

## Taking Photographs in Schools

While visiting a prominent school in Nassau, the headmaster enquired about the Commissioner's position on the issue of taking and publishing photographs of children at school. The aim of this guidance note is to give advice on taking photographs in educational institutions and whether doing so must comply with the DPA.

### Recommended Good Practice

The DPA is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the DPA should not be wrongly used to stop people taking photographs or videos which provide many with much pleasure.

Where the DPA does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance.

Photos taken for official school use may be covered by the in house school policies and the DPA but pupils and students should be advised why they are being taken.

Photos taken purely for personal use are exempt from the DPA (Section 5).

### Examples

#### Personal use:

A parent takes a photograph of their child and some friends taking part in the School Sports Day to be put in the family photo album. These images are for personal use and the DPA does not apply.

Grandparents are invited to the school nativity play and wish to video it. These images are for personal use and the DPA does not apply.

A small group of pupils are photographed during a science lesson and the photo is to be used in the school prospectus. This is unlikely to be personal data and the DPA wouldn't apply.

#### Media use:

A photograph is taken by a local newspaper of a school awards ceremony. As long as the school has agreed to this, and the children and/or their guardians

are aware that photographs of those attending the ceremony may appear in the newspaper, this will not breach the DPA.

### **Further Information**

If you require any further information about this or any other aspect of the Data Protection, please e-mail us at [dataprotection@bahamas.gov.bs](mailto:dataprotection@bahamas.gov.bs) or visit our Website [www.bahamas.gov.bs/dataprotection](http://www.bahamas.gov.bs/dataprotection).