

Taking and Publishing of Photographs

Photographs of people are a type of personal data. However, there is not yet detailed guidance about how the GDPR applies to photos. Nevertheless, you should always seek consent before taking or publishing photos. We recommend that in the case of:

Staged photos of a group where you gather a group of people together to take a photo (for example, after completing a path maintenance activity, or at the top of a hill during a group walk)

You must inform the group if the photo will be published and where (for example, your website, social media, a newsletter) and confirm people are willing to be photographed for that purpose.

If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

However, if you are simply showcasing your group/area's activity on your group/area's website, social media, newsletter (online or print), and you don't identify people by name or share other personal data, you do not need their written consent.

Candid photos of a group taken when people weren't aware and aren't easily identifiable (for example, a group walking along the coast in the distance).

If you wish to use this photo for commercial or marketing purposes (for example, on a printed leaflet), or identify individuals by name, you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

However, if you are simply showcasing your group/areas's activity on your group/area's website, social media, newsletter (online or print), and you don't identify people by name or share other personal data, you do not need their written consent.

Photos of one or two people where the individuals are the main focus of the photo and identifiable

You must inform the person/people if the photo will be published and where (for example, your website, social media, a newsletter) and confirm they are willing to be photographed for that purpose.

If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you will need to be able to demonstrate their consent. The easiest way to do this is by completing a written photo consent form.

Photos of children

You must not take photos of children unless their parent or legal guardian has given explicit permission. If you wish to publish the photo in any way (for example, your website, newsletter, social media or printed materials), you also need to have the consent of their parent or legal guardian. The easiest way to do this is by completing a written photo consent form.

NB. We will update this guidance and associated consent forms as further information becomes available. Please look out for further communications.