

Fact Sheet

Taking and Using Images with Consent



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Queen's University employees often take photographs or videos in the course of their work. Images are used to document events and activities such as conferences, athletic meets or summer camps, to provide visual interest on a website, and to promote the University's activities to the community and the world. We use images in printed and electronic publications, on websites, social media sites, and in radio, television and web broadcasts.

Many of those images will include people. When we photograph or video record individuals, we are collecting their personal information and that collection falls under the requirements of the *Freedom of Information and Protection of Privacy Act* (FIPPA).

Notice and consent

FIPPA requires that we give **notice** when we collect personal information. When collecting more sensitive information, such as an individual's image, we should go further and obtain the individual's **consent**. Notice to the individuals affected can be given verbally or in writing. It should specify the purpose or purposes for which the personal information is intended to be used, and individuals should be afforded the opportunity to consent. Consent may be express (either verbal or written) or implied. For some informal situations, implied or verbal consent is sufficient; however, in most cases, it is best to obtain written consent. Where children are concerned, consent of the parent or guardian is required.

Photographs or videos must not be used or disclosed for purposes that were not identified in the original collection notice unless the individuals in the photos or videos have consented to the new use or disclosure.

Images taken in public spaces

In general, it is not considered an unjustified invasion of personal privacy to take an image of an individual that simply records attendance on campus or walking down a city street. However, public expectations of privacy are changing and it is recommended that if an individual is identifiable, or potentially identifiable, or is the dominant feature of an image, a written consent form should be obtained. Similarly, if the context may be considered sensitive, such as an image of a student entering a medical clinic, then written consent should be obtained. Other situations where sensitivity is required include prayer spaces, memorial services, and in student residences.

Form downloads

[A general-purpose consent form](#)
(PDF 60 KB)

[A consent form for parents / guardians regarding images of children](#) (PDF 60 KB)

[An editable notice of photography / videography activity at events](#)
(Word 70 KB)

Keep completed forms for as long as the photos or videos are being used by Queen's University.

Images taken at events

For large events such as conferences, sporting competitions, or alumni gatherings where obtaining individual consent for group shots may not be practical, a notice should be posted alerting attendees that they may be photographed or video recorded. The notice can be posted on a website in advance of the event and can also be posted in a prominent location at the event as well.

Images taken in the classroom as part of a course

If video recording, audio recording, or photographing students in a specific activity is required to facilitate learning and feedback and/or evaluation of students' attainment of a learning objective of the course, then consent of students is not required. However, notice of such activity must be included in the syllabus at the beginning of the course.

Images taken by students

Almost every student now has a cellphone that is capable of capturing still and moving images and audio of other individuals. Students are not bound by FIPPA the way employees are; however, we can set expectations for how they interact with others on campus. In the classroom, if a student wanted to record others for a personal purpose, we would require the student to respect the privacy of the other students by seeking their consent. Instructors have intellectual property rights in their own teaching materials and accordingly, any recordings or images should be taken only with the instructor's permission.

Third-party photographers

If a third-party photographer is taking photos or videos on campus for its own purposes, the third party must abide by any legal requirements and comply with rules established by Queen's University. Third parties should be informed that Queen's is covered by FIPPA and that they must respect the privacy of our students. We would expect third parties taking photographs or making video or audio recordings to ask the subjects for their consent.

Questions?

See Queen's University's [Photo and Video Guidelines](#) for a full understanding of best practices for planning, producing and managing Queen's photo and video assets.

If you have questions regarding privacy and records management, contact the [Records Management and Privacy Office](#).