



TUS

Ollscoil Teicneolaíochta na Sionainne:
Lár Tíre, An tIarthar Láir
Technological University of the Shannon:
Midlands Midwest

Video and Photography Policy

MARKETING AND COMMUNICATIONS

Revision History:

Date of this revision: May 2024	Date of next review: May 2027
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Version Number/ Revision Number	Revision Date	Summary of Changes	Changes marked
1.0	14/09/2023	New Policy	

Consultation History:

Version Number/ Revision Number	Consultation Date	Names of Parties in Consultation	Summary of Changes
1.0	14/09/2023 Jan – May 2024	Acknowledgement to DkIT for permission to use their policy template Policy Review Committee	

Development and Approval Log:

Responsible for:	Title
Policy Developer:	Marketing and Communications Managers
Policy Owner:	TUS President
Recommended by:	Policy Review Committee
Approving Authority:	Policy Review Committee
Reference Documents:	

Approval:

Version	Approved By:	Date
1.0	TUS Policy Review Committee	22.05.2024

This Policy was approved by TUS Policy Review Committee. It shall be reviewed and, as necessary, amended by the University annually. All amendments shall be recorded on the revision history section above.

Date Approved:	Date Policy to take effect:	Date Policy to be Reviewed:
<u>22.05.2024</u>	<u>22.05.2024</u>	<u>May 2027</u>

Document Location:

Website – Policies and Procedures	X
Website – Staff Hub	
Website – Student Hub	
Other – Internal Use Only	

CORPORATE POLICY DOCUMENT

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1. Policy Introduction

The Technological University of the Shannon: Midlands, Midwest (TUS) uses imagery, videos and Digital Environments for a variety of purposes, including prospectuses, handbooks, guides, display notices, educational purposes, conferences, events, across our social platforms and on the TUS website. It is recognised that staff, students and visitors may also wish to take videos or photos of themselves or their relations and friends participating in TUS events for personal use. Where external bodies look to take photos of TUS students, they need to be informed of and adhere to the TUS Video and Photography policy. Students must give consent before images are used on social media platforms.

The use of photography and videos has immense benefits for our university community however there are significant risks associated with the use of imagery as it is classified as biometric data. Under data protection legislation, TUS has very specific responsibilities in terms of how photos and videos are taken, stored, used and retained. TUS has implemented this policy on the use of cameras and videos by staff, students and visitors to the TUS campuses, in order to minimise the risk to members of the University community and to ensure we are compliant with relevant legislation at all times. This policy applies to all forms of visual media, including film, print, video, DVD and website.

2. Purpose of Policy

The purpose of this policy is to ensure the appropriate capture and use of imagery, regardless of how the imagery is acquired, on all TUS campuses, in order to protect the rights and privacy of individuals.

3. Definitions

For the purpose of this policy:

“Personal use” of photography and videos is defined as the use of cameras to take images and recordings for purely personal use e.g. a parent taking a group photo of their child and their friends at a University event. These photos and videos are only for personal use by the individual taking the photo or video and are not intended to be passed on to public sources. Media used for purely personal use are not within the scope of this policy.

“Official University use” is defined as photography and videos which are used for University purposes, e.g. staff and student identification or official marketing purposes. These images are likely to be stored electronically alongside other personal data (Banner Student System for student data or CORE System for staff details).

“Media/Social Media use” is defined as photography and videos which are intended for a public audience e.g. photographs of students taken at Conferring or other similar event for insertion into local newspaper. Staff may also take photos and videos of students for “educational purposes”. These may be used for a variety of reasons, but may be used for a variety of reasons in house / in School such as course related displays, special events, social events, assessments. Images and videos taken for educational purposes are within the scope of this policy.

4. Scope

This policy applies to all staff, students, contractors, and visitors, on all TUS Campuses

5. Roles and Responsibilities

The following roles and responsibilities apply in relation to this Policy:

Policy Review Committee	<ul style="list-style-type: none"> To review and approve the policy ensuring it meets the requirements of TUS.
Heads of Function in TUS	<ul style="list-style-type: none"> To ensure compliance by staff within their function with this policy. To carry out the tasks as outlined in section 6 of this policy.
Information and Data Compliance Office	<ul style="list-style-type: none"> The registered DPO for TUS is the Vice President for Finance and Corporate Governance. The Information and Data Compliance Office reports to the Vice President. The role of the office is to: To provide guidance, direction, and support on all aspects of Data protection for TUS.
Corporate Policy Unit	<ul style="list-style-type: none"> The Corporate Policy Unit (the policy unit) is also managed by this office. The role of the policy unit is to assist the policy owner and developer with the development, and review process for this policy in line with the Policy Framework.
Marketing and Communications Department	<ul style="list-style-type: none"> To act as the owner of this policy. To liaise with the policy unit in relation to the development and review of this policy. To ensure that the details of the policy are communicated to the relevant stakeholders. To implement this policy for TUS.
TUS Stakeholders – Staff/Students/Journalists/Contractors/Visitors	<ul style="list-style-type: none"> To adhere to policy statements in this and other relevant documents. To report suspected breaches of the policy to their Head of Department and/or the Marketing and Communications Department (policy owner). To contact the policy owner before carrying out any video or photography events in relation to TUS.

6. Policy Statement

- 6.1 The Head of School/Department/Function/ event organiser or designated staff member is responsible for:
- a) Submitting consent forms to data subjects/parents or guardians (including any Primary or Secondary schools) at the beginning of the academic year or in a timely fashion prior to an event being run with regards to obtaining consent to photographs and videos that may be taken whilst on campus or attending a University event.
 - b) Ensuring that all photos and videos are stored, used and disposed of correctly in line with this policy.
 - c) Deciding whether attendees at events who are not part of the University community i.e. parents or friends of staff or students are permitted to take photographs and videos during University events.
 - d) Communicating this policy to all staff members within their remit, the wider University community and other groups they may liaise with.
 - e) Liaising with the Data Protection Officer (DPO) to ensure compliance with data protection legislation.
- 6.2 In accordance with the University's requirements to have a DPO, the DPO is responsible for:
- a) Informing and advising University Management and employees about their obligations to comply with GDPR in relation to photographs and videos at the University.
 - b) Monitoring the University's compliance with the GDPR in regard to processing photographs and videos.
 - c) Advising on data protection impact assessments that Management and employees must conduct re their collection and usage of photos and videos.
 - d) Conducting internal audits in regards to the University's procedures for obtaining, processing and using photographs and videos.
 - e) Providing training to staff members on the processing of personal data including the usage of photographs and videos.
- 6.3 Consent
- Consent is defined in Article 4(11) of the GDPR as: "any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.
 - The University understands that consent must be a positive indication. It cannot be inferred from a data subject's silence, inactivity or pre-ticked boxes.
 - Consent will only be accepted where it is freely given, specific, informed and an unambiguous indication of the individuals wishes.
 - Where consent is collected a record must be kept documenting how consent was given and when it was last updated.
 - Consent mechanisms must meet the standards of GDPR. Where the standard of consent cannot be met, an alternative lawful basis for processing the data must be identified. Where no lawful basis is identified the processing of the data will cease.
 - Where a child is under the age of 16 the consent of the school or parents/guardians, and the assent of the child, will be sought prior to the processing of their data.

- When an event on campus requires consent from minors for photographs to be taken, it is the responsibility of the event organiser to obtain a hard copy of such written consent from the schools/parents/guardians, prior to the event and or photographs being taken and a record of such consent kept on file.
- As such, a copy of written consent needs to be shared with the press and communications team, prior to issuing photos of minors to press.
- Consent forms will need to be completed on an annual or event related basis.
- The consent form will be valid for the academic year or for the event being signed up to.
- If there is disagreement over consent or if a parent or guardian does not respond to a consent request it will be treated as if consent has not been given and photographs and videos of the individual will not be taken or not published, whichever is appropriate.
- Consent can be withdrawn by email to the Information and Data Compliance Office at any time during the academic year at: datacompliance@tus.ie

- A list of all individuals or their parents/guardians who have opted out of their images being used should be created and maintained by the relevant Head of School/Department/Function/delegated staff member or event organiser. It should be updated annually while the data subject is connected with the University.

6.4 General Procedures

- The taking of photographs and videos of students, staff and others should be carefully planned before any activity takes place.
- The IDCO should be consulted for advice through a planning/review meeting annually and as necessary throughout the year.
- When organising photography or videoing campaigns the following should be considered:
 - Can general shots of classrooms or theatres or group activities rather than individual shots of individuals be used to fulfil the same purpose?
 - Could the camera angle be amended in any way to avoid individuals being identified?
 - Will individuals be suitably dressed to be photographed and/or videoed?
 - Would it be appropriate to edit the photos in any way for example to remove logos that may identify the individuals?
 - Are the photographs and videos completely necessary? Could alternative methods be used for the same purpose?
 - The list of all individuals of whom photographs and videos must not be taken should be checked prior to the actual activity. Only individuals for whom consent has been obtained will be able to participate/have shots taken of them.
 - University equipment only should be used to take photographs and videos of individuals. (Exceptions outlined at Section 7 of this policy).
 - The University will not use photographs of students or staff members who have left the University without proper consent.
 - Photos and videos that may cause any distress, upset or embarrassment will not be used.
 - Any concerns relating to inappropriate or intrusive photography or publication of content is to be reported to the DPO of TUS.

6.5 University owned Devices

- Staff are encouraged to take photos and videos of students using University equipment; however, they may use other equipment such as University owned mobile devices where the DPO has been consulted and consent has been sought from their Head of School/Department/Function as appropriate and prior to the activity.
- Where University owned devices are used, images and videos will be provided to the University at the earliest opportunity and removed from any other devices.
- Photographs and videos taken by staff members on University related trips or visits may only be used for multiple purposes e.g. to put on display or to illustrate the work of the University where consent has been obtained.
- Digital photographs and videos should be held on the University's network and accessible by authorised staff only. The content should be stored in labelled files, annotated with the date and the identifiable class group/course name – no other names should be associated with the images and videos. The files should be password protected and only staff members who need to have access should have access to these passwords to minimise access by an unauthorised staff member. Passwords should be updated regularly.
- Staff cannot share images/image library with students or students should not have access to the image library.

6.6 Use of Professional Photographer / External Vendors

Where the University decides to use a professional photographer for official University events, the Head of School/Department/Function/event organiser should:

- Provide a clear brief to the photographer about what is considered appropriate in terms of both content and behaviour.
- Issue the photographer with identification – which must be worn at all times during the event so individuals know he/she is there at the University's request.
- Let all participants – staff, students, visitors etc know that a photographer will attend the event. Ensure the individuals concerned are aware of their rights in relation to the taking of images or videos.
- A data sharing agreement setting out the responsibilities of all parties must be in place before the event commences.
- Staff members designated as 'official' photographers must make themselves aware of the conditions of this policy.
- When a vendor / agency / media outlet request to film on campus through the Marcomms office they need to provide proof of Public Liability and Employers Liability insurance. Public liability insurance should be extended to provide a specific indemnity in favour of TUS.

6.7 Permissible photography and video taking during university events

If the relevant Head of School/Department/Function/event organiser permits visitors to take photographs or videos during a university event, visitors will be advised:

- In relation to remaining seated while taking photographs or videos during concerts, performances and other events.
- In relation to minimising the use of flash photography during performances as appropriate.

- That the focus of any photographs or videos should be of the student work as well as relevant relatives, family and friends.
- Avoid disturbing others in the audience or distracting performers when taking images.
- Refrain from taking further images when requested to do so.

6.8 Storage and Retention

- a) Images obtained by the University will not be kept for longer than is necessary for the purpose for which they were collected.
- b) Some images capture events that have or may have historical interest and the University may request that these will be retained for archiving purposes, compatible with the original purpose for collection.
- c) Hard copies of photos and video recordings held by the University will be annotated with the date on which they were taken and will be stored by the relevant administration office. They will not be used other than for their original purpose unless permission is sought from the Head of School/Department/Function as appropriate and data subjects involved. The DPO should be consulted in this regard.
- d) Paper documents will be shredded, and electronic memories scrubbed clean or destroyed once the data is no longer to be retained.
- e) The DPO will audit stored images on a regular basis to ensure that all unwanted material has been deleted.
- f) When an individual withdraws consent, it will not affect the use of any images or videos for which consent had already been obtained. It will only affect any further processing.

Official University photos will be held securely on TUS platforms by the appropriate Dean of Faculty/Head of Department/Function or designated staff member and will only be held in line with the University retention schedule.

7. Policy Compliance / Monitoring and Review

This policy will be reviewed after one year by the policy owner in conjunction with the Policy Unit to ensure ongoing compliance. Any amendments or revisions will be put forward to PRC for re-approval as necessary but in any case, every three years. The next date for scheduled review is February 2027.

Any changes to this policy will be communicated to all staff and students.