity), you will need to get permission again if you want to use them for any other purpose. This applies even if the person is taking the photos on behalf of your group, as a volunteer. (However, if the person is a formal employee of your organisation, and the photos are taken as part of their job, the copyright belongs to the organisation unless there is an agreement to the contrary.)

## More information

More detailed information about photo consent and copyright can be found in The Russell-Cooke Voluntary Sector Legal Handbook, which is available for reference in the Resource Centre library.

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# Sample photo consent form

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- Below is a photo consent form template designed for use by community groups in Brighton and Hove.
- You should write your group name in the empty boxes.
- If you wish to make any other changes, you should use the Word version, which can be downloaded from the Resource Centre website.
- Paper copies of this form are available from the Resource Centre.

# Child photo / video consent form

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**We would be grateful if you would fill in this form to give us permission to take photos of your child and use these in our printed and online publicity.**

I give   
permission to take photographs and / or video of my child.

I grant   
full rights to use the images resulting from the photography/video filming, and any reproductions or adaptations of the images for fundraising, publicity or other purposes to help achieve the group's aims. This might include (but is not limited to), the right to use them in their printed and online publicity, social media, press releases and funding applications.

|                                |  |
|--------------------------------|--|
| Name of child                  |  |
| Name of parent / guardian      |  |
| Signature of parent / guardian |  |
| Date                           |  |

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|                                |  |
|--------------------------------|--|
| Name of child                  |  |
| Name of parent / guardian      |  |
| Signature of parent / guardian |  |
| Date                           |  |

# **Photographs and/or video will be taken at today's event.**

By taking part in this event you grant the event organisers full rights to use the images resulting from the photography/video filming, and any reproductions or adaptations of the images for fundraising, publicity or other purposes to help achieve the group's aims. This might include (but is not limited to), the right to use them in their printed and online publicity, social media, press releases and funding applications.

If you do not wish to be photographed please inform an event organiser.