



UNIVERSITY OF
PLYMOUTH

Photography and Video Policy

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Document Control

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Purpose

This policy is in place to ensure all staff (including temporary and contractors), visitors and students are aware of their responsibilities and outlines how the University of Plymouth complies with the core principles of GDPR in relation to the University's approach to film, video and images taken within its facilities and at its events both ticketed and open.

Related Documents

This policy should be read in conjunction with the following University documents:

- Data Protection Policy
- Records Retention Schedule

Monitoring and Review of the Policy

This policy is subject to review annually by the policy owner.

GDPR Regulation and the Data Protection Act 2018

The **General Data Protection Regulation (GDPR) (EU)2016/679** was approved by the European Commission in April 2016 and applies to all EU Member States from 25th May 2018. As a 'Regulation' rather than a 'Directive', its rules apply directly to Member States, replacing their existing local data protection laws and repealing and replacing Directive 95/46EC and its Member State implementing legislation. It exists in combination with the Data Protection Act 2018. (DPA2018)

As the University of Plymouth processes personal information regarding individuals (data subjects), it is obligated under the General Data Protection Regulation (GDPR) and DPA (2018) to protect such information, and to obtain, use, process, store and destroy it, only in compliance with its rules and principles.

Who does this policy apply to?

Anyone who creates static or moving images for the University of Plymouth that supports recruitment, marketing communications, photographing campaigns, research, people, places and events.

Photographs and videos are used by the University in promotional material to provide information about the University, its programmes of study and research to a wide audience. These materials can range from leaflets, brochures and posters as well as newspapers and web-based publications.

Events

The University will, on a ticketed event, inform attendees via ticket Terms and Conditions on the event's webpages, booking forms/sites and the registration desk that photographs will be taken at the event. Acceptance of the ticket T&Cs creates a contract therefore photographs can be processed without consent. During an open event signage will also be in place at the event itself to inform the public that photographs will be taken but notwithstanding that any photographs taken that allow an individual to be identified cannot be processed without the data subject's express consent.

Consent

Best practice is to obtain, through the University's Model Release Form, written consent from an individual (data subject) and this will include students, staff and non-University models, although staff photographed at their place of work may not be required to offer consent if the terms and conditions of the contract of employment stated that photographing may be required. The photograph reference number should be given to the data subject. The University is required to demonstrate that consent has been given so written consent must be stored securely. With no consent the University of Plymouth cannot use the photograph. When a photograph has approval for promulgation

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by other legal paths, e.g. contract, then the University of Plymouth is able to use the photograph but no text can be associated with the photograph that identifies the data subject.

The Model Release Form provides information to an individual so they can make an informed decision about providing their consent. The form is available [here](#).

There is no time limit on consent but an individual can withdraw their consent at any time.

Should an individual change their mind about the use of their image they should contact dpc@plymouth.ac.uk quoting the photograph reference number. Their wishes must be respected and whilst the University cannot withdraw images which have already been published the images should not be used further.

General photos

If individuals are not identifiable from the photograph there is no requirement to obtain consent to take, display or publish the photo. Individuals in the foreground of photos should be warned and given the opportunity to move away.

Group photos

If practical, individuals within group photos should be asked to provide written consent. However, in large groups this will not be possible but the group will be verbally informed that their image will be taken and the purpose for which it will be used.

If photos are to be taken during a group activity it should be announced in advance so that individuals have the chance to move out of the shot.

If photos are taken in a public area people in the background may be captured on camera. In that situation it isn't practical to obtain consent from all individuals so signage must be provided around the area to inform people that photos are being taken, see Annex A for an example.

Individual photos

When individuals are featured in photos their written consent must be obtained in order for the University to use that shot in publicity and marketing materials.

Personal Use

Photographs taken for personal use only do not require consent of individuals.

Individuals under 18

Parental or guardian consent is required to take photographs of individuals under 18.

External Photographers

External photographers invited to attend University events must be made aware of this policy and the University's obligations under the Data Protection Act 2018.

Storage

In accordance with the requirements of the Data Protection Act 2018 photos must be securely stored with a level of security demanded by GDPR and the Data Protection Act 2018. Images will be used for 5 years after which they are moved in to the University's image archive for future use as a historical record.

Annex A – Example signage to inform people that photos are being taken



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CROWD PHOTOGRAPHY/ FILM RELEASE NOTICE *

Please be aware that by entering this area, you consent to your photograph/footage being used, without compensation, for use in any and all media. And you release the University of Plymouth from any liability whatsoever of any nature.

PLEASE INFORM THE PHOTOGRAPHER/ FILMMAKER IF YOU DO NOT WISH TO BE FEATURED

- * The University of Plymouth would like to photograph/film you, so that we can use your photo/footage in promotional material. The purpose of this promotional material is to provide information about our university, our research and our programmes of study to audiences that may include potential home and international students, parents, members of the public, policy-makers, funders and other stakeholders. Your image may be used in printed media produced by the University of Plymouth and/or other stakeholders, such as prospectuses, guides, training products, magazines and newspapers. It may also be used online, on websites/social media hosted by the University of Plymouth and other organisations.