



Use of images

Policy statement

Stretton Pre-School is committed to safeguarding children and this policy covers our use of digital image whilst achieving a balance between safeguarding the children in our care and ensuring families can celebrate in their children's achievements through the use of technology.

The use of images can be divided into three categories:

- Images taken by the setting i.e. observations
- Images taken by parents at setting events
- Images taken by third parties

Procedures

Staff and volunteers **do not** use personal technological devices (including mobile phones and cameras) to take images of children that attend the setting. Please see our policy 'Use of mobile phones, smart watches, cameras & technological devices. The General Data Protection Regulation (GDPR) and the Data Protection Act 2018 affect the use of photography. An image of a child is personal data and it is, therefore, a requirement that consent is obtained from the parent/carer of a child for any images made such as those used for setting websites, observations, outings and events or other purposes. It is also important to consider the wishes of the child, remembering that some children do not wish to have their photograph taken.

A signed consent form will be obtained from the child's parent/carer, and kept on the child's file, covering all cases where images of children are to be used - see Appendix A. We annually review 'consent' to ensure that parents/carers, who have previously given consent, have the right to opt out if they no longer want to be included.

Where parents/carers have refused permission for their child to be photographed or have not returned a completed and signed consent form, the child's image will not be recorded.

Where a parent/carer has given consent but a child or young person declines to have an image taken, it should be treated as consent not having been given and other arrangements will be made to ensure that the child/young person is not photographed/filmed.

Care is taken in relation to particularly vulnerable children such as Children in Care, recently adopted or those who have fled domestic violence/abuse.

Examples:

A photograph of child is taken as part of their Learning and Development record. The images are likely to be stored electronically with other personal data and the terms of the GDPR and Data Protection Act will apply.

*A small group of children are photographed during an outing and the photo is to be used in the setting newsletter. This will be personal data but **will not** breach the GDPR and Data Protection Act as long as the children and/or their parents/carers are aware this is happening and the context in which the photo will be used.*

Parents wishing to take images of setting events

The GDPR and Data Protection Act 2018 do **not** prevent parents from taking images at setting events, but these must be **for their own personal use**. Any other use would require the consent of the parents of other children in the image - see **Appendix A, part B**

Examples:

A parent takes a photograph of their child and some friends taking part in a sponsored fun walk to be put in the family photo album. These images are for personal use and the GDPR and Data Protection Act 2018 do not apply.

Grandparents are invited to the setting nativity play and wish to video it. These images are for personal use and the GDPR and Data Protection Act 2018 do not apply. However, if they intend to use the video on a social networking site e.g. Instagram, Twitter, they must receive permission from the parents of all the other children involved.

The setting manager in consultation with the committee will decide when parents are to be permitted to take images. This information must be given to parents at the event.

Wherever possible, Stretton Pre-School will take 'official' photos or videos, in order to retain control over the images produced.

Third parties

Staff will challenge anyone who is using a camera, mobile phone or video recorder at the setting whom they do not recognise.

Images taken by the press

If a child is photographed by a newspaper at a pre-school event, the photo becomes the property of the newspaper and the newspaper has the final say as to how it is used. (N.B. images can be placed by editors on the newspaper's website). Generally, newspaper photos of groups of 12 or more children do not have the names of the children attached. Photos of smaller groups might include the full name of the child in the accompanying caption; however, the setting/parents are not obliged to provide children's names and it is recommended that they do not do so.

Example:

A photograph is taken by a local newspaper of a setting event. As long as the setting has agreed to this, and the children and/or their guardians are aware that photographs of those attending the event may appear in the newspaper and given permission, this will not breach the GDPR and Data Protection Act 2018.

Storage of images

Stretton Pre-School has a duty of care to safeguard images so that they cannot be used inappropriately, or outside the agreed terms under which consent has been obtained. Images will be stored securely either digitally, on videotape, in prints or negatives, or electronically.

Printed images must be maintained securely for authorised setting use only, and disposed of either by return to the child, parents, or by shredding.

Transfer of images

Parents and carers should be aware that there is a risk, however small, that images may be lost while in the process of being transferred by either traditional or electronic methods. Therefore, there is the risk that an individual who would use them inappropriately may obtain the images. Stretton Pre-School will take all necessary steps to ensure that this risk is carefully managed.

Publishing or displaying photographs or other images of children

As per the Department for Education advice, Stretton Pre-School will not name a child published in an image.

Care should always be taken to avoid the possibility that people outside the setting could identify and then attempt to contact children directly as a result of a published image.

- Where possible, general shots of group activities rather than close up pictures of individual children should be used
- Children should be in suitable dress
- An article may be illustrated by the children's work as an alternative to using an image of the child

Useful sources of information

The Information Commissioner Office website <https://ico.org.uk>

Guidance to the General Data Protection Regulation (GDPR)
<https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation>

Child Exploitation and Online Protection www.ceop.gov.uk

This policy was adopted by

Stretton Pre-School

On

Date to be reviewed

Annually

Signed on behalf of the provider

Name of signatory

Role of signatory

Chair



Appendix A

Stretton Pre-School – Image Consent Form

During your child's time at Stretton Pre-School digital images may be taken of your child for our use, to record observations of their learning and development progress, for publicity or celebrations. There may also be occasions (such as a special event), where a third party, e.g. other parents or the media, may take images of your child. Images could be a photograph, video/DVD or website image.

It is a requirement of the General Data Protection Regulation (GDPR) and Data Protection Act 2018 that we have your consent for this. Your permission is sought in advance to take, display and on occasion, publish photographs and video recordings involving your son or daughter. It is intended that your consent will cover the duration of the time your child attends Stretton Pre-School. You have the right to withdraw consent at any point. It is your responsibility to let us know if you wish to change or withdraw your consent at any time.

The setting has adopted certain safeguards in order to minimise any risk to your child;

- We will not publish your child's full name with any image used by the setting
- Images will be kept securely and destroyed after their required time
- Staff, volunteers and parents will not use personal equipment such as mobile phones or cameras to take images of children who attend the setting.

Please note that the setting does not have control of how images taken by the media are published. However, the setting will not provide children's names to the media without parental permission.

Part A

This form should be completed by an adult who has parental responsibility for the child.

Child's name:

I give my consent for digital images of my child to be; (please delete as appropriate)

- | | |
|--|---------------|
| Taken by pre-school appointed representatives during pre-school activities | Yes/No |
| Used in their own on-line Learning Journal (Tapestry) | Yes/No |
| Used in other children's on-line Learning Journal(s) | Yes/No |
| Used on the pre-school website | Yes/No |
| Used on the pre-school Facebook page | Yes/No |
| Used in pre-school newsletters and/or Yaxley Gazette | Yes/No |

Signed :Date:

Relationship to child:

Print name:

Part B

Request for parents/carers wishing to take their own photos/videos at Stretton Pre-School

In accordance with the General Data Protection Regulation (GDPR) and Data Protection Act 2018, I agree to ensure that all images I take will only be for my personal use and will be kept securely and used appropriately.

I agree that any images (photographs/video) I take at Stretton Pre-School, including fundraising events and celebrations, will be kept securely and be used appropriately. I will not use such images on social media or displayed/published in other public places of other children without the explicit permission of the parent/carer(s) of any child who may be included.

Child's name:

Signed : **Date:**

Relationship to child:

Print name:

Thank you for your co-operation. The safety of children at our setting is paramount.