

Photography and filming policy

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| Policy review area | Students |
| Lead Manager | Deputy COO |
| Approval level | CMG |
| Start date | 19 October 2021 |
| Review cycle | Annually |
| Next review | October 2022 |

1. INTRODUCTION

Greater Brighton Metropolitan College (“we”, “our” or the “College”) is obliged to comply with the General Data Protection Regulation (**GDPR**) and the Data Protection Act 2018 (**DPA**) when we film, take and/or or publish photographs of our students. We also need to consider matters such as child protection and safeguarding before permitting photography/filming of our students.

This policy is should be read in conjunction with [our enrolment privacy notice](#) and [our website privacy policy](#) as they provide important information on how we collect and process a student’s and your personal data, and information as to how a student and/or you can exercise data protection rights.

We will always try to act in the best interests of our students and, generally, we will rely on consent to film, take and/or publish photographs, though in certain instances we may rely on legitimate interest (see ‘use of close-circuit television’ at paragraph 6, below). For further information about the lawful bases on which we rely when collecting or processing personal data, please refer to the [relevant privacy notice](#).

The DPA gives young people rights over their own data when they are considered to have adequate capacity to understand. Most young people will reach this level of understanding at around age 12. For this reason, for the majority of students attending College, it will normally be up to the individual student to decide whether or not to be filmed or photographed. That said, we recognise factors such as peer pressure may influence a decision and the fact that parents / carers / guardians may take a different view to that of the young person in their care. Accordingly, for those students who are under 18, we will look to obtain consent from both the student and a parent, carer or guardian or, irrespective of age, if we feel the student does not have the capacity to consent, from a parent, carer or guardian alone. Where we seek to obtain consent from both a student and the parent, we will need both to consent to the relevant photographs or footage.

If the student is under 18, we would be grateful if you and they would complete and return the attached consent form, or [the electronic equivalent](#).

If the student is 18 or over, they alone need complete the student section of the attached consent form and return the form to us, or [the electronic equivalent](#).

If we have previously advised you that we consider your young person lacks the necessary capacity, we would be grateful if you and they would complete and return the attached consent form, or [the electronic equivalent](#).

We will retain the written or electronic consent from parents until the relevant image is no longer in use. A record of all consent details will be kept securely on file. Should you or your young person, at any time, withdraw consent then all relevant images will be removed and disposed of and the record will be updated accordingly. Note, however, we will not be able to prevent the circulation of images that have already been published.

Ordinarily the following rules will apply to photographs or filming that takes place in our College:

2. PHOTOGRAPHS AND FOOTAGE FOR INTERNAL USE

We may take photographs or film for our own use. Usually, these will be unnamed photographs or footage and will generally be for internal College use but may also include photographs and footage for

publication, such as photos for our prospectus, or to show as slides at different events, such as open evenings, or in social media posts. Unnamed photographs may also be used on display boards, which can be seen by visitors to the College.

When a photograph or any filming takes place, the students involved will be informed that a photograph is being taken and told what it is for so that they can object if they wish, and that will override any consent previously given.

All images taken by the College will be used in a manner respectful of the eight Data Protection Principles. This means that images will be:

- fairly and lawfully processed
- processed for limited, specifically stated purposes only
- used in a way that is adequate, relevant and not excessive
- accurate and up to date
- kept on file for no longer than is necessary
- processed in line with an individual's legal rights
- kept securely
- adequately protected if transferred to other countries

If we want to use named photographs/footage, then we will do so where we have obtained specific consent. If we hire a photographer or videographer to take photographs or film for internal use, we will seek to keep our students safe by:

- providing the photographer/videographer with a clear brief about appropriate content and behaviour
- ensuring the photographer/videographer wears identification at all times
- informing students, their parents, guardians and carers that a photographer/videographer will be taking pictures/filming and ensuring they give written consent to images which feature their child being taken and shared
- not allowing the photographer/videographer to have unsupervised access to students
- not allowing the photographer/videographer to carry out sessions outside the College or at a student's home
- reporting concerns regarding inappropriate or intrusive photography or filming
- informing the photographer/videographer of anyone who does not give consent to being photographed or filmed

We will also ensure that:

- student's full names will not be used on our website in association with any photographs or footage
- we will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications

- we will use images of students who are suitably dressed
- no photography or filming takes place in sensitive areas, such as changing rooms and toilets

3. PHOTOGRAPHS AND FOOTAGE FOR MEDIA USE

We will give proper consideration to the interests of our students when deciding whether to allow external organisations to take photographs or to film. Before a media organisation is allowed to be present in College or at College events, we will ask it to provide:

- the name and address of the person using the camera
- (if possible) the names of students they wish to take images of or film
- the reason for taking the images/footage and/or what the images/footage will be used for
- a signed declaration that the information provided is true, accurate and correct and that the images/footage will only be used for the reasons given.

We will verify these details and decide whether to grant permission for photographs/filming to be taken and will also inform the photographer of anyone who does not give consent to being photographed/filmed. We will only permit a media organisation access if they agree to observe this policy.

Where the media are allowed to be present at a particular event then we will make sure that students and their parents or carers are informed of the media presence in advance. If no objection is received, then we will assume that unnamed photographs may be published where consent has previously been given.

If the media entity wants to publish named photographs, then they must obtain specific consent from those students with capacity to consent or the parents of those without capacity. We will require the media entity to check with the College before publication so that we can check that any objections have been taken into account.

4. FAMILY PHOTOGRAPHS AT COLLEGE EVENTS

It shall be at the discretion of the College as to whether we will allow photographs/film to be taken by a student's family and friends within the College or at a College event. While family and friends taking photographs or filming for personal reasons (such as for the family album) falls outside the scope of the DPA and the GDPR, we recognise that it is not without risk to our students' safety. Where we decide to allow such photography or filming to take place, please ensure that you, your family members and friends comply with the following:

- Limit the circulation of hard copies of photographs of your child to members of your immediate family and those you trust.
- Give consideration to the framing of your photographs so that they may not be inappropriately cropped.
- Only take photographs in public spaces – for example, from the audience at a theatre production or awards ceremony.

- Check your privacy settings before sharing an image so you understand who else will be able to view it.

5.

Do not share or publish any photographs showing our students other than your own on the internet (including any social media), by email, or other electronic means. If you do wish to share or publish a photograph which includes other students, you will need to obtain the consent of those students and/or one of their parents/carer/guardian. Consider the dangers to your young person by “tagging” them in an image you share through social media, such as Instagram or Facebook. We ask that you consider:

- Once posted and shared online any image or video can be copied and will stay online forever.
- Some people do not want their images online for personal or religious reasons.
- Some students and staff may have a complex family background which means that sharing their image online can have unforeseen consequences.

6. USE OF CLOSED-CIRCUIT TELEVISION (CCTV)

All areas which are covered by CCTV will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity. Recordings will be retained for a limited time period only and for no longer than their intended purpose. [This will generally be a maximum of 30 days.] All recordings are to be erased before disposal.

If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.

Please note, that we do not require consent from either the student or parent/guardian/carer to use CCTV at the College.

If you have any concerns regarding the taking or sharing of photographs or footage of your child, please contact the college Data Protection Officer by email to DPO@gbmc.ac.uk. We will treat any such concerns as a priority and in confidence.

Photography and Filming: Consent form

| | |
|------------------------|--|
| Name of student | |
|------------------------|--|

| TO BE COMPLETED BY A PARENT, CARER OR GUARDIAN IF THE STUDENT IS UNDER 18 OR LACKS THE NECESSARY CAPACITY. | | TO BE COMPLETED BY THE STUDENT IN ALL CASES. | |
|--|-----------------------|--|-----------------------|
| Unnamed Photographs: | | | |
| I consent to unnamed photographs of my child being used in College | <input type="radio"/> | I consent to unnamed photographs of me being used in College | <input type="radio"/> |
| I consent to unnamed photographs of my child being used for College use for wider publication – for example, the College prospectus | <input type="radio"/> | I consent to unnamed photographs of me being used for College use for wider publication – for example, the College prospectus and website | <input type="radio"/> |
| I consent to an unnamed photograph of my child appearing in any external publication, including on social media. | <input type="radio"/> | I consent to an unnamed photograph of me appearing in any external publication, including on social media. | <input type="radio"/> |
| Named Photographs: | | | |
| I consent to named photographs of my child being used in College. | <input type="radio"/> | I consent to named photographs of me being used in College. | <input type="radio"/> |
| I consent to named photographs of my child being used in any College publication. | <input type="radio"/> | I consent to named photographs of me being used in any College publication. | <input type="radio"/> |
| I consent to named photographs of my child being used on the College website. | <input type="radio"/> | I consent to named photographs of me being used on the College website. | <input type="radio"/> |
| I consent to named photographs of my child appearing in any external non-College publication, including on social media, previously approved by the College. | <input type="radio"/> | I consent to named photographs of me appearing in any external non-College publication, including on social media, previously approved by the College. | <input type="radio"/> |
| | | | |
| Signed | | Signed | |
| PRINT NAME | | PRINT NAME | |
| Relationship to student | | | |

For further information as to how we use your personal data (including photographs), please refer to our Photography and Filming Policy and our Privacy Notices.