



Information Commissioner's Office
Promoting public access to official information
and protecting your personal information

Press Release

For immediate release

8 December 2008

ICO says festive photos are fine

This Christmas the Information Commissioner's Office (ICO) is encouraging a common sense approach to photographs taken by family and friends at school concerts and plays and is reminding parents that the Data Protection Act does not prevent them from capturing those priceless moments.

David Smith, Deputy Commissioner at the ICO, says: "All too often we hear of cases where parents have been prevented by schools from taking pictures of their children and friends because of data protection. We recognise that parents want to capture significant moments on camera and would advise a common sense approach. Photographs taken for the family photo album are exempt from the Act. Citing the Data Protection Act in order to prevent parents taking photos is a data protection duck out and can undermine the important role the Act plays in the protection of our personal information."

The ICO has produced [guidance](#) to dispel any confusion and explain parents' rights under the Act. The guidance also provides advice for local education authorities and those working within schools, explaining that the Data Protection Act is unlikely to apply in most situations where photographs are taken by parents in schools.

The Act does apply when photographs of children are taken for official use by a school or college such as for issuing identification passes. In the other small number of instances where the Data Protection Act does apply, if the photographer obtains permission from the parent or individual to take a photograph, then this will usually be enough to ensure compliance.

The full copy of the guidance can be viewed at

http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/taking_photos_v3.0_final.pdf

ENDS

If you need more information, please contact the Information Commissioner's press office on 020 7025 7580 or visit the website at: www.ico.gov.uk

Notes to Editors

1. The Information Commissioner promotes public access to official information and protects personal information. The ICO is an independent body with specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000 and other legislation.
2. For more information about the Information Commissioner's Office, subscribe to our e-newsletter at www.ico.gov.uk
3. Anyone who processes personal information must comply with the eight principles which make sure that personal information is:
 - Fairly and lawfully processed
 - Processed for limited purposes
 - Adequate, relevant and not excessive
 - Accurate and up to date
 - Not kept for longer than is necessary
 - Processed in line with your rights
 - Secure
 - Not transferred to other countries without adequate protection

