

Photography and video recording in toddler groups

Photography and filming is an important issue for toddler groups to address because parents and carers understandably love to get their phones and cameras out to record precious moments of their child's life. And, as leaders, we may want also want to take photographs of the children for publicity purposes or for our own records.

The Data Protection Act (DPA) 2018 requires us to be careful when photographing or filming people. This does not mean that photographs should never be taken or that filming is always prohibited, but there are certain protocols that must be followed to comply with data protection and safeguarding children legislation.

Data protection

In 2005 the Information Commissioner's Office (ICO) dispelled the myth that the law prevents taking photographs in situations such as toddler groups. Provided that they are taken purely for personal use, they are exempt from the Data Protection Act.

Where the DPA does apply is, for example, when images are used for publicity on a website or other online or published media. Permission must be obtained of both children and adults before a photograph is taken or film footage recorded. However, it is perfectly acceptable to ask parents/carers to let the organisation know if they do *not* want their child photographed or filmed. The leader should write to parents or carers to explain what is happening and leave the onus on the parent/carer to contact them if they have any objections.

In addition to this, it must be made clear why the image(s) or film is being used, what it will be used for and who might want to look at the pictures.

When using photographs of children and young people, use group pictures and never identify them by name or other personal details. Obtain written and specific consent from parents or carers before using photographs on a website or other online media or publication. You should consider using a media consent section in your registration forms.

Safeguarding concerns in taking photographs

Thirtyone:eight, an independent Christian safeguarding charity, gives the following advice:

- Put guidelines in place for both parents and your toddler group to follow a simple two-way etiquette about taking photographs or films and whether or not permission must be obtained. Be clear about what can and can't be photographed and when, and for what purpose and destination. For example, you may wish to state that, 'Parents may take photographs of their own child for personal use, while the toddler group may take images for which they have consent in order to publish online and in accordance with their data protection policy or online safety policy.'

- During an event, let parents and others know when they can photograph or video their child. Remember that when children are performing they can be distracted by flashes, so photographs should be taken at an appropriate time.
- When using photographs of children and young people, use group pictures and never identify them by name or other personal details, including their email addresses, postal addresses or telephone numbers.
- Remember that gaining permission to take photographs is not only a matter of good manners but may also ensure the safety of children. For example, a woman fleeing domestic violence may not want her current location advertised inadvertently through a photograph appearing on a parent and toddler group website.

For further information on data protection issues, contact the Information Commissioner's Office. Tel: 0303 123 1113. Web: www.ico.gov.uk.

For further help and advice on child protection, contact Thirtyone:eight, an independent Christian safeguarding charity. Tel: 0303 003 1111. Web: www.thirtyoneeight.org

Find out more: www.cff.org.uk/playtime

Care for the Family

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