



BRACEBRIDGE PUBLIC LIBRARY POLICIES AND PROCEDURES

CATEGORY: Facilities Use #2

SUBJECT: Photographic, audio and video media

POLICY REPLACING: Release of photographic and other materials April 12, 2011

BOARD APPROVAL DATE: June 13, 2017

PAGE: 1 OF 2

RATIONALE:

The collection of photographs and video is done under the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA) for a number of purposes including promotion and documentation. The privacy of library patrons and visitors and Library staff must not be violated. This policy establishes guidelines for the collection and use of photographs, videos and other media by staff of the Bracebridge Public Library. It establishes under which conditions photos, audio and videos may be taken by the public, creative film industry or news media.

DEFINITIONS:

Express Consent: Express consent is obtained through specific written agreement of an individual by means of a completed and signed individual consent form.

Implied Consent: Implied consent is obtained based on the actions of the individual and the specific circumstances. Consent may be implied if the person is advised that their image may be collected, used and disclosed. For example, if Bracebridge Public Library staff advises that pictures may be taken at a certain time or place at a Library organized event and people attend knowingly.

Recording: Any photograph, audio or video recording or other reproduction obtained via a media device.

Minors: Individuals who are under the age of 18.

POLICY STATEMENT:

No video, audio or photographic recordings are permitted in the Library without the express permission of the Library CEO or his/her designate.

The CEO may give permission under the following circumstances:

- promotion
- instructional
- archival purposes

“Selfies” and personal photographs will also require permission of the Library CEO or his/her designate in order to ensure the privacy of other patrons.

Anyone who photographs or records without permission will need to obtain permission or may be asked to delete the unauthorized material and/or leave the premises. Staff will attempt to notify anyone who may be identifiable in the recording. Staff will complete an Incident Report form following the event, even if the situation was resolved. Permissions given will be noted on the form.



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Obtaining Permission

In the event that the CEO or his/her designate has authorized recordings by any media, the following steps will be taken:

- 1) An announcement will be made to the attendees of the event that a recording may be taken. Signs will be posted at the event with the same information. As long as implied consent has been obtained during an event, a Recording Consent Form is not required. Staff will honour any request by individuals to not be included in the recording.
- 2) A consent form is required for an identifiable person featured as the subject of a recording, unless if the identifiable person is a public figure, and because of their position or professional duties is brought into the public arena (e.g. the Mayor or members of Council). Permission will also be required for copyrighted material.

The Bracebridge Public Library cannot use a photo/video that has been provided by a third-party eg. community partner, where permission has not been obtained for collection and use by the third party.

Identifiable photos/videos of minors require express or implied consent which can only be provided by parents/legal guardians.

Staff Identification

Library staff that are working during a Library event and are responsible for taking photos/videos must wear appropriate Library identification.

Library staff are required to introduce themselves to potential subjects that may be featured in photography/video images for the Library.

Requirements for Use

If a group or adult is not the sole focus of the photo/video being taken then it is reasonable that the photo can be used for the purpose of the function i.e. to capture the history of that specific event. However, the photo should not be used as a representation or promotion of a different purpose.

Photographs & Videos by the Public

Library buildings may not be used as the setting for creative film or video without the written consent of the CEO. Student projects may be allowed but require permission of the CEO or his/her designate.

The use of photography or video equipment should not disturb Library patrons.

RELATED DOCUMENTS:

Acceptable Computer & Electronic Devices User Agreement

Standard of Acceptable Behaviour Policy

Supreme Court of Canada, Aubry vs Editions Vice-Versa, 1998

Municipal Freedom of Information and Protection of Privacy Act