

## Marks Tey Parish Council - Photography Policy

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Agreed policy for further 12 months 05/11/2018 Minute Ref 2018/258

Agreed for further 12 months 27 January 2020 Minute Ref 2020/029

Agreed for further 12 months 8<sup>th</sup> February 2021 Minute Ref 2021/039

### **1. Background**

1.1 Marks Tey Parish Council may use photographic images for publicity purposes. This Policy will apply without exception to all occasions when official Marks Tey Parish Council photographic images are to be taken.

1.2 For the purposes of this Policy the term "*photographic images*" is understood to include photography, video and other electronic images and applies to cameras, mobile phones, videos and any other equipment capable of recording images.

1.3 This Policy only applies to photographic images which have people in them. Marks Tey Parish Council has no Policy on photographs of other subjects beyond what is required by law.

1.4 An up-to-date copy of this Policy shall be maintained on Marks Tey Parish Council's website.

### **2. Purpose**

2.1 The purpose of this Policy is to ensure:

- a) responsible use of photographic images by Marks Tey Parish Council
- b) that only a high standard of photographic images is used on the Council website, in press releases and other promotional material
- c) that all legal requirements are met in the taking and publication of photographic images.

### **3. Guidelines**

3.1 Taking of photographic images by Marks Tey Parish Council

3.1.1 Marks Tey Parish Council will commission the taking of photographic images for a number of uses, these include (but are not limited to); printed materials such as newsletters or brochures; display materials, such as banners and posters; for issue to the media alongside press releases; for use on its own website.

3.1.2 Marks Tey Parish Council will only use photographs taken by Parish Councillors, Council employees, or people appointed by the Council in advance to take photographic images on the Council's behalf. Photographers will be required to wear hi-vis jackets, which will be provided by Marks Tey Parish Council, so that they are easily identifiable.

3.1.3 At all Marks Tey Parish Council organised events where photographic images have been commissioned by the Council, posters will be on display around the event venue, including all entrances, advising of this. Posters will contain contact

details for further information and will enable any person who does not wish to be photographed the opportunity of taking steps to avoid this.

3.1.4 Promotion of Marks Tey Parish Council events (i.e. event posters, press releases, general advertisement) will state that photographic images will be taken for publicity purposes, and where practical, refer to this Policy.

3.1.5 Providing that Marks Tey Parish Council takes practical steps (as detailed in Section 3.1 of this Policy) to make the public aware that a photographer is on site, individuals are deemed to have given their consent by remaining at the event or location in which photographic images are being taken.

## 3.2 Data Protection Act

3.2.1 Photographic images are regarded as personal data under the Data Protection Act 2018. Under the Data Protection Act 2018 all personal data must be fairly obtained, must be accurate, kept up-to-date and used only for one or more specified lawful purposes.

3.2.2 In general terms, permission must be gained from all the people who will appear in a photograph. For children (those under the age of 18), there is a requirement to acquire written consent from the appropriate responsible adult, i.e. parent or legal guardian. It must be made clear:

- a) Why you are using that person's image
- b) What you will be using it for
- c) Who might want to look at the pictures

3.2.3 If a photographic image is taken at an event attended by a large number of people, this is regarded as a public area and so permission is not required from everyone in a crowd shot. The same principle applies to people in the foreground. If for example a photographic image is taken of a winner of a race at a sports event – with a crowd in the background – consent is required only from the race winner.

3.2.4 Marks Tey Parish Council, where practical, will endeavour to complete an Image Consent Form (see appendix 1) for photographic images focused on individuals. It is mandatory that Image Consent Forms are completed for all photographic images involving children. Image Consent Forms will be stored alongside the photographic images to which they apply.

3.2.5 An individual who has given consent may wish to withdraw that consent at a later date. If consent is withdrawn, the individual will be advised that Marks Tey Parish Council cannot recall any publications in which their image appears. However, once consent is withdrawn, no further use can be made of that individual's image and it should be deleted.

## Appendix 1

### Image Consent Form

Marks Tey Parish Council takes the issue of data protection very seriously. We promise we will not use your image for anything that may be viewed as negative in tone or that may cause offence, embarrassment or distress. If you have any questions, please call the Parish Clerk, Marks Tey Parish Council, 01206 213250. This does not affect your rights under the Data Protection Act and Freedom of Information Act.

- I understand that this image will only be used for publicity purposes in electronic and printed information, displays and exhibitions relating to the activity shown in the photographic image, or any similar campaign or related area.
- I understand that this image will NOT be used for anything which may be viewed as negative in tone or that may cause offence, embarrassment or distress

I give permission to Marks Tey Parish Council to use my image in printed and electronic material.

Name:

Signature:

(or the signature of parent/guardian if under 18)

Date:

Address (optional):

Tel:

Email: