



CAP 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 Brecon CAP youth Club.'

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 – See CAP Photo Consent form [here](#).

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 CAP 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 CAP is considered 'External Media' as part of the consent. If the school considers the consent forms to cover CAP then we should be able to rely on this as consent.

Events

Reason for Processing: Legitimate Interest

Participants will be warned in advance via the event invitation that an official photographer will be present, where the photos will end up, what their purpose will be (marketing/internal only) and that people may opt-out from being photographed by simply asking a member of CAP Staff.

The official photographer and any CAP staff will be required to take note of those people and delete any pictures of them, or if is practical, anonymise the person in the image with a facial blur before publication. Any pictures with opt-out depicted will be deleted as soon as possible, latest within 30 days, if there is no other stated purpose.