



## **Image Use Policy**

Date: 29/04/2021

Review Date: 29/04/2022

**Setting Data Protection Officer: Nicola Setford**

**Setting Designated Safeguarding Lead (DSL): Julie O'Neill / Nicola Setford / Rachel French**

### **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 **Pippins Preschool** are taken and held legally and the required thought is given to safeguarding all members of the community;
- This policy applies to all staff including support staff, bank staff, visitors, volunteers and other individuals who work for or provide services on behalf of the school (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 preschool policies including, but not limited to; safeguarding and child protection, anti-bullying, behaviour, general data protection regulations, image use, confidentiality and E Safety;
- This policy applies to all images, including still and video content taken by **Pippins Preschool**;
- All images taken by **Pippins Preschool** will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
  - fairly, lawfully and in a transparent manner;
  - for 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;
  - for no longer than is necessary;
  - in a manner that ensures appropriate security;
- The Data Protection Officer (DPO) within the setting (**Nicola Setford, Manager**) supported by the Designated Safeguarding Leads (DSL) **Julie O'Neill / Rachel French** and staff are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the Image Use Policy.

### **Parental consent**

- Written permission from parents or carers will always be obtained before images and/or videos of children are taken, used or published;
- Written parental consent will always be sought to take and use photographs offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images;
- Written consent from parents 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 an admission to the preschool;
- A record of all consent details will be kept securely on file. 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.

### **Safety of images and videos**

- All images taken and processed by or on behalf of **Pippins Preschool** will take place using **Pippins Preschool** provided equipment and devices;
- Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training;
- 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. A designated member of staff (DPO or DSL) 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, unless prior explicit consent has been given by both DPO and DSL 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 data will be kept securely for example with appropriate protection;
- Any memory stick, CD or storage device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.

- The DPO and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time;
- Only official setting owned equipment and cameras will be used by staff to capture images of children for official purposes. Use of personal equipment and cameras by staff is prohibited;
- Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use;
- **Pippins Preschool will** ensure that images always are held in accordance with the General Data Protection Regulations (GDPR) and 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 and wiped or shredded as appropriate. Copies will not to be taken of any images without relevant authority and consent from the DPO and/or DSL and the parent/carer.

#### **Publication and sharing of images and videos**

- Images or videos that include children will be selected carefully for use, for example 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, for example newsletters, social media channels, in association with photographs or videos;
- **Pippins Preschool** will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

#### **Usage of apps/systems to share images with parents**

- **Pippins Preschool** uses **Tapestry** to upload and share images of children with parents;
- The use of the system has been appropriately risk assessed and the **manager** has taken steps to ensure all data stored is held in accordance with GDPR and the Data Protection Act;
- Images uploaded to **Tapestry** will only be taken on **Pippins Preschool** devices;
- All users of **Pippins Preschool** 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 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 very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place;
- **Pippins Preschool** will discuss the use of images with children and young people 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 or young person against their wishes;
- Photography is not permitted in sensitive areas such as changing room, toilets, swimming areas etc.

#### **Use of photos and videos of children by others**

##### **Use of photos and videos by parents/carers**

- Parents/carers are permitted to take photographs or video footage of 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 **Pippins Preschool** on health and safety grounds;
- Parents/carers are only permitted to take or make recording within designated areas of the **Pippins Preschool**. Photography is not permitted in sensitive areas such as changing room, toilets, swimming 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 **Pippins Preschool** DPO/DSL to discuss any concerns regarding the use of images;
- Photos and videos taken by **Pippins Preschool** and shared with parents should not be shared elsewhere, for example posted onto social networking sites. 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**

- **Pippins Preschool** will discuss and agree age appropriate acceptable use rules with children regarding the appropriate use of cameras, such as places children cannot take the camera, for example unsupervised areas, toilets etc.
- The use of personal devices e.g. mobile phones, tablets, children's own digital cameras, is covered within **Pippins Preschool** E safety policy;
- 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 for official or curriculum use;
- Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos;
- Photos taken by children for official use will only be taken with parental consent and will be processed in accordance with GDPR and the Data Protection Act;
- 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. For example, they will be for internal use by the setting only and will not be shared online or via any website or social media tool;
- Photos taken by children for official use will be carefully controlled by **Pippins Preschool** and will be checked carefully before sharing online or via 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 external photographers**

- External photographers who are engaged to record any events will be prepared to work according to the terms of the settings online safety policy;
- Photographers will sign an agreement which ensures compliance with GDPR and the Data Protection Act;
- Images taken by external photographers will only be used for a specific purpose, subject to parental consent;
- Photographers will not have unsupervised access to children and young people

# Children's Images: Frequently Asked Questions for Parents/Carers

## Why do we need a policy?

Schools, playgroups, nurseries and youth groups have always used photographs as a way of celebrating achievement or seeking publicity for fundraising etc. Families and children often enjoy seeing their loved ones in print or on a website. We want to ensure that everyone can continue to enjoy these activities safely. However, parents/carers need to be aware that placing any identifying information in the public domain has risks and will need to understand these issues to give properly considered consent. It is important that parents/carers and educational settings can fully consider the issues before any problems can arise.

## So, what are the risks?

The most highly publicised and worrying risk is that a child who appears in the paper or on a web site may become of interest to a predatory sex offender. Locating people through the internet has become extremely easy, using widely available software, so if there is a picture and the name of a school/setting together with the name of the child then it could be quite easy to find out the child's address and even work out their likely route to school/setting. There are also other specific groups of children and families whose safety could be put at risk if identified e.g. families fleeing domestic abuse. To limit these potential risks, we will take appropriate steps, as outlined in the attached consent form, to safeguard children and the wider community.

## Isn't this just scaremongering?

Sadly not. We have had cases in Kent of families receiving unwelcome phone calls following appearances in the press. However, this is rare, so it is important to have a sense of proportion in these matters. Remember we want to celebrate success and achievement but parents must be aware of risks to make an informed decision.

## What about school/setting websites?

The same concerns apply to school/setting controlled online sites; there is an added concern that images of children can be copied, manipulated or changed by another person. We can try to copy protect images and will use lower quality images, but this can be bypassed so cannot not be relied upon to keep images safe.

## I want to do my own recording of the school/setting play/event is this okay?

Taking pictures or recordings of your own children for your own personal use is okay. The difficulty arises when other children are also be filmed. It is important that we are all aware that some members of the community may be vulnerable and must not have their image shared online as they could be put at risk from harm. You may not always know who these people and we need everyone's support to protect the whole community. It's also important for us all to role model positive behaviour for children, so it might be a sensible idea to check first before posting any images online which contain other children than your own. Parents/carers should not copy images from the **Pippins Preschool** website without appropriate permission from the **Pippins Preschool**.