

Trefoil Guild photographic, video and audio policy

1. Introduction

One of the biggest challenges of GDPR, which forms part of the Data Protection Act 2018 is around how we manage the processing of content in the areas of photography, video and audio recordings.

Within the Trefoil Guild we all want to share what we have been doing at Trefoil meetings and events with other members, prospective members, and the general public. However, photographs, videos and audio recordings, may include an individual(s) who is identifiable and as such it is classified as their personal data. Consideration as to how that content is managed is important to protect the dignity and privacy of that individual and adhere to the Law.

This policy document aims to cover:

- [Notifying members and gaining consent](#)
- [When legitimate interest applies to content](#)
- [Publishing content and consent](#)
- [Press, television, and media coverage](#)
- [Children](#)
- [Refused consent](#)
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2. Notifying members and gaining consent

All those taking images and audio recordings, need to consider first and foremost the **Trefoil Code of Conduct**, particularly in respect to complying with all applicable laws and guidance, treating everyone with respect, dignity, and with due regard to their privacy.

Do not assume that everyone is happy for their image or voice to be shared.

2.1 Plan ahead

In most cases we know when photographs, videos or audio recordings will be captured so plan well in advance - here are some examples of good practice below.

- **At guild meetings** - at least annually, canvass your members and ask them if they give permission for photographs to be taken during guild meetings.
 - Don't forget to ask new members when they join the guild though and any visitors will need to give permission as well.
 - Keep a record of the members who have given permission and importantly those who have declined.
- **At events or on holidays** - at most events or holidays it is reasonable to assume that photographs, videos and audio recordings may be captured, so if possible, make that clear on any flyers or information regarding that event, and also:
 - On application forms for your event - include references to photographs, videos and audio being captured.
 - At registration or entry points - have signs or information available
 - At registration ask those signing in for permission by adding a permission column on the registration sign in form.
 - For holidays and longer trips always determine the wishes of those that you are travelling with in advance.

In all cases it is important to let members and visitors know what they are giving permission for, e.g., is it local use, for the Trefoil website, *The Trefoil* magazine, etc. If you aren't sure cover all eventualities.

2.2 Legitimate interests

Under the Data Protection Act there are some instances where content may be used without formal consent.

The Trefoil Guild will only do this when:

- the processing is not required by law but is of a clear benefit to The Trefoil Guild
- there is limited privacy impact on the individual, e.g., on some occasions it is not practical or feasible to gain consent particularly at large scale events or where the event covers a large geographical area but those attending should be informed that content may be captured
- the individual should reasonably expect you to use their data in that way, such as in *The Trefoil* magazine, internal event flyers, internal invitations to members or internal advertisements for events where the content is only being sent to Trefoil members
- you cannot, or do not want to, give the individual full upfront control (i.e., consent) or bother them with disruptive consent requests when they are unlikely to object to the processing.

[See ICO website for full details](#)

It is Trefoil policy however to always obtain consent unless impractical to do so even when it falls within the grounds of legitimate interest.

On rare occasions The Trefoil Guild may have compelling justification for the processing of images and audio recordings which may result in a more intrusive impact on the individual, in these cases the Trustees would need to have assurance that any impact was warranted.

2.3 Publishing content and consent

All content which is to be used for external or public consumption should have consent before it can be used. This includes but is not limited to contributions to the Trefoil website, PR publications, social media pages and media articles. Consent is also required for internal facing content such as in *The Trefoil* magazine. The exception is where the content includes individuals who cannot be identified e.g., large group photographs, where members backs are turned to the camera, when a choir is singing. See also legitimate interest above.

Consent from individuals can be verbal or written however the member submitting the content is required to provide details of the photograph, video or audio including:

- who took the image or audio; they are the owner of the content
- a description of what it is and some background to the activity or event
- the details of the guild, county, or country and region
- the details of those in the image or on the recording, ideally with their membership number and name but otherwise the members name and guild
- confirmation that either written or verbal consent has been obtained, and
- the date the photograph or recording was taken, and consent received.

3. Press, television, and media coverage

The requirements under this section may vary depending on the reason for the coverage. Although it may relate to a “good news story”, media coverage could relate to other issues occurring in your area. If the media interest is anything other than positive local promotion

of people or events, please contact as soon as practical the Trefoil office, the national chair or national PR adviser for advice in handling press queries or content.

The media will usually request names and sometimes ages of individuals - explicit consent must be obtained before releasing such information. Ideally, get the media to use general information instead of individuals such as “members from the Town Trefoil Guild”.

Likewise, home addresses should not be disclosed and contact emails and telephone numbers should not be given for publishing unless consented by that individual.

4. Children

The Trefoil Guild is an organisation for adults over the age of 18 years old. On occasions children will attend Trefoil meetings or events.

Explicit consent must be obtained from the child’s parent or guardian if using photographic, video, or sound recordings. In the case of a visiting Girlguiding or Scout group seek advice as to whether approval for images or audio are in place and ask for confirmation in writing.

Preferably if content is required only use non identifiable content, e.g., where children have their backs to the camera. Do not use children’s names or details along with their image if used.

If in doubt do not use children’s images as there may be safeguarding reasons which could put a child at risk.

5. Refused consent

On occasion, consent to use an individual’s personal data may be refused. If this is known in advance ensure that your nominated photographer or recordist is aware of the request and ensure that a plan to manage the situation is in place, taking care not to exclude or draw attention to the individual concerned.

If consent to share is declined after photographs or recordings have been taken, then the individual should not appear in any content sent for future publishing. All content featuring that individual should be removed from digital files and folders.

6. Withdrawn consent

Members and those featuring in content taken, have the right under GDPR to withdraw consent for its use. All efforts should be taken to minimise the impact to that individual by:

- Removing any content featuring that individual from digital files and folders.
- Removing any content published on social media and the website
- If the content has been sent for publishing in *The Trefoil* and the magazine has not gone to print it should be withdrawn.
- Informing the individual that content that has already been distributed or published such as *The Trefoil* magazine, PR publications or media cannot be withdrawn.

7. Process for managing photographs, videos, and audio recordings

Whether you are a guild, county, country or region, or part of the national team you need a process for managing your digital content that has been taken for Trefoil Guild purposes.

Remember that under GDPR, members have a right to know what personal information we hold about them and have a right to withdraw consent to use any photographic or recording content and as such you need a process to find and/or delete records if required to do so.

- Keep a simple log of content taken - templates are available on the Trefoil website.
- Sort your content into folders and name them appropriately, for example 'Summer Gathering 2022'.
- Ensure that your content is labelled with a reference number linked to your log, or with a label, such as the activity and date taken, so that you can readily identify it.
- Retain the consent details along with the photographic or digital content.
- Delete any photographs, videos or recordings which are not required or for which you have no verbal or written consent to use.
- Delete any photographs, videos or recordings where consent has been withdrawn.
- Only retain content for as long as it's needed - refer to the Data Retention Policy for details.
- Remember that photographic, video and audio recordings are person identifiable data which needs to be kept securely on devices, protected with a strong password.

8. Summary

Taking, managing and getting consent to take photographs, videos and audio recordings can seem daunting in light of GDPR requirements. Do not be put off though. By remembering a few simple things we should all be seeing and hearing wonderful things about what is happening within Trefoil Guild, so:

- Treat everyone's personal data and their rights under GDPR with dignity and respect.
- Plan ahead making everyone aware that photographs, videos or recordings may be taken and get consent as early as possible.
- Do not keep content that you aren't going to use or you do not have permissions to use.
- Ensure that you can locate easily any images or recordings you want to retain or publish and keep any content secure with a strong password.

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