

GUIDE FOR WHEN NOT TO GATHER CONSENT



When not to gather consent	
<p>Anyone in public spaces who are:</p> <ul style="list-style-type: none"> • Not the focus of a story or image, not in danger due to their location, religion, gender, age, socio-economic status, race or ethnicity. • Doing jobs or activities that do not place them in potential immediate or future danger 	<p>No consent needed.</p>
<p>Anyone who is not identifiable or not the focus of an image in a private, non-high-risk setting.</p>	<p>No consent needed.</p>
<p>When someone is taking part in a media opportunity that has been arranged by an organisation and to which media have been invited who are not commissioned by that organisation.</p>	<p>No consent needed.</p> <p>The photography gathered will be the property of the press agency or photographer who takes the images.</p> <p>However, it would be good practise to:</p> <ul style="list-style-type: none"> • Support those participating to think through the implications of their participation and what they might want to say • Inform the participants that their images could be widely spread and that they will not be given the opportunity by the media to choose or veto where they are used.
<p>Social media imagery shared on the same platform as it is posted.</p>	<p>No consent needed but the images must be used strictly following the guidance below.</p> <p>When people share their imagery on social media sites – including Facebook, Instagram and Twitter – legally they sign up to terms and conditions that mean that these images can be reshared on the same platforms without needing their consent.</p> <p>If the content is being used in another context – that is, not on the same platform as a reshare – consent is needed. See the section on social media imagery shared on a different platform above in the table above.</p> <p>If resharing, always think about how the people in the images might feel about this. Consider:</p> <ul style="list-style-type: none"> • Only using the image in the same as the context and tone in which it was originally shared. • How old the image is, and if the image of the person is still representative of who they are today. Good practise is not to use the image for more than 18 months. • If the person in the image might feel positively about the image. If unsure, it is better not to use the image. • Who else is in the photo: if they are very visible and it is not a public location, they may not be happy with you sharing their image.