Press Release

7 December 2010

Parents can snap away this Christmas

The Data Protection Act does not prevent family and friends from taking photographs at school concerts or plays this Christmas, the Information Commissioner said today.

Information Commissioner, Christopher Graham said:

"Having a child perform at a school play or a festive concert is a very proud moment for parents and is understandably a memory that many want to capture on camera. It is disappointing to hear that the myth that such photos are forbidden by the Data Protection Act still prevails in some schools.

"A common sense approach is needed – clearly, photographs simply taken for a family album are exempt from data protection laws. Armed with our guidance, parents should feel free to snap away this Christmas and stand ready to challenge any schools or councils that say 'Bah, Humbug' to a bit of festive fun."

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.

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If you need more information, please contact the ICO press office on 0303 123 9070 or visit the website at: www.ico.gov.uk.

Notes to Editors

1. A full copy of the guidance can be viewed on the ICO website at: http://www.ico.gov.uk/upload/documents/library/data_protection/practical_application/taking_photos.pdf

2. The Information Commissioner's Office upholds information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

3. The ICO has specific responsibilities set out in the Data Protection Act 1998, the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Privacy and Electronic Communications Regulations 2003.

4. For more information about the Information Commissioner's Office subscribe to our e-newsletter at www.ico.gov.uk. Alternatively, you can find us on Twitter at www.twitter.com/ICOnews.

5. Anyone who processes personal information must comply with eight principles of the Data Protection Act, 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