

Photography Policy



Policy & Procedures for the use of photographic,
video and image recording equipment including
mobile telephones

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IMPORTANT NOTICE TO ALL CUSTOMERS	Error! Bookmark not defined.

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This policy has been produced for use by Edge Hill Sport.

1. Introduction

1.1. Photography equipment is used at sports events and leisure facilities to record activities for promotion and media.

Definition of terms

The term “photography” in this guidance refers to both still image and video recording, on any device.

1.2. The purpose of this policy is to have a proactive approach in preventing the misuse of photographic equipment. It is important to note that advances in technology have heightened the opportunity for inappropriate use of such equipment, including certain mobile phones.

1.3. The use of today's modern digital cameras, often with video and now the new generation of mobile phones present the opportunity for misuse. The magnification and manipulation that is possible with today's digital pictures and the fact there is no need for a third party to develop and print images is causing concern. Images taken with a mobile phone can, in seconds, be transmitted on to the World Wide Web. There are reports of unauthorised children's images taken whilst using sports facilities being posted on the web and allegations of persons suspected of taking such images prompting some operators to have already taken action in banning all unauthorised photography and the use of mobile phones on their premises.

1.4. This Policy advises on the procedures to be followed in permitting photography to take place in sport and recreation settings within Edge Hill Sport facilities, particularly where young children may be the subjects. This procedure is not intended to prevent bona fide use of this equipment for family or coaching purposes but may deter the inappropriate use of such material.

1.5. Historically some photography use has always taken place in sports centres and swimming pools to record events, activities or sporting competitions.

1.6. Edge Hill Sport will only photograph participants with prior permission of parents or carers. Any photograph taken may be used in publicity material but again only with the permission of the participants' parents or carers.

1.7. Parents, guardians and carers may only photograph their own child or any activity in which their child is taking part.

1.8. Appropriate signage is in place to inform people of this policy and also to inform all customers of the need to be vigilant at all times and report any suspicious activity to the nearest member of staff.

2. Guidelines

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- 2.1. Use of photographic, videotape, or film equipment within the sports facilities;
- must not interfere with the study, research, privacy, or safety needs of Edge Hill Sport or its users:
 - must not violate any University policies, rules, or regulations
 - may not hinder access to exits, stairways, corridors, doorways, and other library facilities
 - may sometimes be restricted during midterms or near final examinations.
 - **Video/photography is forbidden within all changing rooms and the swimming pool area.** (Video/photography for research/teaching purposes within the swimming pool may be allowed).

- 2.2. Those wishing to make extensive use of photographic, video, or film equipment, use lights or tripods, or shift (or otherwise make use of Edge Hill Sport materials or furniture, must also:
- schedule the project for a period of low usage;
 - minimise disturbance to Edge Hill Sport staff and users;
 - minimise re-arrangement of furniture or Edge Hill Sport materials, return any furniture used to its original location, and place Edge Hill Sport equipment in designated locations for re-use
 - keep in mind that Edge Hill Sport staff prefer not to be filmed or photographed when working.

3. Policy for Use of Photographic / recording equipment

- 3.1. It is not the intention of Edge Hill Sport to ban photography or the use of mobile phones within the sports centre (mobile phones are banned in the swimming pool). There may be times however, when activities being undertaken will preclude the use of photography/mobile phones for a period of time or in a particular area/facility.

4. Vigilance by the general public

- 4.1. No matter what arrangements are put in place to prevent the use of cameras, videos or mobile phones with digital image recording the very nature of “peeping tom type photography” make it difficult to police. In recognition of this fact users should be encouraged to be alert to any suspicious activity, particularly where children may be involved and encourage them to report any such incidents at the earliest opportunity to a member of staff. Managers should encourage this form of vigilance from users by the use of appropriate signage.

5. Category A – Without prior written approval

- 5.1. Family/social group Casual “one-off” photography within the family/social group involved, taken within a permitted area (see below). Photography permitted when this is clearly the case and that, if politely challenged by staff, those involved can make it clear this is a family/social group.

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6. Category B - Recording allowed with authorisation

6.1. In accordance with the Chartered Institute for the Management of Sport and Physical Activity guidelines where the photograph is beyond a “family or social photograph” (e.g. involving persons not known to the photographer), all visitors to Edge Hill Sport facilities and events, who wish to take photographs in any area of the facilities are required to comply with the following:-

6.1.1. Record details of the photographer on the Photography Consent Form (Appendix 1)

6.1.2. Submit the completed request form to the Operations Manager at Edge Hill Sport as far in advance of the requested time as possible

6.1.3. Edge Hill Sport should retain the authorisation sheet and file for reference.

6.1.4. The photographer will receive a copy of the approved and signed request form.

6.1.5. The photographer must be prepared to present the approved request form to Edge Hill Sport staff upon request at any time in which photography/videotaping/filming is taking place.

6.1.6. The Photography Consent Form request form for obtaining permission contains the following details:

- The name, address and phone number of the photographer
- The name/s of the subject - e.g. which may include people and/or buildings/structures
- The relationship of the photographer and subject (where the subject is a person)
- The reason or use the images are being or intended to be put to (e.g. professional, consultancy, architect)
- A signed declaration that the information provided is valid and that the images will only be used for the reasons given
- A sequential number to enable a date order log to be kept.

6.2. For photographs of individuals / small groups

6.2.1. In addition to a completed Photography Consent Form, prior individual consent forms (appendix 2) will be required if the photographs are individuals or small groups. In these cases all care must be taken to ensure that no identifying features will be left on the photographs or videos to ensure anonymity.

6.3. For photographs of Under 18's and Vulnerable Adults

6.3.1. In addition to a completed Photography Consent Form, prior individual consent forms (appendix 2) will be required if the photographs are of Under 18's and Vulnerable Adults that does not constitute a family or social

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photograph. In these cases all care must be taken to ensure that no identifying features will be left on the photographs or videos to ensure anonymity.

6.3.2. Under 18's and Vulnerable Adults should not be left alone with the photographer

6.4. This does not allow a photographer use of the equipment in the areas highlight in Section 7.

6.5. Every effort must be taken by Edge Hill Sport staff to approach any individual taking photographs without prior authorisation. If they are not willing to complete the authorisation sheet they must refrain from using their equipment or will be required to leave the premises.

7. Category C – Recording Not Allowed

7.1. However the use of any photographic equipment is forbidden under any circumstance within the following areas:

7.1.1. All changing areas including:

- Wet side Changing facilities
- Indoor Changing facilities
- Group Changing facilities

7.1.2. Health suite

7.1.3. Toilets

8. Category D – Recording Not Allowed

8.1. The use of any photographic equipment within the following areas requires prior written consent through completion of a Photography Consent Form:

8.1.1. Fitness suite and gyms

8.1.2. Aerobic/fitness classes

8.1.3. Swimming pool

9. Data Protection Act

9.1. Since the introduction of the Data Protection Act in 1988, care must be taken in the use of photographs, videos and web cams of clearly identifiable people. Also, increased use of the Internet has led several people to ask for advice on using images of children and adults both on websites and printed publications. The Data Protection Act 1988 also affects the use of photography. There are several issues to be aware of:

9.2. Permission must be sought of all the people who will appear in a photograph before the footage is recorded.

- It must be clear:
 - Why that person's image is being used

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- What it will be used for, and
- Who might want to look at the pictures.

9.3. If images are being taken at an event attended by large crowds, such as a sports event, this is regarded as a public area so it is not necessary to get the permission of everyone in the crowd shot. People in the foreground are also considered to be in a public area, however, it is suggested that the photographers address those within earshot, stating that the photograph may be published and giving them opportunity to move away. For an image of, for example, the winner of a race at a sport event – with the crowd in the background – it will be necessary to get the race winners verbal permission and record the fact that this has been done.

10. How long does consent last?

10.1. Consent to take photographs lasts for a specified time period (normally 1 day only – further applications can be made). It is recommended that images are destroyed two years after the date on the consent form, in case family circumstances change, and unless further consent is agreed. This is particularly important if the publication will have a high profile, e.g. if it will have a wide circulation or be publicising a conference.

11. Can existing photographs be used?

11.1. There may be photographs on file. If it is intended to re-use older photographs for which consent has been given (but probably only for paper publications,) it is recommended that consent be renewed to use the images on a website. If consent has not been given, i.e. before the Data Protection Act came into force, extreme care should be taken and it will be necessary to apply common sense when using them.

11.2. For example, never use a picture of an untraceable person on a leaflet about a mental problem or an illness. To help make a balanced decision when re-using photographs, it may be helpful to consider the following:

- For what purpose was the photograph originally taken?
- Where was the photograph taken, e.g. was it taken in a public place?
- When was it taken, e.g. is it a picture of a child who could now be an adult?

11.3. Departmental photographic libraries will need to be sufficiently well organised so that checks can be made on a consent at a later date if you are re-using the photograph. This will be easier if photographs and signed consent forms are kept together. However, it will be necessary to destroy all photographs once the consent has expired.

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12. Respect the right of others

12.1. There is a general requirement on the person given approval that if any customer complains or expresses concern they must respect the rights of other people and stop taking photographs. This procedure is contained in the centre's Normal Operating Procedures (NOP) and what to do in the case of non-compliance will be included in the Emergency Action Plan (EAP). Most genuine persons presented with a permit to complete quickly come round to the view that this is a sensible precaution and if they have nothing to hide they won't mind leaving their details.

13. Safeguarding Child procedures and training

13.1. Edge Hill University's Safeguarding Child Policy includes advice and information for staff to be especially vigilant and aware of the potential for child abuse. This includes the potential for the taking of unwanted photographs as records.

13.2. Easy Rules to Remember are:

- If the individual is named, avoid using their photograph.
- If a photograph is used, avoid naming the individual.
- Ask for the individual's permission to use their image. This ensures that they are aware of the way the image is to be used to represent the sport. An individual's permission form is one way of achieving this.
- If under 18 years old, ask for parental permission to use the child's image, this ensures that they are aware of the way the image is to be used to represent the sport. A parental permission form is one way of achieving this.
- Only use images of individuals in suitable dress to reduce the risk of inappropriate use. With regard to the actual content it is difficult to specify exactly what is appropriate given the wide diversity of sports. However, there are clearly some sports activities – swimming, gymnastics and athletics for example when the risk of potential misuse is much greater than for other sports. With these sports the content of the photograph should focus on the activity not on a particular individual/child and should avoid full face and body shots. So for example shots of children in a pool would be appropriate or if on poolside from the waist or shoulder up.
- If for any reason any other customer makes a complaint about photographs been taken then the photographer should respect the rights of others and stop taking photographs.
- Create recognised procedure for reporting the use of inappropriate images to reduce the risks to individuals. Follow Edge Hill Sport Safeguarding Children procedures, ensuring both your child protection officer and, if appropriate the social service and/or police are informed.

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14. Right to Terminate

- 14.1. Edge Hill Sport reserves the right to terminate any photography, videotaping, or filming that causes an undue disturbance, violates Library or University policies or regulations, or endangers the health and safety of participants, visitors and Edge Hill Sport staff.

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Appendix 1



Photography / Video Consent Form

Please use BLOCK CAPITALS

Photographer's details:

Name: _____

Address: _____

Postcode: _____

Relationship between the photographer and the subject(s) in the photographs:

(E.g. father of birthday child, team coach)

Date on which photographs/video are to be taken: _____ / _____ / _____

Facility where photographs/video are to be taken: _____

Reason for photographs/video being taken and the intended use of the stored images: (e.g. family record, promotional material, newspaper)

By signing this request, I hereby:

- (a) acknowledge that the law may require me to receive the consent of every person photographed, filmed and or videotaped and that failure to receive such consent may result in disciplinary action taken against me. I understand that I am solely responsible for acquiring the consent of each person photographed, videotaped or filmed;
- (b) acknowledge that I am solely responsible for the content of the photographs/videotapes/films and how they are used and that the images will only be used for the reasons given;
- (c) agree that I am not using the photographs/videotapes/films for any commercial or news media purposes;
- (d) acknowledge that I have received and read a copy of the *Procedures for Photography, Videotaping, and Filming in Edge Hill Sport Facilities*, and agree to follow those guidelines and procedures.
- (e) agree if any customer complains or expresses concern whilst taking the photographs/video or if asked to by the Duty Manager, I will stop taking photographs/video immediately.

Signed: _____ Date: _____ / _____ / _____

FOR EDGE HILL SPORT USE ONLY

Approval Given: Yes No

Date of approval: _____ / _____ / _____

Name of Manager giving approval: _____

Number of Application: _____

Booking Reference Number (if applicable): _____

Confirmation returned to customer: Yes No

Appendix 2

Document Control

Edge Hill Sport, Edge Hill University, St Helens Road, Ormskirk, Lancashire, L39 4QP
Telephone: (01695) 584745 Facsimile: (01695) 584710 www.edgehill.ac.uk/sportingedge

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Individual Consent Letter



Dear Parent or Guardian,

Edge Hill Sport has been contacted by _____ to take photographs or video of _____ on _____. The photographer has stated that they wish to use the photographs for _____.

To comply with the Data Protection Act 1998, they need your permission before they can photograph or make recordings of you/your child for the stated purposes.

If you give your consent for you/your child to be photographed please complete the tear off section below and return it to the photographer.

If you do not wish you/your child to be photographed during this event, please complete the tear off section below and return it to Edge Hill Sport.

If you wish to discuss the matter further please don't hesitate to contact Edge Hill Sport on (01695) 584745.

Yours sincerely,

Paul Greenwood
Head of Sports Services

I GIVE / DO NOT GIVE (please circle) my permission for _____ to take/use photographs that includes me/my child.

(Name of child) _____

Individual or Parent/Guardian if child

Name _____

Signature _____

Date _____

Address _____

Post Code _____

Telephone Number _____

Mobile _____

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Further Guidance - Child Protection In Sport Unit (CPSU)

1) The CPSU has issued the following advice to the organisers of sporting events and presentations.

- a) *Photographs and images of children used for promoting and advertising;*
- i) There have been concerns about the risks posed directly and indirectly to children and young people through the use of photographs on sports websites and other publications. Photographs can be used as a means of identifying children when they are accompanied with personal information – this is X who lives at X is a member of the X gymnastics club and who likes Westlife. This information can make a child vulnerable to an individual who may wish to start to “groom” that child for abuse. Secondly the content of the photo can be used or adapted for inappropriate use. There is evidence of this adapted material finding its way onto child pornography sites.
 - ii) Sporting organisations and clubs need to develop a policy in relation to the use of images of participants on their websites and in other publications. The sport will need to make decisions about the type of images they consider suitable and that appropriately represent the sport, without putting individuals/children at increased risk. They will want to ensure that parents support their policy. When assessing the potential risks in the use of images of athletes, the most important factor is the potential of inappropriate use of images of children.
 - iii) If sporting organisations are aware of the potential risks and take appropriate steps the potential for misuse of images can be reduced.
- b) The CPSU would advise sporting bodies to;
- i) Consider using models or illustrations if you are promoting an activity.
 - ii) Avoid the use of the first name and surname of individuals in a photograph, this reduces the risk of inappropriate, unsolicited attention from people within and outside the sport
- c) First steps and things to think about...
- i) Establish the type of images that appropriately represent the sport for the web and other media.
 - ii) Think about the level of consideration you give to the use of the images of participant in other publications, for example, the processes involved in choosing appropriate images for the newsletter or magazine. Apply an increased level of consideration to images of children and young people used in the website.

2) *Guidelines for Use of Photographic Filming Equipment at Sporting Events*

- a) There is evidence that some people have used sporting events as an opportunity to take inappropriate photographs or film footage of young and disabled sports people.
- b) If you are commissioning professional photographers or inviting the press to an activity or event it is important to ensure they are clear about your expectations of them in relation to child protection.
- i) Provide a clear brief about what is considered appropriate in terms of content and behaviour
 - ii) Issue the photographer with identification which must be worn at all times

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- iii) Inform participants and parents that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films or photographs
 - iv) Do not allow unsupervised access to participants or one to one photo sessions at events
 - v) Do not approve/allow photo sessions outside the events or at an athlete's home.
- c) If parents or other spectators are intending to photograph or video at an event they should also be made aware of your expectations.
- i) Spectators should be asked to register at an event if they wish to use photographic equipment
 - ii) Participants and parents should be informed that if they have concerns they can report these to the organiser
- 3) Concerns regarding inappropriate or intrusive photography should be reported to the event organiser or official and recorded in the same manner as any other child protection concern.

See EHU institutional guidance and FM policy on WIKI pages for more details

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