

North West Regional College Policy and Procedures

UK GDPR Guide to Photography/ Videography

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North West Regional College

UK GDPR Guide to Photography/ Videography

1. Introduction

North West Regional College is committed to celebrating the dedication and hard work of staff and students. This is achieved through the use of photographs, videos, testimonials and audio recordings. Individuals are encouraged to partake in promotional activities to mark special occasions and achievements.

It is the interests of the College to promote courses, programmes, events and achievements to enhance student and business engagement which supports the economic position of the College.

All images and recordings should be appropriate, necessary and nonintrusive and staff should demonstrate an ethical and responsible approach to processing such information, respecting the rights of individuals who do not wish to participate.

2. Lawful Basis

The College does not require signed consent forms from individuals for photography and videography based on the College's lawful basis under UK General Data Protection Regulations (GDPR) for processing personal data:

UK GDPR Article 6.1(f)¹ – *“processing is necessary for the purposes of **legitimate interests** pursued by the controller or by third party, except where such interests are overridden by the interests of fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child”*.

The College will make individuals aware of photography and videography taking place and where an individual can be identified in a photograph or video image, this is considered as personal data.

Signed consent with use of appropriate signed consent forms will be required for children and other vulnerable adults in compliance with UK GDPR Article 6.1(a)² regarding **Consent** as the lawful basis for processing:

*“the data subject has given **consent** to the processing of his or her personal data for one or more specific purposes”*.

Due to extra consideration required when processing the images of children or vulnerable adults, the College's Consent Form is attached (Annex A) and must be completed for any relevant individual on every occasion.

It is the responsibility of the event organiser to ensure the consent forms have been completed and collated. This is applicable even if Marketing assistance has been requested for an event. It is the responsibility of the organiser to ensure that once collated, Marketing are made aware of any individuals who have 'opted out' and not given consent for inclusion in photography or videography. Consent forms must be retained in line with the FE Sector Retention and Disposal Schedule.

¹ [UK GDPR Article 6\(1\)\(f\) Legitimate Interests](#)

² [UK GDPR Article 6\(1\)\(a\) Consent](#)

3. How Personal Data is Processed

The rights of individuals exist, and they will have the option to 'opt-out' of photography/videography on request. Any requests from an individual to withdraw their consent after images have been taken, should be forwarded without undue delay to dpo@nwrc.ac.uk.

This guidance applies to all College staff, regardless of department, who may take photographs or videos which will or may be used for the purposes of the College including:

- For promotional use, College prospectus, media or marketing;
- For posting images/videos on the College website and student/staff portals;
- For use on social media including NWRC and departmental managed platforms;
- Student profiles

The above list is not exhaustive, and this guidance applies to the use of photography or videography for any of the College's purposes. Graduation ceremonies are regarded as public events and as such these will involve photography and videography.

4. Categories of Personal Data

In promoting the College staff and students via advertising, online presence and reporting success at special occasions such as presentations, award ceremonies, exhibitions, performances, visits by VIPs and activities, the College will process elements of the following personal data:

- Images (videos / photography)
- Testimonials
- Recordings
- Names
- Course Programmes
- Qualifications Achieved
- Awards Attained
- Contact Details (will not be shared publicly)

5. Who Will Have Access to the Personal Data or Who will It be Shared With

To enable the College to promote information as described above, personal data (with the exception of contact details) may be shared with the following parties:

- Newspapers Publishers
- Social Media Platforms (including student & staff College Portals)
- Other Publications (College promotional material, student profile, industry specific publications)

6. Raising Awareness of Photography

The College does not require consent forms except for processing videography and photography for children and vulnerable adults. However to ensure individuals are aware that photography or videography may be used for College promotion, advice will be provided with opportunity to opt-out of any photography or videography and have personal images removed/deleted.

Staff must ensure individuals are suitably notified of occasions where photography/ videography will be present. This can take place by at least one of the three formats below and where possible all three should be established:

1. **Signage** – a pop up sign or banner to make individuals aware that there will be photography/videography at an event. Signage must be used at all events to make individuals aware of the use of photography/videography.
2. **Email** – when inviting individuals to an event, a disclaimer should be included to ensure individuals are made aware that there will be photography or videography at the event and the purposes of any captured images. When emailing an individual to seek permission to do a profile, it is important that this step is also included. The below advice is recommended:

Disclaimer: Please be advised that there will be photography and/or videography taken during this event. Captured images will be considered for inclusion in promotional activities which may include online (e.g. social media platforms), printed publications (including College prospectuses, magazines and marketing material), media/press (including newspaper publishers) and signage (external and individual) and branding. If you do not wish to be photographed or recorded, please let us know. For further information on how we will use images or for further information on your Data Protection rights please refer to: [Privacy and Data Protection | North West Regional College \(nwrc.ac.uk\)](https://www.nwrc.ac.uk/privacy)

3. **Announcements** – these should take place in addition to signage or emailed communication. This is a reminder to individuals that there will be photography/videography and the purposes for which it will be used. Individuals can be directed to signage and our website for further information. The use of announcements can be used when an unplanned opportunity arises. Please direct individuals to the College website for further information, [Privacy and Data Protection | North West Regional College \(nwrc.ac.uk\)](https://www.nwrc.ac.uk/privacy).

It is the responsibility of the Event Organiser to ensure that this is effectively communicated to all attendees.

7. When an Individual No Longer Wishes for the College to Use their Image

Under the UK GDPR individuals have the Right to Object³ to the processing/use of their personal data, i.e. image/s and Right to Erasure⁴ (to be forgotten). In terms of photography/videography, the right to object could be:

1. An individual asking for their image to be taken off social media platforms /College webpage.
2. An Individual requesting that their image is no longer to be used in a College prospectus, magazine or any marketing material.
3. An Individual requested their image is not used for billboards, posters or any other form of advertising.

The above examples are not exhaustive. However, if staff have taken or used an individual's image, and the individual no longer wishes for the College to do so, they can object to its use. The request does **not** have to be in writing. However, it should be recommended that the individual contacts the College's Data Protection Officer for further information (dpo@nwrc.ac.uk).

If a member of staff receives an enquiry, request or potential request, they must forward these to the dpo@nwrc.ac.uk without undue delay.

³ [UK GDPR Article 21 \(Right to Object\)](#)

⁴ [UK GDPR Article 17 \(Right to Erasure\)](#)

ANNEX A: Consent Form (Photography/Video/Testimonial)

I agree that my image/video/testimonial can be used in materials for marketing and publicity related purposes for North West Regional College including printed material (e.g. course guides, magazines, leaflets, posters, pull-up stands etc.) online material (NWRC, social media platforms); press and newspaper publishers and advertising (including print and outdoor billboard).

While this is not a complete list of publicity channels, it is indicative of the channels used by the College for legitimate promotional purposes. The College will use your image/video/testimonial for no more than three years and then it will be archived indefinitely along with this consent form.

Please indicate your consent by ticking the relevant box below.

- Information held by the College will be managed in accordance with the Data Protection Act 2018 and complies with UK GDPR legislation – [Privacy and Data Protection | North West Regional College \(nwrc.ac.uk\)](https://www.nwrc.ac.uk/privacy-and-data-protection)
- Any video recordings and/or photographs are the copyright of the College and any other intellectual property which arises in the recordings will also belong to the College.
 - I can request North West Regional College to stop using my images at any time, by contacting the College's Data Protection Officer via email DPO@nwrc.ac.uk. In this case, while images will not be used in any future publications, they will continue to appear in hard copy publications already in circulation.

Date	Name	Signature	I consent to my image/video/testimonial to be used for (tick relevant boxes)				
			Print	Web	Press	Social	Advert

I **do not consent** for my image / video or testimonial to be used in any College related promotional material

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Signed: _____

Date: _____