

Safeguarding, image taking & the using of images

These regulations replace those contained within the O-Safe version dated October 2015 which will shortly be updated. These regulations also supersede the Headcams statement 'Headcams and other wearable cams', banning the use of headcams, dated 12 July 2016.

Many thanks to the Child Protection in Sport Unit for the original work and draft.

Lots of people like taking images either photographs or video. In general, British Orienteering is keen to promote the sport of orienteering and keen to support parents and guardians in celebrating and publicising their children's achievements and successes. We are also aware of the benefits of using video as a tool for coaching.

However, the use of photos and videos on websites and social media, and in posters, the press or other publications, can pose direct and indirect risks to children and young people if not managed correctly.

British Orienteering has to balance the benefits and risks associated with the taking and using of images.

The guidance is broken into three sections: the taking of images, the use of images and responding to concerns.

In summary:

The taking of images

- British Orienteering has agreed to go down a route of having ***no outright photography ban*** and will actively promote this decision.
- British Orienteering is proactively promoting that event organisers provide guidance to all spectators, members of the public and competitors about any specific areas where photography is not permitted under any circumstances (for example toilets).
- Parents, guardians or carers who have a reason to be sensitive about the children they are responsible for are advised to discuss with their club and the organisers of any event they are attending, the arrangements for photography or videoing. If the club or organiser is unable to provide the assurance the parent, guardian or carer requires, an informed decision can be made about whether to attend the event or not.
- People involved in orienteering are encouraged to report any concerns they may have about anyone's behaviour in this context to the National Office.
- The organiser of an event can exclude a person from entering an event or starting a race. This authority is specified within the rules. Therefore, if a landowner has banned the taking of images (stills or video) the organiser has the authority to refuse right of entry to a person wishing to use a headcam for instance.

Using an official or professional photographer

- If you are wanting to use an official or professional photographer to take images specify a brief the person must follow along with any areas of concern the photographer must avoid.

Using images

- Think carefully before using any images showing children and young people on your website, social media, or in your publications.
- Establish the type of images that present the activity in a positive light, and promote the best aspects of orienteering.
- Avoid supplying the full name(s) of the child or children along with the image(s), unless this is considered necessary, is in the child's best interests, and the child and parent have consented.

- Avoid using images showing the full face and body of a child; avoid images and camera angles that may be more prone to misinterpretation or misuse than others.
- Coaches who wish to use images of young athletes for development purposes should be aware of the guidance in O-Safe and are required to comply with: consents, retention, safe storage, confidentiality, and use.

1. The taking of images by parents, competitors or spectators at events

A significant proportion of spectators (especially competitors' family and friends) will want to, and will, take photos or videos at orienteering events.

This guidance is for anyone with responsibility for organising or safeguarding children involved in activities or events at which spectators, parents or other members of the public may wish to take photographs or videos.

The publication of photos and videos on websites and social media can pose direct and indirect risks to children and young people.

What are the risks?

Taking or producing inappropriate or illegal images of children

Primarily there is a risk that images of children may be inappropriate in content or style. Some individuals deliberately target sports activities such as orienteering and set out to take inappropriate photos (for example of children changing, or in the toilet) in ways that are potentially illegal and harmful.

In other cases, images may be inappropriate in that they appear ambiguous and can easily be used inappropriately and out of context by others (for example images when a child may be injured).

Images can easily be copied and adapted, perhaps to create child abuse images, which can then find their way into the public domain on websites or social media.

Children may be identified, located, groomed¹ or contacted

Including personal details about a child (full name, address), for example on social media, can make them identifiable and therefore vulnerable to individuals looking to locate, contact and 'groom' children for abuse.

Even if these details are kept confidential, other details accompanying the images (school or club they belong to, or their favourite sports person or team) can also be used to groom the child.

This also increases the risk of identification of, and contact with, a child by someone in circumstances where this is illegal or otherwise potentially harmful. For example, if the child is in Local Authority care or an adoptive family; or where it is potentially dangerous to reveal the child's whereabouts to an estranged parent due to previous concerns about domestic violence.

¹ The term "grooming" refers to the process of a potential abuser using their knowledge of and/or relationship with a child to manipulate the child (and often adults around them) in order to create opportunities for sexually abusive behaviour.

Potential impact on children affected

The effects on children and young people of grooming or sexually abusive experiences can be devastating and life changing. Young people who have experienced online grooming or whose images have been misused and/or shared through social media often find this as traumatic and damaging as other, more direct, forms of sexual abuse.

There have been instances where identification of children through images and information appearing in public media have resulted in the breakdown of children's foster or adoptive family placements due to the intervention of adults who have subsequently traced them. Some children have also been put at risk when identified and traced by adults (known to them or not) with bad intent.

How can these risks be minimised?

- Clarify and promote the photography 'rules' for the event to all staff, volunteers, spectators, parents and young participants.
- Parents and spectators should be warned that there can be negative consequences to sharing images linked to information about their own or other people's children. Care should be taken about 'tagging' pictured children on social media, including Facebook or Twitter.
- Establish procedures to respond to and manage any concerns arising, including clear reporting structures and a system to contact police when necessary.

Do I need parental permission for photography by spectators/parents?

Parental consents are not required for this form of photography, although event organisers should make the policy regarding photography by the public clear to all participants and parents ahead of the event.

Different approaches to photography by spectators/parents at events:

Consideration has been given to a number of options:

- Banning photography by spectators, parents and competitors;
A ban can be difficult to enforce, given the number of devices with which images can be taken. It is often very unpopular with parents and other spectators who wish to record the efforts and achievements of their children or friends.
- Registering spectators, parents and competitors wishing to take photos;
Registration itself clearly requires resources and time (including for spectators) and unless it is linked to some form of robust identity check will not provide a mechanism to identify individuals should concerns subsequently arise. It may provide someone with bad intent with apparent legitimacy for their actions in terms of having official permission to take photographs of participating children.

Ultimately British Orienteering has agreed to go down a route of having no outright photography ban.

Instead British Orienteering is proactively promote guidance to all spectators, members of the public and competitors about any specific areas where photography is not permitted under any circumstances (for example toilets). All parties should be provided with key messages about the risks associated with online postings, and encouraged to report any concerns they may have about anyone's behaviour in this context to the National Office.

This approach has the advantage of not requiring any registration system (other than for official/professional photographers attending the event). It focuses more on the concerning aspects of photography being undertaken, rather than photography itself. It acknowledges that many spectators will wish to take photographs, while also promoting safeguarding messages (eg through event programmes, signage or announcements).

This system does however rely on an awareness of what behaviours should raise concerns, and of the event's process for reporting and responding to reported concerns.

How should you respond to concerns?

All staff, volunteers, children and parents should be informed that if they have any concerns regarding inappropriate or intrusive photography (in terms of the way, by whom, or where photography is being undertaken), these should be reported to the event organiser or another official.

Any concerns must be dealt with in the same way as any other child safeguarding issues; the club welfare officer and/or the lead child safeguarding officer must be informed. If there are concerns or suspicions about potentially criminal behaviour this should include referral to the police.

How can messages about event photography be publicised?

Event organisers need to address this issue in their planning process.

There is a range of ways event organisers can inform competitors, spectators, members of the public about this policy, including:

- Event registration, event programme, information forms and leaflets for all event volunteers, participants and parents
- Pre-event communications with volunteers
- Event programmes
- Posters and signage around the event
- If a major event, public address announcements during the event.

Photography by the wider public in open event sites

In general, members of the public are entitled to take photos in public areas, whether or not this includes taking images of children involved in events or activities. Regardless of any policies or procedures governing photography by those involved in or watching events, organisers have no right to impose these rules on other members of the public accessing or using the same public spaces.

However, if there are any indications or concerns that an individual may be taking images of children/young people that are inappropriate or illegal, this should immediately be reported to the organisers who have responsibility for contacting the police.

Organisers should have in place and actively promote clear ways for anyone to report concerns they have about photography or any other aspect of children's wellbeing.

Photography in changing rooms/showers at leisure facilities

There are a growing number of reported incidents involving inappropriate or illegal photography of children in changing and shower areas of many sports and leisure facilities.

Risks

Some incidents clearly involve an individual (adult or another young person) with bad intent deliberately targeting a vulnerable child to take and misuse images. Such images may be uploaded to social media or otherwise shared with other likeminded individuals or groups motivated by sexual interest. Occasionally these images are also used to threaten and force the child into unwanted, illegal sexual activity.

Taking and sharing images like this may form part of wider bullying of the targeted young person by other young people, motivated more by a wish to cause humiliation and embarrassment.

In other circumstances images may be taken by a young person's friends or acquaintances, and perhaps uploaded onto social media, in the context of a joke rather than with deliberate abusive intent. It is important to be aware that even in these circumstances the young person doing so may be committing a serious offence and risks criminal prosecution.

Facilities' responses

As a result of concerns arising many facility operators have put in place policies and procedures to reduce the likelihood of such incidents taking place. These almost always include imposing a ban on photography of any form in these particular areas of the facility (regardless of rules that may apply in other areas). Such bans cover participants, spectators, all staff and volunteers.

It can be difficult to be sure whether someone using a mobile phone is actually taking photos or videoing their environment. In order to further deter photography in changing and shower areas some operators have banned the use of mobile phones or other equipment capable of taking images altogether from these areas.

It is important that all customers, other users, staff and volunteers within the facility are aware of the operator's stance on photography. This can be communicated in a number of ways, most often through clear signage and posters.

Everyone should be made aware of what they should do if they have concerns about the behaviour of any other person in this context. If anyone is suspected of taking images of children (or adults) in a state of undress the facility manager or safeguarding lead should be informed immediately and the police consulted.

2. What to do when using official/professional photographers

- Ensure that children and parents are aware that a photographer will be active at the event, and consent has been obtained.
- Check the photographer's identity, the validity of their role, and the purpose/use of the images to be taken.
- Issue the photographer with identification, which must be worn at all times.
- Provide the photographer with a clear brief about what is considered appropriate in terms of image content and their behaviour (as above) *.
- Clarify areas where all photography is prohibited (toilets, changing areas, and so on).
- Inform the photographer about how to identify and avoid taking images of children without the required parental photography consent (this will depend on the process in place at each event) *.
- Do not allow unsupervised access to children or one-to-one photo sessions at events *.
- Do not allow photo sessions away from the event, for instance at a young person's home*.
- Clarify issues about ownership of and access to all images, and for how long they will be retained and/or used.

*(establish/clarify during commissioning/contracting process).

Do I need parental permission?

Close up images

Organisers should seek parents' consent to take and use images of individual or smaller groups of participants in which their child would easily be recognisable.

Parents should understand how, where and in what context an image may be used (for example on a public website, through social media, or in a printed resource). A parental consent form for use of images of children, can be completed possibly as part of the process for registering and consenting the child's participation in the activity/event.

You should also ask for the child's permission to use their image. This ensures that they are aware of the way the image is to be used to represent the activity. A children's permission form is one way of recording their consent.

When using a photographer (even if this is someone already involved in the club or activity) inform parents and children that a photographer will be in attendance and ensure they consent to both the taking and publication of films or photos.

General (eg wide angle) images of events

At many events organisers will quite reasonably wish to take wide angle, more general, images of the event, site/s, opening and closing ceremonies, and so on. It is usually not reasonable, practical or proportionate to secure consents for every participating child in order to take such images, or to preclude such photography on the basis of the concerns of a small number of parents.

In these circumstances organisers should (before and during the event) make clear to all participants and parents that these kinds of images will be taken, and for what purposes.

Talented young athletes

As young athletes progress up the competitive ladder within orienteering it is increasingly likely their images are taken. Event organisers and British Orienteering will quite reasonably seek publicity to positively promote orienteering, and elite young athletes receiving endorsements or sponsorship may well welcome positive media coverage on a local, regional or national level.

In this case some aspects of the guidance around the use of images detailed above (for example avoiding the inclusion of names and some other personal details alongside photographs) are neither practical nor desirable. Organisers and British Orienteering retain our duty of care to these athletes and a responsibility to safeguard them, and must ensure that parents and young athletes understand and consent to images being taken and information used in these circumstances.

It is important that other practice guidance (for example about the nature, content and use of images; and about ensuring that photography sessions are supervised) are still considered and applied. It is important for the athletes, and their parents to be clear about appropriate arrangements and ground rules for interviews, filming and photo sessions.

Young elite athletes and their parents will be supported by British Orienteering and prepared to manage these and a range of other issues (including safeguarding concerns) that may arise as a result of their sporting success and increased public profile.

When parental consent is not given

Organisers have a responsibility to put in place arrangements to ensure that any official/professional photographers can identify or be informed about which children should not be subject to close-up photography.

This could involve providing some type of recognisable badge, sticker or wrist band (perhaps a different colour to 'consented' young people – ideally something easily recognisable but not stigmatising for the child), and/or a system for photographers to check with the organiser and/or team manager to clarify which groups or individuals should not feature in images. It must be emphasised to any photographer that the use of images with these 'unconsented' children included will not be permitted.

3. Using photographs and videos of children and young people

Using photographs and videos of children and young people in sport for publication, promotion, press, or for coaching purposes is common in sport. British Orienteering and our clubs benefit from using images of young participants to promote and celebrate activities, events and competitions. Parents and children generally welcome opportunities to celebrate or publicise their achievements. Some coaches may want to use photographs or videos as a tool to support a young athlete's skill development.

However, the use of photos and videos on websites and social media, and in posters, the press or other publications, can pose direct and indirect risks to children and young people if not managed correctly.

What are the risks?

Children may be identified, located, groomed² or contacted.

Including the child's personal identity (full name, address) can make them identifiable and therefore vulnerable to individuals looking to locate, contact and 'groom' children for abuse.

Even if these details are kept confidential, any other details accompanying the images (such as the school or club they belong to, or their favourite sports person or team) can also be used to groom the child.

This also increases the risk of identification of, and contact with, a child by someone in circumstances where there are legal restrictions or this could otherwise be potentially harmful. For example, if the child is in Local Authority care or placed in an adoptive family; or where it is potentially dangerous to reveal the child's whereabouts to an estranged parent due to previous concerns about domestic violence.

Taking or producing inappropriate or illegal images of children.

Photo or video content may be inappropriate (for example images of children changing); or images may be used inappropriately, or out of context. Images can easily be copied and adapted, perhaps to create child abuse images, which can then find their way into the public domain on websites or social media.

Potential impact on children affected

The effects on children and young people of grooming or sexually abusive experiences can be devastating and life changing. Young people who have experienced online grooming or whose images have been misused and/or shared through social media often find this as traumatic and damaging as other, more direct, forms of sexual abuse.

² The term "grooming" refers to the process of a potential abuser using their knowledge of and/or relationship with a child to manipulate the child (and often adults around them) in order to create opportunities for sexually abusive behaviour.

There have been instances where identification of children through images and information appearing in public media have resulted in the breakdown of children's foster or adoptive family placements due to the intervention of adults who have subsequently traced them. Some children have also been put at risk when identified and traced by adults (known to them or not) with bad intent.

How can the risks be minimised?

- Think carefully before using any images showing children and young people on your website, social media, or in your publications.
- Establish the type of images that present the activity in a positive light, and promote the best aspects of orienteering.
- Avoid supplying the full name(s) of the child or children along with the image(s), unless this is considered necessary, is in the child's best interests, and the child and parent have consented.
- Only use images of children in suitable dress/kit.
- There are many activities children can be involved in but clearly, some orienteering activities may present a higher risk for potential misuse than others. Where possible images of these activities should:
 - focus on the activity rather than a particular child
 - avoid showing the full face and body of a child
 - avoid images and camera angles that may be more prone to misinterpretation or misuse than others.
- Consider using models or illustrations if you are promoting an activity, rather than the children who are actually involved in it.
- Link to guidance on talented young athletes and open, public sites (below).
- Coaches who wish to use images of young athletes for development purposes should be aware of the guidance in O-Safe and are required to comply with: consents, retention, safe storage, confidentiality, and use.

4. How should I respond to concerns?

All staff, volunteers, children and parents should be informed that if they have any concerns regarding inappropriate or intrusive photography (in terms of the way, by whom, or where photography is being undertaken), these should be reported to the event organiser or another official.

The guidance in O-Safe should ensure that any reported concerns are dealt with in the same way as any other child protection issue, ensuring that your club/event or lead child protection or safeguarding officer is informed. If there are concerns or suspicions about potentially criminal behaviour this should include referral to the police.

Concerns about professional photographers should also be reported to their employers.