

CHIDDINGSTONE NURSERY SCHOOL

Chiddingstone Castle
Hill Hoath Road
Chiddingstone
Edenbridge
Kent TN8 7AD

Telephone: 01892 871315
Email: chiddnursery@btconnect.com



Image Use Policy and Procedure

Written by	Jill McCoy and Sam Wells
Ratified on behalf of Management Committee	September 2019
Date for Review	September 2020
Signed - Co-Chair (s) of Management Committee	
Signed - Nursery Leader	

This policy will be reviewed and ratified at least annually and/or following any updates to national and local guidance and procedures.

This policy has been impact assessed by Jill McCoy in order to ensure that it does not have an adverse effect on race, gender or disability equality.

Statement of Intent

Chiddingstone Nursery recognises the safety and potential risks for all as well as the value of ICT. The nursery will be responsible for ensuring the acceptable, safe use and storage of all camera/video and other ICT technology and images and ensure that all online safety practice is managed and implemented effectively within the requirements of the law.

Our Designated Person (a member of staff) who co-ordinates child protection issues is:

Mrs Jill McCoy

Our Designated Person (a member of staff) who co-ordinates online safety issues is:

Miss S Wells

Aims

Chiddingstone Nursery uses digital cameras/videos, I-Pads and Tablet computers to document the children's activities as part of play, learning and as a useful tool to support children's exploration and development. Under the General Data Protection Regulation 2018 any photos taken for official Nursery use may be covered by the Act and parents/carers and children should be advised when they are being taken. Photographs for personal use are exempt from the Act. If parent/carers do not give consent for their children's images to be taken, then the Nursery will ensure those wishes are followed and that images are neither taken nor stored.

Procedure

The acceptable use of:

- Internet (including social networking sites)
- Emails
- Storage of documents, including, but not limited to, children's records and images
- Cameras and other photographic equipment
- Mobile phones and other devices
- I-Pads and Tablet computers

Official use of Images/Videos of Children

Scope and Aims of the Policy

This policy seeks to ensure that images and videos taken within, and by Chiddingstone Nursery are taken and held legally and the required thought is given to safeguarding all members of the nursery community.

This policy applies to all staff, including the Nursery Management Committee, cover/support staff, PTA, visitors, volunteers and other individuals who work for or provide services on behalf of the Nursery (collectively referred to as 'staff' in this policy), as well as children and parents/carers.

This policy must be read in conjunction with other relevant nursery policies including (but not limited to) safeguarding and child protection, behaviour, data protection, image use, acceptable use advice, confidentiality and online safety. This policy applies to all images (including still and video content) taken by the Nursery.

All images taken by the Nursery will be used in a manner respectful of the *General Data Protection Regulation 2018*. This means that images will be processed:

- Fairly, lawfully and in a transparent manner
- For a specified, explicit and legitimate purposes
- In a way that is adequate, relevant limited to what is necessary
- To ensure it is accurate and up to date
- Kept on file for no longer than is necessary
- In a manner that ensures appropriate security
- Processed for limited, specifically stated purposes only;
- Used in a way that is adequate, relevant and not excessive;
- Processed in line with an individual's legal rights

The Nursery Leader is responsible for ensuring the acceptable, safe use and storage of all camera technology, associated devices and images within the nursery. This includes the management, implementation, monitoring and review of the Nursery Image Use Policy.

Parental Consent

Written permission from parents or carers will always be obtained before images/videos of children are taken, used or published by the Nursery.

Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This will be in addition to parental permission sought for onsite images.

Written consent from parents/carers will be kept by the setting where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.

Parental permission will be sought on the admission form and specified permission forms in welcome pack. A record of all consent details will be kept securely in each child's individual portfolio. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of, and the record will be updated accordingly.

Under the General Data Protection Regulation 2018 parents/carers have the right to withdraw consent of photos/videos being taken of their child/ren at any time. The nursery will respect any decision made by the parent/carer, and will delete any stored images of the child, and refrain from taking pictures in the future of the child.

Safety of Images and Videos

All images taken and processed by or on behalf of the Nursery will take place using Nursery provided equipment and devices. Staff will receive information regarding the safe and appropriate use of images as part of their General Data Protection Regulation training, also safeguarding training and responsibilities.

All members of staff, including volunteers will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

Images will not be kept for longer than is to be considered necessary. The Nursery Leader will ensure that all photographs are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.

All images will remain on site at all times, unless prior explicit consent has been given by both the Nursery Leader and the parent or carer of any child or young person captured in any photograph. Should permission be given to take any images off site then all relevant details will to be recorded, for example who, what, when and why and how the data will be kept securely, for example with appropriate encryption.

Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably encrypted and will be authorised by the

Nursery Leader. This will be monitored to ensure that it is returned within an appropriate time scale.

The Nursery Leader reserves the right to view any images taken and/or to withdraw or modify a member of staffs' authorisation to take or make images at any time.

Only official Nursery owned ICT devices will be used by staff to capture images of children for official purposes. Use of personal cameras by staff is strictly prohibited.

Any apps, websites or third party companies used to share, host or access children's images will be risk assessed prior to use.

The Nursery will ensure that images are always held in accordance with the *General Data Protection Regulation 2018*, and the *Data Protection Act*, and suitable child protection requirements, if necessary are in place.

Photographs will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted or shredded as appropriate. When a child leaves the setting, their images/videos are deleted, usually within 7 days. Copies will not to be taken of any images without relevant authority and consent from the Nursery Leader and the parent/carer.

Publication and Sharing of Images and Videos

Images or videos that include children will be selected carefully for use e.g. only using images of children who are suitably dressed.

Images or videos that include children will not provide material which could be reused.

Children's' full names will not be used on the website or other publication (e.g. newsletters, news publications, social media channels) in association with photographs or videos, without written prior permission for parents/carers.

The Nursery will not include any personal addresses, emails, telephone numbers, on video, on the website, in a prospectus or in other printed publications.

Usage of Apps/Systems to Share Images with Parents

The Nursery uses Tapestry, a secure online learning journal to upload and share images of children with parents.

The use of Tapestry has been appropriately risk assessed and the Management Committee, Nursery Leader and Deputy has taken steps to ensure all data stored is held in accordance with the Data Protection Act 1998 updated General Data Protection Regulation 2018.

Images uploaded to Tapestry are only taken on Nursery ICT devices.

All users of Tapestry are advised on safety measures to protect all members of the community e.g. using strong passwords, logging out of systems after use etc.

Parents/carers will be informed of the Nursery expectations regarding safe and appropriate use (e.g. not sharing passwords or copying and sharing images) prior to being given access. Failure to comply with this may result in access being removed.

Safe Practice when Taking Images and Videos

Careful consideration is given before involving children, or vulnerable children when taking photos or videos, who may be unable to question why or how activities are taking place. The Nursery will discuss the use of images with children in an age appropriate way.

A child or young person's right not to be photographed is to be respected. Images will not be taken of any child against their wishes. Photography is not permitted in sensitive areas such as toilets, etc.

Use of Webcams

The Nursery does not use webcams. However, should this arise parental consent will be obtained before webcams will be used within the Nursery environment for curriculum or educational purposes.

All areas which are covered by webcams for security or safeguarding purposes will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity.

Recordings will be retained for a limited time period only and for no longer than their intended purpose. This will generally be a maximum of 30 days. All recordings are to be erased before disposal.

Use of Images/Videos of Children by Others

Use of Photos/Videos by Parents/Carers

Parents/carers are permitted to take photographs or video footage of Nursery events for private use only. Parents/carers who are using photographic equipment must be mindful of others including health and safety concerns when making and taking images.

The opportunity for parents/carers to take photographs and make videos can be reserved by the Nursery on health and safety grounds.

Parents/carers are not permitted to take or make recording of their children in the Nursery environment and certainly not permitted in sensitive areas such as toilets areas, etc. The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.

Parents may contact the Nursery Leader to discuss any concerns regarding the use of images.

Photos and videos taken by the Nursery and shared with parents should not be shared elsewhere for example posted on social media site. To do so may breach intellectual property rights, Data Protection legislation and importantly may place members of the community at risk of harm.

Use of Photos/Videos by Children

The nursery will discuss and agree age appropriate acceptable use rules with children regarding the appropriate and safe use of cameras, such as places children cannot take the camera, for example unsupervised areas, toilet etc.

The use of personal devices, such as mobile phones, tablets, smart watches, children's own digital cameras, is covered within the nursery's online safety policy and staff code of conduct.

All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images. Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos.

Parents/carers will be made aware that children will be taking photos/videos of other children and will be informed how these images will be managed by the setting e.g. they will be for internal use by the setting only, and will not be shared online or via digital screens.

Photos taken by children will be viewed by a member of staff before being shared on digital screens.

Still and video cameras provided for use by children and the images themselves will not be removed from the setting.

Use of Images of Children by the Media

Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's, or other relevant media requirements can be met.

A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (such as first names only) will be published along with images and videos.

The identity of any press representative will be verified and access will only be permitted where the event is planned, and where press are to be specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.

Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

Use of Professional / External Photographers

Professional/external photographers who are engaged to record any events will be prepared to work according to the terms of the Nursery's Online Safety Policy.

Photographers will sign an Acceptable Use Policy which ensures compliance with the General Data Protection Regulation 2018, the Data Protection Act 2018, and the nursery's associated policies and procedures. Images taken by professional/external photographer's will only be used for a specific purpose.

Written consent from parent/carers will be obtained to give permission for professional / external photographers to take images of their children within nursery.

Photographers will not have unsupervised access to children.