



PHOTO, VIDEO AND LIVE STREAMING GUIDANCE FOR LEAGUES, CLUBS AND COUNTIES

THIS GUIDANCE APPLIES ONLY TO THE RECREATIONAL GAME

The ECB is keen to promote positive images of individuals playing cricket and does not wish to prevent live streaming, video recording, photography or any other form of capture or use of audio visual materials ('Streams, Photos and Recordings'). However, the ECB wishes to ensure that Streams, Photos and Recordings within cricket are captured and used appropriately.

Tip 1

As a general principle, if the capture and use of images and footage is not clearly enough explained to individuals or you do not have the necessary consents – you should not be live streaming, photographing or videoing the individual

The introduction of proportionate controls on the use of photographic equipment (cameras, and videos, including mobile phones) and the use of social media is part of general data protection and safeguarding good practice in a club.

The ECB's UK GDPR guidance for clubs is available at <https://www.ecb.co.uk/news/672545>. You can also find detailed information on data protection compliance on the Information Commissioner's website at www.ico.org.uk

The ECB's 'Safe Hands' safeguarding resources are available at:
<https://www.ecb.co.uk/safeguarding/safeguarding-resources>

Cricket leagues, clubs, counties and any other person or body under the auspices of the ECB (each a **Cricket Organisation**) will sometimes be considering taking or using photos or video recordings of matches, practice, coaching or other training sessions and other cricket related activities or to live stream them.

These activities may be for a wide range of purposes such as coaching and team development, promotional activity and sometimes the Cricket Organisation will want to allow its sponsors or commercial partners to use the photographs or recordings themselves or to be able to live stream for their own purposes.

There are legal implications of capturing, using and sharing Streams, Photos and Recordings and it must be done responsibly and in compliance with the law and, in particular, data protection law.

This Guidance gives an outline of how your Cricket Organisation can capture and use Streams, Photos and Recordings and allow others to do so within the confines of the law and good practice.

This Guidance provides an outline of the key responsibilities your Cricket Organisation has when capturing and using Streams, Photos and Recordings.

This is a summary guide to the ECB's approach only. It does not include a full list of the things you have to do to satisfy the rules and is not legal, financial or commercial advice. It is provided to you merely to give you an introduction to some of the things your Cricket Organisation should do when taking or using Streams, Photos and Recordings or allowing others to do any of these things.

The ECB is not liable for the actions taken as a result of this Guidance and you should take your own advice before making any decisions or acting on the content.

Step 1 | Nominate a contact for your Cricket Organisation

Each Cricket Organisation that wishes to live stream or capture, use or publish audio-visual materials of players, match officials, umpires, scorers, spectators or anyone else in the context of cricket-related activity or to allow another organisation to do so should nominate a person within that Cricket Organisation to be responsible for the Streams, Photos and Recordings.

The Cricket Organisation will need to ensure that no unofficial photographs or recordings are made or streamed by players, umpires, scorers or anyone else and for compliance with the Cricket Organisation's policies, League policies (where applicable) and the law.

Step 2 | Consider the purposes for which you want to live stream, photograph or make recordings

You cannot get permission or consent for live streaming, photography or for making audio-visual recordings without being very clear about what you plan to stream, photograph or record and why and what further uses you or others may make of the materials.

Tip 2

The information you need to explain is called 'transparency information' and is usually included in a privacy notice (see [Step 9](#) below for details)

Remember, Streams, Photographs and Recordings may be useful training and marketing tools but they are not to be used to question decisions of umpires or as a Decision Referral System. The primary purpose of the Streams, Photographs and Recordings should not be for use in disciplinary hearings although incidental use for this purpose may be appropriate in some cases.

Step 3 | Ensure you have a live stream, photography and audio visual recording policy

Your Cricket Organisation should have its own policy for live streaming and capturing and publishing photographs and audio-visual recordings.

Tip 3

You may wish to use this Guidance to help you formulate your policy

Your policy should be clear about what is streamed, photographed or recorded. It is highly likely that you will want to record things like boundaries and lost wickets but there is potential for embarrassment and distress that you will need to consider and address.

Where you stream or capture images or recordings of children, you will need to take account of safeguarding in your policy.

Your policy should include directions for dealing with, and reporting on, concerns and complaints.

Step 4 | Get League / other side's permission for any live streaming, photographing or videoing of their matches

No Cricket Organisation should allow photography or filming of matches unless it has been approved by an official of the Cricket Organisation.

If your Cricket Organisation plans to live stream, take photographs, make a recording or publish or share any audio-visual material on any social media platform from any cricket match under the auspices of the ECB (such as League, friendly or cup matches), you will need to notify the League / other side of your intention and must

have their permission, at least 48 hours in advance before doing so. If sufficient notice and permission is not given, the match should not be streamed, photographed or filmed.

Step 5 | Get approval from both teams, the umpires and the scorers

The Cricket Organisation that is live streaming, photographing or recording a match should obtain prior approval from both teams, the umpires and scorers at least 48 hours before the match to allow enough time to get player consents. If there are any objections, the streaming / photographing / recording should not take place.

Step 6 | Consider child protection and safeguarding protocols

Parents / carers should not be prevented from taking pictures of, or filming, children, young people and players. These are normal family practices and help mark milestones in a player's life and can enhance a player and his or her family's enjoyment of cricket significantly.

Your Cricket Organisation should, however, remind parents / carers and others attending matches that they do not have the automatic right to stream or post images of other people's children online. They should also be cautious about tagging other children in any posts that they upload.

Child protection and safeguarding protocols must be followed if junior players or adults at risk in cricket are on the field when filming or photography takes place. If any player's parent has indicated that they are not to be photographed or filmed you should consider the reasons given and where there is risk of harm to the player neither photography nor filming of him or her should be allowed.

Step 7 | Make spectators and other persons attending aware

Spectators and any other persons attending the match or event must be made aware that live streaming, photography and/or audio-visual recording will be taking place. You should do this by displaying a clear and prominent notice.

example

an example venue streaming / photography / filming notice is in the Resource Pack

If a person attending a match is using the ECB's Play Cricket Scorer Pro app, a pop-up box within the app will be triggered ahead of cameras being connected for match highlights or streaming. This pop-up asks the scorer to confirm that both captains and both umpires are happy for the match to be filmed and shared. Scorers should ensure that an official of each Cricket Organisation has given approval before confirming in the app that the match can be filmed or streamed.

Step 8 | Remember – data protection law applies

Images and, potentially, audio recordings of individuals are personal data and you must comply with data protection law (including the Data Protection Act 2018 and the UK GDPR) when live streaming, photographing or recording them, using them or sharing them.

Step 9 | Ensure you have and give an appropriate privacy notice

A key part of data protection law is the requirement to be transparent about what personal data you obtain and what you do with it. This requires your Cricket Organisation Data to give a 'privacy notice' to each person (such as players and umpires) whose personal data you capture in streams, photographs and recordings.

example

an example privacy notice is in the Resource Pack

Tip 4

There are many ways to serve a privacy notice but some examples are:

- provide the individual with a paper copy
- include details in any email invitation you send to the individual asking them to attend
- have a copy of your privacy notice on your website and direct players to that e.g. in a WhatsApp invitation to play

Your privacy notice meets one legal obligation – that of transparency. Obtaining consent is a separate requirement. However, you cannot get valid consent without providing the required transparency information.

Step 10 | Prepare an appropriate consent form

Consent should be obtained in a recorded format such as in a paper format, an email form or in a form on a tablet or other smart device.

example

an example consent form is in the Resource Pack

If a player or any other person to be photographed, recorded or live streamed is under 16 years of age, your form will need to cater for a parent / carer giving permission on their behalf.

example

an example parent / carer consent form is in the Resource Pack

Step 11 | Timing for and obtaining consent from players and, for players under 16, their parent / carer

If your Cricket Organisation plans to stream, photograph or record a League match, to ensure consents are in place in time for the start of the match, the League requires you to get permission from the visiting team(s) at least 48 hours beforehand and to make available a record of all replies / consent forms for inspection by the League's officials on demand (see **Steps 4** and **5** above).

Consent must be sought from each individual before capturing, streaming, sharing or publishing their image, including posting it on the Cricket Organisation's website, Play-Cricket or on social media channels.

Where the player (or other person) is under 16, the consent must be sought from the parent / carer of that player / person. Where a child is over 16, you should make sure that their parent / carer is aware of what is happening and that you have asked for the child's consent.

Tip 5

If a child is to be photographed or filmed and you are aware that he or she is subject to custody arrangements where each parent / carer has custody rights, you should seek consent from each parent / carer.

Clubs should treat it as good practice to contact all of its players and opposition teams at the start of the season to explain that the Club intends to live stream, photograph and/or record audio visuals of matches and to provide details of where they may be streamed or published (such as on social media and Play-Cricket).

If consent is not given for any particular player, the team coach, manager and captain should be made aware of this so that the streaming or capturing of audio visual materials featuring the player can be managed appropriately and in line with your Cricket Organisation's policy (see **Step 3** above), the privacy notice given (see **Step 9** above) and approvals and consents obtained (see **Steps 4, 5 and 10** above) as well as the needs of the individual – particularly in respect of safeguarding (see **Step 6** above).

Step 12 | Site cameras responsibly

It is important that cameras and other recording equipment are sited appropriately. You should avoid siting them in any area where individuals can reasonably expect to have privacy such as in changing rooms.

You should check any ground regulations and get the agreement of the umpires before siting the cameras /or other recording equipment.

Step 13 | Tips for capturing and using images of children and dealing with complaints

- 1 **Spectators.** Avoid capturing images or recordings of spectators, especially children unless you have taken specific legal advice on doing so.
- 2 **Inform the parent / carer.** Each child's parent(s) / carer(s) should be informed a person will be taking photographs, recording a video or audio or live streaming the match / training session.
- 3 **Parent / carer consent.** Where a child is under 16, obtain parent / carer consent to capture or use their child's image and, wherever possible, show the video match day centre to the parent / carer in advance and if you want to publish an image, show it to the parent / carer and the child in advance so that they are aware of the way it will be used to represent cricket and the Cricket Organisation.

Tip 6

Consent in respect of matches and training sessions can be given by proxy by the team coach but only after the parent / carer has given consent to the coach doing so before the match / training session

- 4 **Inform the child.** Each child should be informed a person will be taking photographs, recording a video or audio or live streaming the match / training session.
- 4 **Ask the child for consent.** If the child is over 16, ask the child for consent to ensure they are aware of the way the image or audio visual material is to be used to represent cricket and the Cricket Organisation and that they are happy for this to happen.
- 5 **Combining name and image.** If a child is named (or is otherwise identifiable by, for example, a nickname), avoid using their image alongside the name. If an image is used, avoid naming the child.

Tip 7

There are some circumstances where this will not apply such as when overlaying scorecard data and the player's video footage or using a display name which is publicly seen but is different to the scorecard name

- 6 **Clothing.** Only use images of children in appropriate kit to reduce the risk of inappropriate use, and to provide positive images of the children.
- 7 **Social media.** Be aware that there can be negative consequences to sharing images linked to information about children on social media. Care should be taken when considering "tagging".
- 8 **Privacy settings.** Ensure that adequate privacy settings are in place either restricting or allowing access to photos, personal information, comments about others, friends and followers on social media.

- 9 **Inappropriate image capture.** Clubs, Welfare Officers and other volunteers should be aware and vigilant that some people may use sporting events as an opportunity to take inappropriate photographs or film footage of children.
- 10 **Concerns and complaints.** Concerns regarding inappropriate, or intrusive, photography at a match should be reported to the Club Welfare Officer. The Club Welfare Officer should deal with this immediately by talking to the person concerned and asking them to desist. If the Club Welfare Officer is not present a responsible adult from the club should do so. All such incidents should be recorded and reported in the same manner as any other safeguarding concern. Children should be informed that if they have concerns they can report these to the coach or team manager.

Step 14 | Comply with relevant social media policies

Each social media platform has its own policy for streaming and uploading content. It is your Cricket Organisation's responsibility to familiarise yourself with the relevant policies and to comply with them.

In respect of League matches and activity, each League requires that its social media policy is fully observed and that any clips that players or members of a Club may take from Streams, Photos and Recordings are not used to criticise or vilify any player, umpire or official. You should obtain a copy of relevant League social media policies from the League.

Photo, video and live streaming resource pack for leagues, clubs and counties

venue streaming / photography / filming notice

example

This example is for illustration purposes only and may not reflect all of the needs of your Cricket Organisation. You should take independent advice before using any part of it.

This match is being [live streamed] [photographed] [recorded] by [name of Club] and it may be shown or published on websites and social media. You can see our privacy notice at [specify where they can access the privacy notice e.g. a link to the Club's website]

Some footage may be shared with the Association of Cricket Officials for the training and development of umpires.

Please do not stream or post images of other people's children online or tag them in any posts you upload on social media without the permission of their parent or carer.

If you have any concerns, please contact [specify who to contact] at [contact details]

content of a privacy notice

You will find details of what your privacy notices need to include in Articles 13 and 14 of the UK GDPR but a summary is as follows:

- name and contact details for your Cricket Organisation
- the categories of personal data that will be captured – if you are capturing streams, photographs, recordings or any other audio-visual materials, these will need to be included in your privacy notice
- the source(s) of the personal data – if you get it from someone else such as another Cricket Organisation, other persons attending the match or media/production agencies
- the purposes for which the streams / photographs / recordings will be used. For example, this may include developing and creating materials for new training programmes and initiatives and creating materials for publicity, use in marketing and advertising initiatives

Remember:

- *if you want to use images captured of an incident (even if the umpire has not seen or reported the incident), this must be included in your privacy notice along with reasons for using those images/recording*
- *if you want to use images captured for disciplinary purposes, this must be included in your privacy notice (see Step 2 above)*

- whether you will be sharing the any of the streams / photographs / recordings and, if so, who with and for what purposes

If the Association of Cricket Officials will use any of the footage for training and development of umpires this will count as sharing

- the legal basis for you obtaining / using / sharing the streams / photographs / recordings

This will probably be consent of the individual for most activity although consent is only an appropriate legal basis if the individual has a genuine choice over whether they consent or not. You will find a list of legal basis options in the UK GDPR and the Data Protection Act 2018.

Remember, each purpose and each act of sharing will need to have a legal basis.

- how long you will keep the streams / photographs / recordings (you should be able to get this information from your Cricket Organisation's policy (see Step 3 above))
- if you rely on consent as your legal basis, the consequences of consent being withheld or withdrawn
- which countries the streams / photographs / recordings will be streamed to / published / shared if it is outside of the European Economic Area
- details of the legal rights of the individuals under data protection law

You will find details of these rights in Chapter III of the UK GDPR

consent request

example

This example is for illustration purposes only and may not reflect all of the needs of your Cricket Organisation. You should take independent advice before using any part of it and adapt it to your own requirements and circumstances

[name of Club] will be [making a live stream] [videoing] [taking photographs] of the match between [specify the names of the teams] on [specify the date] at [specify the venue] (the "Match"). In taking part in or attending the Match you may be [included in the live stream ("Live Stream")] [photographed or recorded on audio and/or video (which may include any recording made of a Live Stream (the "Audio Visual Materials"))]. [name of Club] would like to use the [Live Stream] [Audio Visual Materials] for promoting cricket, encouraging participation in cricket and/or for training and education purposes (the "Agreed Purposes"). Please confirm whether you are happy for us to do so by completing this Consent Form.

Our privacy notice includes details of how we will use and protect your personal data and your legal rights in respect of it. You can get a copy from [SPECIFY CONTACT DETAILS AND/OR LINK TO PRIVACY NOTICE ON CLUB'S WEBSITE]

[SPECIFY THE DATA FIELDS THAT THE INDIVIDUAL IS TO COMPLETE, FOR EXAMPLE:

Name (first name and last name)		
Telephone number		
Email address		
I will be attending the Match in the capacity of	Member of staff (specify role) <input type="checkbox"/> Coach <input type="checkbox"/> Umpire / official <input type="checkbox"/> Volunteer <input type="checkbox"/> Parent / carer <input type="checkbox"/> Other (please specify) <input type="checkbox"/>	TICK ALL THAT APPLY

]

DECLARATIONS

- 1) I understand that [name of Club] may [make a Live Stream] [take Audio Visual Materials] of the Match. I understand that cricket is a team game and that, when I attend the Match which is being [live streamed] [photographed] [recorded] it may be unavoidable for me to feature in the [live stream] [photographs] [recordings].
- 2) If I do not give consent for the use of my image or voice to be used as described in this Consent Form, I acknowledge that [name of Club] will try to avoid taking any specific images or recordings or camera shots of me and, where that is not reasonably feasible, they will obscure or crop my image in any publication and will not use my voice in any published materials.
- 3) I understand that, by being [included in the Live Stream] [being photographed or recorded] I may acquire some rights such as copyright, performing rights or moral rights in the [Live Stream] [Audio Visual Materials] that feature me but I agree that those rights will belong to [name of Club] and/or that I am waiving them in favour of [name of Club] and/or the [sponsor of the Match][sponsor of name of Club] so that they can use the [Live Stream] [Audio Visual Materials] as described to me in this Consent Form.
- 4) I understand that once the [Live Stream] [Audio Visual Materials] are in the public domain, [name of Club] will not have any control over any unauthorised third party or any use of them.
- 5) I understand that I do not have to give my consent to the [Live Stream] [Audio Visual Materials] that feature me, but that, if I do, I will be agreeing to the [Live Streams] [Audio Visual Materials] being used for the Agreed Purposes.
- 6) I acknowledge that if I make a live stream or take Audio Visual Materials at the Match, which include other people, it is my responsibility to get all necessary permissions before posting them on social media or sharing those live streams or Audio Visual Materials. If any person attends the Match with me, I will explain to them that the same responsibility applies to them.

Important. Please be aware, if you consent to the [Live Stream] [recording of Audio Visual Materials] which feature you, they may be used in every possible media such as on websites, in advertising / marketing materials, in broadcasts, in training materials, in stadium promotions, in printed publications and communications, and on social media channels.

If you have any concerns, please contact [specify who to contact] at [contact details]

CONSENTS

[Live streaming] [Inclusion in Audio Visual Materials] and use by [name of Club] for the Agreed Purposes

I consent I do not consent

[Live streaming] [Inclusion in Audio Visual Materials] by [Match sponsor][sponsor of name of Club]

I consent I do not consent

Signature	
Signature	
Name (please print first and last name)	
Date signed	

parent / carer consent request

example

This example is for illustration purposes only and may not reflect all of the needs of your Cricket Organisation. You should take independent advice before using any part of it and adapt it to your own requirements and circumstances

[name of Club] will be [making a live stream] [videoing] [taking photographs] of the match between [specify the names of the teams] on [specify the date] at [specify the venue] (the "Match"). In taking part in or attending the Match the child(ren) named below may be [included in the live stream ("Live Stream")] [photographed or recorded on audio and/or video (which may include any recording made of a Live Stream (the "Audio Visual Materials"))]. [name of Club] would like to use the [Live Stream] [Audio Visual Materials] for promoting cricket, encouraging participation in cricket and/or for training and education purposes (the "Agreed Purposes"). Please confirm whether you are happy for us to do so by completing this Consent Form.

Our privacy notice includes details of how we will use and protect your personal data and that of the child(ren) named below and the legal rights you each have in respect of it. You can get a copy from [SPECIFY CONTACT DETAILS AND/OR LINK TO PRIVACY NOTICE ON CLUB'S WEBSITE]

[SPECIFY THE DATA FIELDS THAT THE INDIVIDUAL IS TO COMPLETE INCLUDING SPACE FOR NAMES OF CHILDREN FOR WHICH THE CONSENT FORM APPLIES AND THE RELATIONSHIP THE ADULT HAS TO THE CHILDREN NAMED, FOR EXAMPLE:

Details of child(ren) participating in the Match	Name (please print first and last name)	Age
<i>Child 1</i>		
<i>Child 2</i>		
<i>Child 3</i>		
<i>Child 4</i>		
<i>Details of the parent/carer (as applicable) of the child(ren) listed above</i>	<i>Name:</i>	
	<i>Telephone number:</i>	
	<i>Email address:</i>	
<i>Relationship to child(ren) listed above</i>	<i>Parent</i> <input type="checkbox"/>	
	<i>Carer</i> <input type="checkbox"/>	

]

DECLARATIONS

- 1) I understand that [name of Club] may [make a Live Stream] [take Audio Visual Materials] of the Match.
- 2) I understand that cricket is a team game and that, when the child(ren) named above attend the Match which is being [live streamed] [photographed] [recorded] it may be unavoidable for the child(ren) named above to feature in the [live stream] [photographs] [recordings].
- 3) If I do not give consent for the use of the image or voice of the child(ren) named above to be used as described in this Consent Form, I acknowledge that [name of Club] will try to avoid taking any specific images or recordings or camera shots of the child(ren) and, where that is not reasonably feasible, they will obscure or crop his/her/their image in any publication and will not use his/her/their voice(s) in any published materials.
- 4) I understand that, by being [included in the Live Stream] [being photographed or recorded] the child(ren) named above may acquire some rights such as copyright, performing rights or moral rights in the [Live Stream] [Audio Visual Materials] that feature him/her/them, but I agree that those rights will belong to [name of Club] and/or that I am waiving them on behalf of the child(ren) in favour of [name of Club] and/or the [sponsor of the Match][sponsor of name of Club] so that they can use the [Live Stream] [Audio Visual Materials] as described to me in this Consent Form.
- 5) I understand that once the [Live Stream] [Audio Visual Materials] are in the public domain, [name of Club] will not have any control over any unauthorised third party or any use of them.

- 6) I understand that I do not have to give my consent to the [Live Stream] [Audio Visual Materials] that feature the child(ren) named above, but that, if I do, I will be agreeing to the [Live Streams] [Audio Visual Materials] being used for the Agreed Purposes.
- 7) I acknowledge that if I make a live stream or take Audio Visual Materials at the Match, which includes other people, it is my responsibility to get all necessary permissions before posting them on social media or sharing those live streams or Audio Visual Materials. If any person attends the Match with me, I will explain to them that the same responsibility applies to them.

Important. Please be aware, if you consent to the [Live Stream] [recording of Audio Visual Materials] which feature the child(ren) named above, they may be used in every possible media such as on websites, in advertising / marketing materials, in broadcasts, in training materials, in stadium promotions, in printed publications and communications, and on social media channels.

Safeguarding. The ECB's guidance on the use of images of children is available on www.ecb.co.uk/safeguarding. [name of Club] will take steps to ensure that [Live Streams] [Audio Visual Materials] that feature the child(ren) named above are used solely for the purposes described in this consent form. If you become aware that these images are being used inappropriately you should inform the Club Welfare Officer or ECB Safeguarding Team immediately; safeguarding@ecb.co.uk

If you have any concerns, please contact [specify who to contact] at [contact details]

CONSENTS

[Live streaming] [Inclusion in Audio Visual Materials] and use by [name of Club] for the Agreed Purposes

I consent I do not consent

[Live streaming] [Inclusion in Audio Visual Materials] by [Match sponsor] [sponsor of name of Club]

I consent I do not consent

Signature of parent/carer	
Name of parent/carer (please print first and last name)	
Date signed	