

1. POLICY OBJECTIVE

- 1.1. To establish guidelines for the collection and use of photographs and videos by staff of Ajax Public Library and to establish under which conditions photos or videos may be taken by the public, creative film industry, or news media.

2. SCOPE

- 2.1. This policy applies to all employees, as defined in the Employment Standards Act, 2000 and Library customers, or other contractors/visitors on/in Library premises.

3. DEFINITIONS

The following definitions should be used when reading this policy:

- 3.1. **Expressed Consent** - consent obtained through specific written agreement of an individual by means of a completed and signed individual Photo Consent Form.
- 3.2. **Implied Consent** - 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 if they do a certain thing (ex if Ajax Public Library staff advises that pictures may be taken at a certain time or place at a Library organized event and people attend knowingly.)

4. PROCEDURES

4.1. Obtaining Permission

4.1.1.A Photo Consent Form must be completed and signed by each identifiable person featured in a photo or video that is considered to be the subject before the photo/video can be used.

4.1.2.Photo Consent Forms are not necessarily required if:

4.1.2.1. an identifiable person is not the subject of the photo, but is one of a group in a public place and there is implied consent (a crowd scene for example); or,

4.1.2.2. if the identifiable person is a public figure, and because of their position or professional duties is brought into the public arena (ex. local or regional politicians).

4.1.3.In gaining implied consent Library staff must take reasonable action to notify potential subjects of photography/video activity. This can be done several ways (ex. posting a notice of photography/video activity on the website event listing, signage displayed at the event, announcing this activity during an event in person or online, through registration).

4.1.4.Followers who post content to Ajax Public Library social media accounts (i.e. tagging) may do so of their own accord. Posts of identifiable subjects uploaded by customers/members of the public are clearly identified as originating from customers/members of the public, and not from the Library. When reposting from public accounts, the Library will make every effort to clarify that the Library was not the original creator or generator of the image being shared.

4.1.5. The Library cannot use a photo/video that has been provided by a third party (community partner) where permission has not been obtained for collection and use.

4.1.6. Children under 18 must have permission of the accompanying parent/guardian.

4.2. Staff Identification

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

4.2.2. Library staff are required to introduce themselves to potential subjects that may be featured in photography/video images for the Library, unless photos are of large groups where this would not be feasible.

4.3. Requirements for Use

4.3.1. Photos featuring identifiable persons to be used in digital or print promotional materials must have the required Photo Consent Form on file.

4.3.2. 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.

4.3.3. Regarding children, the Library will use or display no more than the child's first name, last initial, and age or grade to identify photographs or videos.

4.4. Photographs & Videos by the Public

4.4.1. Library buildings may not be used as the setting for creative film or video without the written consent of the Library. Student projects may be allowed but require permission of the staff member in charge.

4.4.2. Filming for commercial purposes on Town property may require a Town of Ajax Film Location Permit be completed, submitted, and approved (associated fees may apply).

4.4.3. Press and other news media seeking to take pictures or video inside the Library must receive permission from the Chief Librarian & Executive Officer or designate. Ajax Public Library Photo Consent Forms do not need to be used in the case of a third party (ex. local media) taking photos for their own use.

4.4.4. The use of photography or video equipment should not disturb Library customers or invade a person's privacy.

4.4.5. Video or photography of children, other than one's own, without express permission of the caregiver will be considered a breach of this policy.

5. ROLES AND RESPONSIBILITIES

5.1. Management

Management is responsible for the following items and will:

- 5.1.1. Ensure Photo Consent Forms are available for use by Library employees who may be capturing images within the Library or at Library events, and ensure appropriate use and retention.
- 5.1.2. Ensure images/videos used in external publications and promotions have associated Photo Consent Forms where applicable. Respond to any request for the removal or redacting of images/videos of an individual or person within their care.

5.2. Employees

Employees are responsible for the following items and will:

- 5.2.1. Use Photo Consent Forms and identify themselves as Library employees when capturing images/videos in Library spaces/programs and submit forms for filing/retention.
- 5.2.2. Provide adequate notice that photography/filming may occur at a Library program/event.
- 5.2.3. Respect direct requests from customers that they or the individuals in their care not be captured in photos or videos.
- 5.2.4. Inform visitors and customers to/of the Library of the policy when necessary.

6. RELATED INFORMATION

Corporate Policy and Procedures Manual including the following policies:

- 6.1.1. LIB-AP-089 Acceptable Behaviour Policy
- 6.1.2. LIB-030 Photographing, Filming, and Video Recording Permission Form
- 6.1.3. LIB-043 Photo Consent Form Adult 18 and Over
- 6.1.4. LIB-044 Photo Consent Form Age 17 and Under
- 6.1.5. PLD-083 Town of Ajax Film Permit

7. Inquiries

For further information regarding this policy, contact Library Administration.