

ASA Photography and Photographing Swimmers Policy

Why Have a Policy?

This Policy applies to all photographs taken on film or digital camera (including mobile phones) and all sorts of moving pictures including video recordings (and video streaming).

The terms “child” or “children” include anyone under the age of 18 years.

There has been much talk about whether it is safe to have images taken of children participating in sport. Whilst the great majority of images are appropriate and are taken in good faith, it is a fact that images can be misused and children can be put at risk if common-sense procedures are not observed. To set out such procedures, this Policy has been prepared by the ASA.

The ASA acknowledges the assistance of the Premier League and is grateful for their consent to the reproduction of elements of the Premier League Code of Practice “Images of Children’s participating in Activities at Premier League Clubs” within this Policy.

Aims of this policy

First, as in all matters concerned with the safeguarding of children, the ASA aims to help clubs establish and develop good practice.

Second, the ASA aims to help clubs avoid three potential sources of child abuse:

- a. The use, adaptation, or copying of images for child abuse, either on the Internet or in print.
- b. The possible identification of a child when an image is accompanied by significant personal information, which can lead to the child being ‘groomed’.
- c. The identification and locating of children where there are safeguarding children concerns. Such cases would include, for example, children who could be compromised by an image because:
 - They are removed from their family for their own safety.
 - There are restrictions on their contact with one parent following a parental separation.
 - They are a witness in criminal proceedings.
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The ASA have been aware of cases where the photographing of swimmers has been used for illicit purposes. Such illicit photos are taken by persons purporting to be official photographers, hence the ruling that no one unconnected with an event, i.e. not a parent/ carer who takes photos unless they are a suitably approved photographer and have the consent of the meet manager.

Recommended best practice

1. The publishing of a photograph of swimmer under 18 either on a notice board or in a published article or video recording (including video streaming) of swimming competitions (“Publication”) should only be done with parents’ consent and in line with ASA guidelines.

An issue has arisen in the past where a child's photo was published and led to a parent under court order only to have supervised contact with that child, discovering their whereabouts and making direct contact.

2. A parent or guardian has a right to refuse to have children photographed. The exercise of this right of refusal should not be used as grounds for refusing entry into a swimming competition. Therefore any photo that may go to press or on a notice board, be it through a member of the club or official photographer, should have received parental consent before publishing/displaying the photo, preferably in writing. A suggested form allowing parents to indicate refusal of consent is to follow.

3. Under ASA guidance on the taking of photos, once a parent has signed the club's Photography Book Register we are happy for them to take photos on the belief that their swimmer is the main subject of the photograph. Other competitors nearby may be included in the shot but should not be the main subject of the photo. However, another person can object to a parent/carer taking a photo if they believe their child, not the child of the photographer, to be the main subject of the photo, but in practice this seldom happens.

4. In the case of open meets and other competitions where the host club has an official photographer present, all parents attending should be made aware of this in your meet details. If photos are to be published anywhere, the individual parent should be given the opportunity to withhold their consent. Their right to do so should be specifically drawn to their attention.

5. The ASA guidelines on photos for publication are as follows:

All photographs must observe generally accepted standards of decency in particular:

- Action shots should be a celebration of the sporting activity and not a sexualised image in a sporting context.
- Action shots should not be taken or retained where the photograph reveals a torn or displaced swimming costume.
- Poolside shots of children should normally be above the waist only in a swimming costume, though full length tracksuit shots are approved.
- Photographs should not be taken from behind swimming blocks at the start of a race or exhibit young swimmers climbing out of the swimming pool.

Published photographs may identify the swimmer by name and club but should not state the swimmer's place of residence or school attended.

The ASA do not wish to stop parents photographing their children if they wish at their "moments of glory" but all clubs have to ensure they do all we can to safeguard children's well being in the current climate of concern.

The official photographer

The aim of each official photographer should be to help celebrate and promote swimming. When taking an image they should be asked to:

- Focus on the activity rather than the individual child.
- Include groups of children rather than individuals if possible.
- Ensure all those featured are appropriately dressed.

- Represent the broad range of youngsters participating in swimming - boys and girls, children with disabilities, members of minority ethnic communities.
- Photographers should be invited to apply for inclusion in the ASA list of designated children's photographers, explaining to them that they will be screened and trained by the ASA on safeguarding children matters before they are placed on the list.
- Clubs should screen applicants for their suitability (just as they would check any other member of staff or volunteer working with children) and then provide training for them in the club's Safeguarding Children policies and procedures. The official photographer (whether a professional photographer or member of the club staff) should receive clear instructions, preferably in writing, from the club at an early stage.
- Clubs should provide them with a copy of this Policy and a clear brief about what is appropriate in terms of content - images should not be allowed to be taken outside the activity being covered.
- Clubs should determine who will hold the images recorded and what is to be done with them.

Policy on videoing children during club sessions

The videoing of children during club sessions is not recommended. Any videos that are taken would have to be justified by the club as to why this video has been made, (e.g. to assist in swimming stroke development).

Assuming a video is taken then the written consent is required from the parents of the children with an invitation to the parents to attend the videoing and subsequently view the video.

Any concern and the videoing should cease and the video not used.

After videoing, unless it can be justified as to why the video is to be kept the video should be destroyed once it has served its purpose.

Additionally, the videoer should be extremely careful in the content of the video.

Mobile phones

Mobile phones should be registered as a camera if it has that facility in line with our policy on cameras. All clubs need to make its members aware that while the ASA does not support the banning of phones, as children need them to keep in touch with parents, particularly in emergencies, they support a requirement that manufacturers ensure they add a "noticeable sound" that it is audible if a phone camera is used. In the meantime clubs should remind members that any photos taken should fall within our guidelines and that if mobile phones are taken into changing rooms, the facility to take photos must not be used.

Should photographs (with or without) names of children be posted on a club website?

It is recommended that individualised photographs should not be kept on a club's website and certainly not with identifying names as this could lead to a child being approached and placed in a vulnerable position. The same applies to a club's printed materials such as a club's annual report.

The only exception to this policy is where the child's parent or carer provides specific written consent to the club publishing photographs. This consent may be withdrawn at any time and clubs should take all reasonable steps to respect the wishes of the parent/carer.