



## SAFE USE OF IMAGES POLICY

### ***“One picture worth ten thousand words”***

*When Barnard wrote that phrase in the advertising journal Printers Ink in 1921, he had recognised the power of the visual image. Today, with the advantages of digital images – still and moving and multi-media capability – we have a powerful, almost instantaneous communication tool, which brings with it legal responsibilities under the Data Protection Act 2018. This policy is written in two parts: Part 1 sets out the legal requirements, based on the St Albans Diocese template and Part 2, the practical application in St Paul’s for those using images to showcase what we do.*

### **PART ONE**

- 1.0 Consent:** We must always check that we have relevant consent to take and publish images and that we keep all data secure. We must obtain permission of all people who will appear in the photograph, video or webcam image before we record the footage. This means children as well as adults. This permission should cover:
- How the image will be used (*i.e. for a one-off article or as a general resource that could appear in several contexts*)
  - How it will NOT be used (*i.e. alongside articles or text that are of potentially sensitive or offensive subjects*)
  - Where it will be used / who will it be available to (*i.e. in internal/public-facing printed newsletters, on the web or on a website, in a DVD, in local and/or national media, in exhibitions etc.*)
  - How long it will be used for (*i.e. once only, for 2 years, 3 years, indefinitely etc. Be mindful that people’s circumstances change and it can become inappropriate to continue to use a photo*)
- 1.1 Consent and public events:** Events attended by large crowds, such as a sports event, may be regarded as a public area and so permission of everyone in the crowd is not needed in a crowd shot. However, there is no clear guidance on this and so if in doubt, avoid using such images and use a library image instead.
- 1.2 Informed consent:**
- For children under 18 years old, the form should be completed by a parent or guardian.
  - Consent forms should also be obtained for adults, particularly if they are considered ‘vulnerable’, for example those with learning disabilities. Be aware that some people may require help to understand and complete a consent form. A parent, guardian or social worker may give consent where an adult is not able to give informed consent.
  - Completed consent forms should be kept on file for the duration of the time the image is being used and destroyed once that time has expired.

- We must not use an image unless we know that permission has been given for the purpose for which it is being used. If we are not sure, we must use an alternative.

### 1.3 Consent and context:

- We must be careful about the context in which we use an image, especially if it is of children.
- If we're using it for publicity specifically related to an event, there should be no problem if the relevant consents have been obtained.
- For information that covers sensitive areas we must always use a library picture. Using pictures of real children alongside sensitive subjects could result in legal action by parents / carers.
- We must not use a photo in a context that is different to that stated on the consent form.
- We must ensure that images cannot be construed as being provocative.
- When taking/using images, remember to be representative of diversity by reflecting gender, race and disability.

**2.0 Storage:** We must safeguard our images (both digital and hard copies) by storing them securely and only allowing use by those authorised to do so. When we have finished with the images, we must destroy or delete them.

### 3.0 Publishing images:

- If we hold images on file, we must not release them without current consent. This means taking extra care with images that have been archived. An image taken at a specific time and in specific circumstances can not necessarily be used again or in a different context. Doing so can result in legal action.
- When publishing images of children and young people, we must follow these guidelines:
  - If we publish their picture, do not publish a name
  - If we publish their name, do not publish a picture
  - Do not publish full names, addresses or e-mail addresses
  - Do not publish individual close-up portraits
  - When publishing children's' work simply label it as by 'John'
  - Give adult leaders and parents the opportunity to request that their contact information is not included in any published material

**3.1 Images taken for private use:** Any images taken during a service or event must be for private use only. Any picture that shows children other than their own must not be put on social media. Consent must be obtained for any picture taken for public use.

**4.0 Copyright:** Copyright law applies to almost everything and can be complex and ambiguous. A few basic points are listed below:

- Copyright automatically belongs to the person who created the work. In the UK it does not need to be registered. We must take care with any images we release to the media; it is our responsibility to check with the owner of the copyright that it is OK to use them.

- If we are using someone else's image we must get their written permission, and always credit the artist
- Images are protected for the lifetime of the creator and for 70 years after his/her death
- Downloading images from the internet and using them on the church website without the copyright owners' consent may breach copyright laws, and could be considered a criminal offence, leading to heavy fines. Be aware that picture agencies and photographers are increasingly using software to track their images.
- If we put something on the web, we must obtain electronic global broadcasting rights from the owner of the copyright.

**5.0** **New media** is now very widely used; along with this increased use comes an increased responsibility to consider how we use images safely within the new technology. The information shared by new media is more accessible than in non-digital formats; it is easy for people to amend, manipulate or copy images, which makes them more open to abuse. As such we must be more vigilant than ever about obtaining the relevant consent to publish images, how we publish them, and monitoring their use.

5.1 If we plan to use an image in any form of new media, we should obtain electronic global broadcasting rights from the owner of the copyright and ensure that the consent form states that the image will be used in digital formats, including the web.

5.2 As a web-publisher, we must not use an image that has been uploaded onto the system by someone else without checking with the original publisher/owner that the relevant permissions have been obtained.

5.3 **We must not** pixelate (blur) an image in order to obscure the face of the person in it – use an alternative picture.

## **6.0 Disability Discrimination Act (DDA)**

When using images in new media, we must comply with the DDA. The DDA applies to everyone who provides a service to the public. Service providers must ensure that they do not discriminate against disabled persons when using new media images. In order to comply with the DDA, we need to ensure that all images have meta-tags and that we do not overlay a photo with text.

**7.0 Releasing images to the media:** The legislation governing whether the media can publish an image is complicated and ambiguous. If in any doubt about having an image published, we must not release it to the media.

7.1 If we do release an image to the media, be aware that we are responsible for checking that all the relevant written consents have been obtained for the people in it and the owner of the copyright agrees to the image being published. If the media publishes an image we have supplied and the consents have not been obtained, responsibility falls to the person who released the image and potentially to the PCC.

7.2 The laws surrounding this issue are becoming stricter, especially for pictures of children and vulnerable adults. We must be extremely cautious not to release any pictures of children who are in care, under wardship or involved in family law cases. The same applies for adults who may be at risk from domestic abuse or similar. The legal implications are serious.



## SAFE USE OF IMAGES POLICY PART TWO

### ST PAUL'S PRACTICE GUIDANCE

*There are numerous church officers (staff and volunteers) involved in showcasing what goes on in St Paul's. Images taken will always show the subjects in a positive light. Embarrassing or distressing images and images associated with sensitive issues will not be used. The following practice guidance must be followed by anyone taking or publishing images on behalf of St Paul's. Any photographs taken at private services such as weddings that are not for church use would be outside the scope of this policy.*

#### 1. Event types:

- For the purposes of this policy, there are 3 'event types':
  - i. **Open** – parents register children and young people for these events – Sunday groups, Holiday Club, Messy Church etc. Parental consent to use of images is obtained at registration. Open events also include church services, church groups involving adults and social events, such as Harvest Lunch.
  - ii. **Closed** – events only open to a third party – schools' sessions of Christmas and Easter Journey, for example. The children remain the responsibility of their schools and each school's use of images policy applies.
  - iii. **Public** – often large scale and open to the public - Fun Day or Community Café, Easter Egg Hunt etc. Children remain in the care of their parents. The photographer mingles and makes themselves known. Verbal consent is given or withheld.

#### 2. Photography / media policy

All members of St Paul's church family respect each other's privacy. We live in a digital age where photography plays an important part in making memories, commemorating special occasions and communicating our mission, so whenever photos and videos are taken, whether by individuals or by our church photographer, we need to know that the people we are photographing don't object.

- We ask that individuals taking photographs at church events for personal use first ask the permission of those involved.
- A photographer taking photographs for church purposes will always make him or herself known and the purpose for which photographs are being taken.
- Photos or videos in print or on the Internet need the consent of those photographed. As a church we sometimes post photos and videos on the church website or social media. We will not do so without consent of the individuals concerned.
- For this reason, we will obtain the consent of parents and carers to their children being photographed or videoed when registering for church activities. Consent will be recorded on ChurchSuite, which provides an unambiguous and accessible record which the Children and Families and Youth Workers can check at any time. Parents have control of this

information and can change their consent whenever they wish to do so. Consent to photos and videos being taken will be split into two categories: -

- for internal presentation (eg. Sunday services or other internal church events)
  - and/or external presentation (eg. online, in church social media accounts or in the church magazine).
- Where the consent field has not been completed, the assumption will be that consent is not given. The Children and Families or Youth Worker will follow up as soon as possible all instances where the parent has left this field blank.
  - However, if any person (adult or child) finds themselves the subject of a group or personal photograph or video which they would rather not be part of, they need only to make their preferences known to the photographer, who will respect their choice to withdraw from the group or to cancel the shot and delete the image.
  - Before publication of any image, the event organiser will check that the appropriate parental consent is recorded for all children and young people shown in the image and that adults have signified their consent when the image was taken. The event organiser must make any individuals who are taking photographs aware that images taken for personal use must not be published.
  - Those responsible for uploading images onto the church website or social media accounts must first check with the event organiser that the appropriate permissions have been granted. If there is any doubt about this, the image must not be uploaded.
  - We will take all reasonable measures to ensure the images are used solely for the purposes for which they are intended.

### **3. Storage and access to images:**

- St Paul's uses a Microsoft Teams account under the church control to hold all photographs and images which can be used for publication. This is a central repository, managed by one person who has control over who can join the team. Team members are invited based on their role in the church, and their involvement in communications. Only images that are cleared for external publication will be stored in this location.
- Any images that involve third parties (for example schools), must first be cleared by the third party before they can be stored or used.
- Legitimate users of the images will often use their own equipment to process and store images. This includes (but not exclusively) PC, laptop, iPad, tablet, phone, memory card, memory stick, cloud storage, etc. The policy applies to all these and therefore images must be protected by suitable security and anti-virus protection measures to prevent misuse. Once users have completed their task, the images must be deleted from their equipment and any which may still be used for publication must be stored in the team account.

**4. Open events:** the photographer will work with the event organiser to understand the destination of the images and to ensure that all photographs comply with the consents obtained at registration and that no child is identifiable in any photograph where consent has not been given.

**5. Closed events:** the photographer will work with the event organiser to agree a day and time when photographs may be taken. Any photographs taken will be in accordance with the third party's own photography policy and the consents they have obtained for their purposes. The third party's consent will be obtained prior to release of any photographs for internal or external use.

- 6. Public events:** At our public events, we sometimes take photographs and/or record images and sounds, which may be used in our marketing on social media, in the press and in our publications. The church photographer will make him or herself known and the wishes of anyone who objects to their photograph being taken will be respected. We cannot guarantee, however that anyone attending a public event at St Paul's will not be captured in a in a crowd shot which we may then use in our marketing.
- 7. Publicity:** The destination of any images taken for publicity purposes must be made explicit at the outset to adults captured in the images. Child consents must also be checked.
- 8. Images for the website:** Only free to use images or those for which appropriate permission has been sought, will be used on St Paul's website. St Paul's has a CANVA account which provides access to an extensive range of images. Access can be obtained via our communications lead.
- 9. Copyright:** For photographs taken by the church photographer, the church photographer will grant permission for the church to use the images they have created, For photographs taken by private individuals, by submitting the file for publication, they are in effect granting permission for the church to use their image.
- 10. Appendix 1:** Contains an exemplar Third Party Agreement with Schools and can be tailored for use at any closed event.

**Maureen Phillips, Parish Safeguarding Officer**



## Safe Use of Images Policy – Agreement with Schools

**Event:**

**Date:**

Dear..... (name of teacher in charge)

We have recently updated our Safe Use of Images policy at St. Paul's Church. As a result of this, I would like to clarify the following points.

We are very happy that you take photographs of your own pupils experiencing the Easter Journey event in accordance with your school policy and for use only in your own school. The adults involved from our church congregation have given their permission for this to take place.

Many of our congregation contribute to this event financially and practically and we therefore enjoy the opportunity to share photos of the event with them in order to celebrate, value and encourage their support.

Our church photographer would therefore like to take photos of the event. No photos of children's faces will be taken. The images will be regarded as current for 12 months after the event and then archived and not used again without your permission.

Some of these images may be used for internal purposes in the form of a presentation to our church congregation to be shown during a Sunday morning church service.

In addition, we may on occasions post images externally on our website, or on social media or in our church magazine to showcase this event. We will ask for your specific permission if this is the case.

Would you please, kindly, indicate by replying to this email which of the following alternatives applies to your visit.

- A. We are happy for images to be taken at the above event and used for internal purposes.**  
(We understand that, should the church wish to use any images in any external publication, we will be asked again to approve the images prior to their publication and that we may withhold our consent at that time).
- B. We are not happy for images to be taken at the above event.**

Please be assured that participation in this event is not conditional on agreement to photos being taken. The decision is entirely yours.

Many Thanks

[Event organiser