

Barnby Dun Church Policy on Photographs – GDPR

Personal Data

If the image can be used to identify an individual and tell you something about them it is likely that it will be personal data for the purpose of the General Data Protection Regulations 2018. People can obviously be identified from names but may also be identified from contextual information e.g. the caption reads: 'This photo shows young people at the Barnby Dun Messy Church.'

The following examples will help you to identify the issues that you need to consider.

Photos of specific individuals/groups

Where an image is clearly of an individual or group of individuals, who are the focus of the image, it will be personal data, and consent is required to use it. It is strongly recommended that you obtain written consent so that you have a record, in case of subsequent disputes. Consent forms must explain clearly and fully how the image will be used and how long it will be retained

Photos where individuals inadvertently appear in the background

It will not normally be necessary to obtain the specific permission of all who appear incidentally in the background of publicity shots where they are clearly not the focus of the image.

Photos of large crowds/events

Where an image does not focus on one individual or group of individuals, the data is unlikely to be personal data. In addition, it may not be practicable to obtain the consent of every individual. However, it is good practice to ensure that there are clear signs around the venue indicating that publicity photos are being taken.

Publication on web

Publishing an image on the web is a potential disclosure to the world at large. Particular care must be taken therefore to obtain appropriate consent where the image constitutes personal data. In cases of doubt you should err on the side of caution and not publish the image.

VIPs

It may not be appropriate to ask VIPs to complete consent forms, in which case it should be sufficient to obtain verbal consent.

Children

it is important to obtain written consent from the child's parent/guardian through the Barnby Dun Church photo consent form. If a child is part of a school group and their school has consent forms covering photos, please ensure in writing that Barnby Dun Church is considered 'External Media' as part of the consent. If the school considers the consent forms to cover Barnby Dun Church then we should be able to rely on this as consent.