



Monitoring the right to education: Guidelines for gathering informed consent

What is informed consent?

Permission granted by a person with full understanding of the use of their personal information as well as the possible risks and benefits of agreeing to be featured in written, recorded or audiovisual work.

Why do we gather informed consent?

When working on human rights issues, you should consider a person's right to decide whether they want to be featured in written, recorded or audiovisual work.

It is an ethical consideration which protects individuals from exploitation. It is also a legal requirement: in many countries you cannot share, store or publish content if consent has not been obtained.

When to gather informed consent?

Informed consent should be obtained for everyone you gather personal details on through interviews, photographs, videos or audio recordings, individually or when part of a group.

How to gather informed consent?

Signed consent form or audio/video recording

Informed consent can be given in writing or with an audio or video recording using a consent form (see an example in appendix).

- Audio or video consent means someone reading out from your standard consent form whilst it is recorded on a device. To obtain recorded consent, read out the consent form. If using a translator, they should relay any concerns and any questions the interviewee has. As the form is read out to them, the person will consent to different uses by ticking the box or saying yes/no to each individual use.
- If a signed consent form is collected, it can be read out to the individual, or they should take their time to read it.

- If you know that the person you are interviewing is illiterate, don't expect them to sign the form - get a recording or at least verbal consent.
- A fingerprint should not be obtained. Preferably, audiovisual or written consent using the consent form should be obtained. Alternatively, if this is not possible, verbal consent can still be obtained.

Gathering consent from a child or a vulnerable adult

If the person concerned is a child (under 18) or a vulnerable adult, you should obtain consent from their parents, guardians or legal representative. However, carefully explain everything to them in a way which is easy for them to understand. Then get the adult to sign on their behalf if they agree.

- The adult needs to be their parent/guardian or legal representative. The adult should not be a teacher, group leader or village head signing on behalf of a group.
- Do not photograph, video or interview a reluctant child, even if you have parental or guardian consent.

Process to get informed consent

For the person to truly give informed consent, you need to:

- Take time to introduce yourself and your organisation, explain the purpose of the shoot/ interview / focus group, and your work.
- Let the person(s) know why they have been asked to participate ,and how their story will raise awareness on the issues they (you? or 'issues being discussed?') are discussing.
- Explain the advantages and highlight any risks of taking part.
- Clearly explain that interviews can be stopped at any time and they have the right to retract or add anything at the end of the interview, or after you leave.
- Tell them who to contact should they wish to withdraw their consent at any time. These contact details should be left with them.
- All stories need to be given freely. If someone feels uncomfortable after you have explained the purposes and uses of the story, you should not proceed.
- Explain how the content gathered could be used, you can show printed examples from your website or social media accounts.

Gathering consent is not easy in some environments. Here are some guidelines:

- Have your consent form prepared in advance. You will find a consent form example at the end of this document. You should verify if the template meets the national legislation of the country where your organization is based and of the country where you are collecting information. Otherwise, you should add the needed requirements.
- Translate the consent forms into the local language.

- Location: Be mindful that interviewees may prefer a secluded place without others listening-in.
- For images of groups of people, consent should be included in the planning of a trip. You should allocate sufficient time to warn a community that filming is happening on a certain date and time, to allow people the opportunity to give consent or opt out.
- To photograph public buildings such as a school or hospital, depending on the country you may need to gain the permission of a local authority before a content gathering trip starts.
- Photographing at public events: During a public event or gathering you can take pictures of crowds, but when there is a small group or individual posing and making a statement, consent should be gathered. If people are entering a space (e.g. a tent where you are working and capturing photos/video, put up signs which are at an entry point and which are clearly visible and in the local language explaining that they may be filmed. On the same notice, state who you are and direct them to a place where they can read the possible uses for the content, with your contact details if they wish their photo/ video to be deleted.
- During an emergency: During or in the immediate aftermath of an emergency (e.g. natural disaster) we should continue to photograph people with their dignity as a priority, never photographing people in distress or in danger. For large group shots, you do not need to gather consent (e.g. crowds walking in streets full of rubble, people walking in flooded fields or other scenes of people performing activities in public spaces which can be used to demonstrate the impact of the disaster). Consent is required once you enter their refuge or gather personal data such as their name, quotes or any other personal information, e.g. during distribution of supplies.
- It may be useful to take a photo (not for those who want to remain anonymous) of the person holding up their consent form, this makes it easier when you are back in the office to match the photos to the right restrictions. This means consent can be matched to the person easily. If you do this you will need to ensure that the consent name is legible in the photo.

Information collected

- When working with partners, translators or photographers, check all details and spellings with them on the day of the interview or shoot to avoid any confusion or misidentifying of people later on.
- Anonymity: Individuals may wish not to be identified, for legal or other reasons. If that is the case, you need to change names and photograph/video people in a manner that conceals their identity. Reassure people that you will never disclose any personal information such as names, ages, places of birth, locality or any other information which could put them at risk without their consent. Individuals always have the choice of having their story told without being photographed and you can anonymise their story. Remember it will take extra planning if you are filming them.
- When you anonymise a story you need to take extra caution with the questions you ask especially when conducting an audiovisual interview. You must be mindful that other information might get added to the story that may identify the person (Eg. The village name, the names and ages of their children, name of the school where the child studies, signs in the background, clothing that might identify them etc.- When using visual and audiovisual data, consider disabling geotag localisation.
- Child protection: the child's best interest must always be your primary concern. Any information which will identify the location of the child must not be made public. Only first names of children will be used for wider sharing.

Sensitive information

If your interviewee shares information on any of the below you will need to obtain further explicit consent to share this detail. If you are not recording the interview (audio/video) and only writing it down, you

should not add the information to your notes if it is not relevant to the story. If you do keep the information, add a tick box option to the consent form. If you are recording the interview you will have to ask for explicit consent to store, share and use this information, e.g. Can we disclose information about your health?

- race
- ethnic origin
- politics
- religion
- trade union membership
- genetics
- biometrics (where used for ID purposes)
- health
- sex life or sexual orientation
- abuse/sexual violence.

Storage

- Any content collected (multimedia and consent forms, digital and paper copies) have to be securely stored.
- Check if there are specific laws that apply, as for instance the EU General Data Protection Regulation.
- For all content uploaded, it is important to indicate any restrictions of use carefully.

Appendix: Example consent and media release form

Disclaimer: This form is for illustrative purposes only.

[NAME OF YOUR ORGANISATION] in the [LOCATION OF YOUR ORGANISATION] and [NAME OF PARTNER] are conducting interviews in [LOCATION] to obtain photographs, video footage, audio recordings, and interview information concerning [REASON/SUBJECT OF THE RESEARCH].

Some or all of the information, your words, video, photographs or other contributions you make/appear in will be shared by [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER], securely stored and may be used to support our work throughout the world for the following purposes:

I understand and agree that the information, statements, images, and video footage that I provide may be used in many different forms, including:	Yes	No
In digital media, including social media and on the internet		
On traditional media eg. television and/or radio		
In print eg. newspapers and reports		

I agree that some or all of the information, statements, images, video footage or other contributions I make/appear in may be used for any of the following purposes:	Yes	No
To publicise and promote [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] 's work		
In connection with [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] research and/or monitoring and evaluation work		
In connection with [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] campaigns, advocacy, educational and/or media work		
Shared with Partners with whom [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] has a contract with		

I understand that this consent agreement does not constitute a contract for cash, goods or services. It is for a limited time of [NUMBER] years, after which [NAME OF YOUR ORGANISATION] and/or [NAME OF PARTNER] will need to obtain further authorisation from me to use my content, however [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] can continue to store my data.

I understand that if my comments, information, image or video footage is uploaded to social media or other websites, then [NAME OF YOUR ORGANISATION] has no control over the copying or distribution of such material by other internet users. [NAME OF YOUR ORGANISATION] and [NAME OF PARTNER] will however remove all relevant content from Social Media and Internet websites that are directly under its control following your request for removal.

For consent given on behalf of children by parents/guardians/teachers/etc:

We take the safety and security of your children/the community very seriously. We make every effort to prevent revealing information that could reveal the full location and identity of your child (e.g. by omitting family names) and precise location (e.g. by omitting village or school names).

While we prefer to take photographs/videos of your children, if there is any significant reason why this may not be possible, please make this clear to us before photos/video are taken and we will ensure the identity of your child is hidden.

I understand that I can retract my consent at any time and have the contact details of [XXX] who will help me do this if requested.

Contact [XXX] if you need to withdraw your consent or have any questions.

Please sign this form to confirm that you give permission for us to use any interview you have given and videos and photographs that you appear in for these purposes.

Subjects details	
I understand the above and agree to the uses as stated above.	
Date:	
Signature:	
Name and Signature of Parent or Guardian if subject is less than 18 years of age.	
Relationship to child:	

[NAME OF YOUR ORGANISATION]staff member, partner or representative collecting the consent	
Name:	Date:
Signature:	Role/ position and partner organisation name:
Name to be used if the person doesn't want their real name disclosed:	