

Acceptable Use of Devices to capture and use Photographs and Electronic Images

3.4. Providers must be alert to any issues for concern in the child's life at home or elsewhere. Providers must have and implement a policy, and procedures, to safeguard children. These should be in line with the guidance and procedures of the relevant Local Safeguarding Children Board (LSCB). The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting. (EYFS 2014)

St Giles Nursery School needs and welcomes positive publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. Making use of photographs in school publicity materials can increase pupil motivation and staff morale, and help parents and the local community identify and celebrate the school's achievements. The aim of this policy is to protect children from harm by ensuring the appropriate management and use of mobile phones, cameras and electronic devices which may capture photographs or electronic images by everyone who comes into contact with the Nursery. However, photographs must be used in a responsible way. St Giles Nursery School respects young people's and parents' rights of privacy and be aware of potential child protection issues.

Lincolnshire County Council's view is that schools need to balance potential risks against the advantages of promoting the school in a colourful and attractive way. Risk can be minimised by following the advice in this document and in securing parental consent for the use of photographs/videos. The school should develop a policy in relation to the use of photographs/videos in school publicity materials, on its website, in newspapers and/or outside agency publications, as well as parent permissions for photographing and filming children at school events. The school should make sure that parents are aware of this guidance.

Some of the potential risks of photography and filming at events include:

- children may be identifiable when a photograph is shared, beyond nursery, with personal information;
- direct and indirect risks to children and young people when photographs are shared on websites and in publications with personal information;
- inappropriate photographs or recorded images of children;
- inappropriate use, adaptation or copying of images.

St Giles Nursery School staff do not use children's names in photograph captions. If a child is named we avoid using the photograph. The Online Learning Journeys (Tapestry) used to share photographs are secure for parents to access. Parents assume responsibility for the sharing of information. The purpose and context for any proposed images should always be considered to decide whether a photograph or video are the most appropriate method of recording the information.

We use a parental permission form to obtain consent for a child to be photographed and videoed on admission to the nursery. The purpose of taking any images is to be clearly explained for example marketing of the business, prospectus, website, or local newspaper, use in display and to document children's learning. Each reason is to be clearly explained and agreed with an option for parents/carers to refuse any or all of the discussed uses and to withdraw consent at any time. Any consent should be reviewed on a regular basis and at least annually. Permission slips include prohibiting parents the permission to share photos on social media. St Giles Nursery School supports the ICO Guidance (2014)

which does not prohibit parents, friends and family members from taking photographs of their child and friends participating in school activities for the family album and they can film events at school to watch at home.

We verbally and visually obtain the child's permission to use their image, by sharing the photo and explaining where this will be shared in draft form.

Where group photographs of children are to be taken, written permission must be obtained from all parents /carers who have the right to refuse.

All images are to be stored and disposed of in line with Data Protection Act 1998. If images are to be stored for a short period of time (1 year) they must be password protected on a computer storage device. All stored images will be disposed of within 3 years. Photographs must be appropriately disposed of should they be no longer required. This could include giving the images to parents, deleting or shredding.

St Giles Nursery School only uses images of children in suitable clothing to reduce the risk of inappropriate use. Some activities, for example swimming, present a much greater risk of potential misuse.

St Giles Nursery School will state written expectations of professional photographers or the press who are invited to an event. These should make clear the nursery school's expectations of them in relation to child protection. We do not allow photographers unsupervised access to children. We do not approve photography sessions outside the event or at a child's home. We will issue the photographer with identification which must be worn at all times. St Giles Nursery School will advise children and parents that a photographer will be in attendance at an event and ensure they consent to both the taking and publication of films and photographs.

If children or parents have any concerns about inappropriate or intrusive photography, they should report them to the event organiser who should record them in the same manner as any other child protection concern. If schools or parents have concerns regarding the use of filmed images by TV companies, they should contact the Office of Communications (Ofcom).

At group events in nursery, we may choose not to permit any parental photography/ filming, but having events recorded via official video/photographs taken by an individual with appropriate safeguarding clearance.

Security procedures must be monitored and reviewed regularly by the designated safeguarding officer. The security procedures include protection against theft of equipment and computer security. The Head teacher will decide whether the publication of a photograph /video might pose a risk to a child.

Images must not be used for anything other than the agreed purposes unless additional consent is obtained.

Consent for the use of images applies to adults as well as children.

St Giles Nursery School will never use an image of a child who is subject to a Court Order.

Reference Points

NSPCC via www.nspcc.org.uk or 0808 800 5000

Information Commissioner www.ico.gov.uk

Privacy and Data Protection/2014/Volume 14/Issue 6, June/Articles/Parental

photography at school events: going beyond the exemption in section 36 – PDP 14 6 (7)

See also 'Section B06 -Data Protection Matters – DPA Model Policy' in this Handbook

Contact Points

Safeguarding Children Officer 01522 554668

Schools Liaison Officer 01522 554884

Legal Services Lincolnshire 01522 552039

Date Reviewed 28th September 2016.....

Reviewed by 

For sample letter see Appendix 1.

Appendix 1

School Details etc.

Dear parent,

Atschool, we think it is important to use photographs of our pupils enjoying the varied activities of school life to promote the positive aspects of the work that we do.

We use photographs in our internal publicity materials such as school brochures and booklets, on our corridor and classroom displays, for staff training and assessment purposes and on our web site. From time to time, articles and photographs of special events will appear in newspapers.

To do all we can to ensure all photographs of our pupils are used correctly, we undertake to;

- Obtain your permission each year to use photographs of children, including newspaper publication;
- Observe the County Council’s guidelines on the use of photographs;
- Only use photographs for the purposes stated above;
- Store all electronic images securely and destroy them when your child leaves the school.
- Ask that you follow our policy when you take photographs of your child at school events.

I assure you that we have a responsible approach to the use of photographs and do hope that you are able to support us in publicising the many positive aspects of the work that we do.

I would be grateful therefore, if you are in agreement with our intentions, that you complete the slip below and return it to.....at school, by....., and this will act as your consent to your child(ren) being photographed for the coming year. Next year a new form will be required.

Yours etc.

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To the head teacher,school.

I have read and understood the school policy on the use of photographs and hereby give my consent that photographs of my child(ren)..... are used for the purposes stated in the policy.

I further agree that I consent to images of my child(ren) appearing on the school web site, subject to the necessary controls being in place.

Signed..... Date.....

Name.....Child’s class no.....

Comments.

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