MAULDEN PARISH COUNCIL
Council Event Photography Policy

To be read in conjunction with the Safeguarding Policy For Public Community Events

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1 RELEVANT EXTRACTS FROM ICO/NSPCC GUIDELINES ON PHOTOGRAPHING CHILDREN

There are clear and authoritative UK guidelines on photographing children. The most relevant are from **Information Commissioner's Office (UK GDPR regulator)** and **NSPCC (safeguarding authority)**. Together, they give a solid framework for handling photography of children at any Council-organised public events, including the distinction between **crowd shots** and **close-up identifiable images**.

Relevant extracts from ICO and NSPCC are included in this policy as an aide to understanding how the policy complies with these requirements.

1.1 ICO (INFORMATION COMMISSIONER'S OFFICE) – DATA PROTECTION

The ICO state that:

- **Data protection law applies when a Council (or their official photographer) takes photos for official use**, such as publicity, websites, newsletters, or social media.
- **Children's data requires extra care**. A Council must inform parents/children how images will be used.
- **Lawful basis does *not* have to be consent** — especially when refusal would disadvantage a child. Legitimate Interests is often more appropriate. This aligns with the NSPCC's 2025 update, see section below.

The ICO's children's GDPR guidance emphasises:

- **Children merit specific protection**.
- A Council must design their practices with **children's best interests** in mind.
- A Council must choose the **appropriate lawful basis**, not automatically choose consent.
- A Council must provide **clear privacy information** suitable for children and parents.

1.2 NSPCC (SAFEGUARDING) – 2025 UPDATE[1]

The NSPCC updated their guidance in 2025 to align with the ICO stance:

- **Consent is no longer the default lawful basis** for photography.
- **Legitimate Interest** is often the correct basis for routine event photography.
- **Consultation with parents/children is still good safeguarding practice** but is not the legal basis.
- **Segregating non-consenting children is no longer recommended** - instead, images for publication need careful selection.

This is a major shift from the previous "always get consent forms" model used by many Councils, schools, and youth groups.

1.3 CROWD SHOTS (NON-IDENTIFIABLE OR INCIDENTAL)

- Usually come under **Legitimate Interest**.
- Low risk because individuals are not the focus.
- No consent required, but a Council should:
    - Display **clear signage** at event entrances.

[1] https://learning.nspcc.org.uk/online-safety/photographing-filming-children

- Ensure images are used in a respectful, non-exploitative way.
- Avoid capturing vulnerable individuals in ways that could create risk.

1.4 CLOSE-UP IDENTIFIABLE IMAGES OF CHILDREN

- Higher risk and requires stronger justification.
- Still often lawful under **Legitimate Interest** if:
  - The purpose is reasonable (eg, documenting a Council event).
  - The child's best interests are considered.
  - Clear privacy information is provided.
  - A Council avoid publishing images that could create safeguarding risk.

1.5 WHEN CONSENT IS STILL APPROPRIATE

Consent is still appropriate when:

- The image will be used in a way a parent/child would not reasonably expect.
- The child is vulnerable, for example, in care or subject to safeguarding restrictions
- The image is for promotional use beyond the event context (eg, long-term marketing or promotional campaigns).
- The child is **featured prominently** and recognisably.

2: POLICY

2.1 TERMS USED:

"Council" or "MPC" mean Maulden Parish Council.
"Photograph" includes an electronic image

2.2 BEFORE AN EVENT FOR WHICH MPC REQUIRE A PHOTOGRAPHIC RECORD:

- Prominent signage will be displayed at entrances to events to indicate photography will be in progress, its purpose and, what to do if there should be concerns about such photography. For example: *"Photography is taking place today for MPC publicity and record-keeping. If you have concerns, please speak to a steward or the official photographer."*
- A similar notice will be included in advertising of the event, including event programmes, online listings and social media.
- MPC will appoint an official photographer, who will wear a prominent sash or vest clearly indicating their role.
- MPC's official photographer will be aware of the ICO/NSPCC points in section 1 of this policy, and, in particular, to avoid photography of:
  - Isolated close-ups of unaccompanied children.
  - Children who appear distressed.
  - Photographing children in contexts that could create risk.
  - Children where written consent is required.

In addition, MPC's official photographer must be aware of:

- When consent for a photograph is required.
- The purpose for which the photographs are being taken.
- What happens to photographs after the event.
- MPC policy with respect to photographs that are not selected for MPC records or MPC publicity.
- The approved process for identifying adults who have concerns or those children whose parent/guardian have concerns about being photographed.

Please note: MPC have no control over photography undertaken by others in a public space.

2.3 WHEN CONSENT IS REQUIRED

Written consent is required when:

- The image will be used in **long-term promotional campaigns**.
- The child is **featured prominently** and recognisably.
- The image is used **outside the original event context**
- The child is **vulnerable**, in care, or subject to safeguarding restrictions.

The consent will be kept for as long as the corresponding photograph is kept by Council

2.4 DURING THE EVENT:

- **Wide shots** and **activity-based images** are preferred
- Where a close-up is to be included, the photographer should:
  - Make eye contact with the parent/guardian.
  - Give the parent/guardian an opportunity to decline.
  - Avoid photographing children whose parent/guardian indicates a discomfort with a photograph being taken.

Where an adult or a parent/guardian of child indicates an concern about being photographed, they will be offered a visible wrist band to indicate this concern to the official photographer.

2.5 AFTER THE EVENT:

- MPC will ensure that Images are used in a way that is reversible – that is, so photographs can be readily removed from the publicity item or MPC record if requested.
- MPC will provide a simple removal route for photographs being displayed: For example, by including *"If you wish a photographic image to be removed, contact clerk@mauldenb-pc.gov.uk"*
- MPC keeps images only as long as needed for the stated purpose, that is as a MPC record of the event or for MPC publicity.
- Photographs that are not used for the stated purpose are permanently destroyed within 2 weeks of the event.

2.6 SELECTION OF PHOTOGRAPHS USED FOR RECORDING MPC EVENTS OR FOR MPC PUBLICITY.

MPC select photographs that are:

- Representative of the event.
- Respectful of those included in the photograph.
- Do not include those with a concern about being photographed.
- The child's best interests are considered.
- Do not include images that could create safeguarding risk.
- Do not include a child being featured prominently and recognisably without written consent having been obtained and kept on file.

3: SUMMARY OF HOW THIS POLICY COMPLIES WITH INFORMATION COMMISSIONER'S OFFICE/NSPCC REQUIREMENTS

Area	ICO/NSPCC Requirement	Does it comply?
Lawful basis	Legitimate Interests for most event photography; consent only when necessary.	Yes
Safeguarding	Avoid risky contexts; consult parents/children informally; remove images on request.	Yes
Transparency	Clear signage; privacy notice.	Yes
Image types	Crowd shots low-risk; close-ups require stronger justification of written consent.	Yes
Publishing	Use reversible platforms; avoid identifying person details unless necessary.	Yes
Retention	Keep images only as long as needed for stated purpose.	Yes

APPENDIX A: TEMPLATE WORDING FOR PUBLIC ENTRY SIGNAGE

(To be printed on A3/A4 boards and placed prominently at all public entry points to the event)

Photography & Safeguarding Notice
Welcome to the event. Please note that Maulden Parish Council are taking photographs and video footage at today's event for promotional, archival, and website use.

Your Privacy Matters:
MPC only capture wide-crowd shots to document MPC community activities. MPC will never publish close-up, identifiable images of children without obtaining explicit written consent from a parent or guardian first.

If you or your child does not wish to be photographed:
Please speak immediately to the MPC contact point, MPC's Clerk or a MPC event marshal. MPC will provide a wristband or sticker for the child to ensure MPC's official photographer omits them from all images.

Personal Photography:
You are welcome to take photos of your own family! However, to keep all children safe, please ensure your photographs focus on your own children and do not clearly feature others. Please be mindful of the privacy of those in the background of your photographs before sharing images on social media.

Supervision: All children must remain under the direct supervision of a parent or responsible adult at all times. MPC staff, Councillors and volunteers cannot take responsibility for child minding.

Thank you for your cooperation in keeping our community safe.

To view MPC's full Privacy Policy, please visit https://maulden-pc.gov.uk

APPENDIX B: MEDIA CONSENT FORM FOR FEATURED/CLOSE-UP IMAGES

(To be held on a clipboard at the MPC contact point by MPC's Clerk or Official photographer)

Event Name:……

Date: ……..

Maulden Parish Council would love to use close-up photos or videos of your child/children taken at today's event to promote MPC's community activities. Please tick the relevant box below to confirm your choices:

☐ I consent to images of my child being used on MPC's official website and social media channels.

☐ I consent to images of my child being used in printed MPC newsletters or local press releases.

☐ I do NOT consent to close-up photography of my child.

Child's/Children's Name(s): _____

Parent/Guardian Name: _____

Signature: _____

Date: _____

Note: You have the right to withdraw this consent at any time.
To request the removal of an image, please email MPC's Clerk at clerk@maulden-pc.gov.uk