

Consent guidance for the Picturing High Streets Project

Background

Consent forms (also known as Model Release forms) offer legal protection for both the record creator (video maker, audio recorder, photographer etc.) and their subject in the event of any future claim regarding the use of the record. A Consent form should be signed by the subject to show their agreement to the stated future uses of the record. If the subject is under the age of 18 years, a parent or guardian is required to include their name and signature on the form.

The Picturing High Streets Consent Form states that records may be preserved as a permanent public reference resource within the Historic England Archive, and their future uses could include: reference, education, non-commercial, exhibition, social media and website use.

When should a Consent form be used?

Consent forms should be used alongside any video or audio recording, and when photographic images containing people are made. Some images may be taken in public places; street photography, where an individual is not the focus on the image, does not require a Consent form. However, a photograph of an identifiable individual in a private setting does require a Consent form. This would include schools or community workshops.

Consent forms are required when:

- The record is made after May 2018 (the implementation of the Data Protection Act 2018)
- The subject is aged under 18 (Parental permission should be sought in this instance)
- The subject is clearly identifiable
- The subject is the focus of the record, rather than an incidental feature
- The record is made in a private setting, rather than, for example, in a street

Below are two examples showing when it **would be** expected that a Consent form is required:



Historic England Archive DP147947



Historic England Archive DP183409

There **would not** be a requirement to provide consent forms for these two examples:



Historic England Archive DP218266



Historic England Archive DP234096

Instructions

You should ask any subjects featured in audio, video or photography to give their consent by completing and signing a paper copy of the Picturing High Streets Consent Form. If it is not possible to fill in a paper form, please ask them to fill out the form electronically.

The Picturing High Streets Consent Form can be found here:

<https://historicengland.org.uk/get-involved/high-street-culture/picturing-high-streets/>

If you have any queries, please email: PicturingHighStreets@HistoricEngland.org.uk