

# Film and Photography Policy

## 1 Introduction

In accordance with the Data Protection Act 1998, an individual's image, whether it is a photograph, or on film or videotape (other than CCTV) is considered to be personal data. Therefore, it must be accorded the same sort of protection as any other personal data under the Act.

This policy is provided to inform staff and students of the required steps to take with regard to film and photography involving images of individuals.

## 2 Policy and Guidance

### 2.1 Personal use

Because pedestrian access to the University grounds and publicly accessible spaces is not restricted, they are considered to be public areas. As with any other public area, filming and/or photography, whether by staff, students, tourists or local residents can take place at any time.

Images which are intended for **personal use** are not subject to the provisions of the Data Protection Act. It should be noted, however, that if a photo or film is posted on the internet, then that use is no longer considered to be personal. The images are then subject to the Act.

Images produced by students as part of their coursework **not** considered to be for personal use.

### 2.2 Lectures

It is recognised that students may want to film their lectures for their own personal use. As a matter of courtesy, students should let the lecturer know beforehand if they wish to film the lecture.

### 2.3 Events

Anyone attending a ceremonial function or reception, or a seminar or convention held on University property, should expect that photos and/or filming might take place at that function.

**No filming or photography is allowed at Arts Centre-sponsored events.** This includes photographs taken with mobile phones. There are copyright issues involved. Anyone conducting such activity without

prior arrangement with, and agreement by, the Director of the Arts Centre may be subject to disciplinary procedures.

For ticketed events, a statement should appear on the bottom of the ticket, and on the programme, if there is one, to indicate that photography or filming may take place during the event.

## 2.4 Express consent

If at any time a person is **specifically** asked to take part in a film or a posed photograph while on University property, then written consent should be obtained prior to using the image(s). This is applicable for both student film and photo coursework, and for photos or film used for official University promotions and/or publications.

If filming or photography is to take place inside a space which is not accessible to the general public, or during an event where such activity would not necessarily be expected, then signs should be placed at **each entry point** to indicate when and why the activity is occurring. This is particularly required if the activity will take place only at certain times. This gives those people not wishing to appear in a photo or film the opportunity to avoid the area while that activity is taking place. If it will not interfere with the photography or filming, you should also place one or two signs inside the room or space.

People specifically asked to take part in photos/films should sign a consent form (see Appendix B). If you need to obtain express consent from a particular person, you should try to do it **before** the activity takes place. If the person signing the form wants a copy of the form, you should try to accommodate them.

Signs for film and/or photo activity within a University building must say

- **when** the activity is occurring (date, start time and end time)
- **why** the activity is occurring (e.g., new Student Handbook, promotional/induction video).

Signs should use a font large enough to be read from a reasonable distance, and you may have to use more than one sheet of A4 to contain all the required information. An example is included as Appendix A.

It is the responsibility of the commissioning department to create and post the signs.

## 2.5 Identification of Photographer

The person doing the photography or filming must be clearly identified. This gives anyone not wishing to be photographed the opportunity, especially in an outdoor area, of staying out of the viewfinder while still being able to use the area during the activity. It also avoids any impression that the activity is being conducted surreptitiously.

A **large, brightly coloured** badge (larger than a normal ID card) with the word “Photographer” should be sufficient. It might be a good idea to test this prior to actually conducting the activity, to see if it is easy to figure out which person in the area is the photographer.

## 2.6 Withdrawal of consent

Any person who has given consent to have his/her image used should also be given the opportunity to withdraw that consent if he/she so desires.

If consent is withdrawn, no **further** use should be made of that person's image. However, it must be recognised by the individual that the University cannot recall documents or other media in which the image has already appeared.

Anyone wishing to withdraw consent can use the e-mail address shown on the bottom of the consent form.

## **2.7 Student work**

It is the responsibility of the course/module lecturer to ensure his/her students are aware of any data protection issues that may affect the students' work.

## **2.8 Web Streaming Video**

Lecturers may wish to video their lectures, seminars, or lab sessions and post the resulting footage on the Web. Anyone wishing to do this should ensure they follow the guidance above with respect to **express consent**, especially since Web-based information is potentially viewable worldwide.

Anyone not wishing to be filmed should be allowed to opt out of the session.

Refer to the sections above on **Express consent** and **Withdrawal of consent** for information about signage and consent forms.

## Appendix A – Perimeter signage

Here is an example of the sort of sign you might use around the perimeter of an area where filming or photography is to take place:

**Filming will take place in this area between 1 PM and 3 PM on 24 September, 2004.**

**This is for a promotional film for the University, to be shown at inductions, Open Days, and other events.**

**If you do not wish to appear in this film, please avoid the area at the times given above.**

## Appendix B – Release Form



Consent for use of images

I, \_\_\_\_\_, from \_\_\_\_\_,  
(print name) (Dept./School)

give permission for the University to use my image (whether a photo or on film) for the following purposes:

All publicity materials/promotional occasions Yes/No (delete as appropriate)

If 'No' to above, please select from the following:

Prospectus	Yes/No	Course literature	Yes/No
Web site	Yes/No	Internal newsletter	Yes/No
Directory entries	Yes/No	Local press	Yes/No
National press	Yes/No	Specialist press	Yes/No
Inductions	Yes/No	Open Days	Yes/No
External promotion	Yes/No	Student Handbooks	Yes/No

Signed \_\_\_\_\_ Date: \_\_\_\_\_

If you wish to withdraw your permission after signing this form, please contact [media-info@brunel.ac.uk](mailto:media-info@brunel.ac.uk). We will cease using your image(s) as of the date of your withdrawal of consent.