

General Welfare Requirement: Safeguarding and Promoting Children's Welfare

The provider must take necessary steps to safeguard and promote the welfare of children.

Health and Safety

1.17 Mobile Phone and Camera Policy

The Preschool embraces new technology but has a mobile phone and camera policy on personal phone and camera use. This is to protect children in the setting from abuse and misuse of their images. General signed consent to take photographs or record images of children will be requested from the parent on enrolment of their child. The purpose for taking any images is to be clearly explained and agreed. Any consent given is to be reviewed on a regular basis (of a period of no more than one year) until such time the child no longer attends the setting. This consent will cover the taking of images for general purposes, such as taking photographs that will be used to document children's learning.

EYFS key themes and commitments

A Unique Child	Positive Relationships	Enabling Environments	Learning and Development
1.3 Keeping Safe 1.4 Health and Wellbeing	2.1 Respecting each other	3.2 Supporting every child	

Procedures

- Rainbow Preschool respects that members of staff may bring their phones to work, for use in receiving emergency phone calls. All phones must be stored in staff bags.
- The receiving and making of calls should be kept to a minimum and limited to important calls only.
- The preschool land line phone may be used by staff.
- Under no circumstances should photos be taken on mobile phones by either staff or visitors.
- When on outings only staff phones with no camera incorporated will be used
- Under no circumstances must cameras of any kind be taken into the toilets without prior consultation with the Safeguarding Officer.
- If photographs need to be taken in the toilet area i.e (photographs of children washing their hands) then the Safeguarding Officer must be told and staff supervised whilst carrying out this kind of activity. At all times the camera must be placed in a prominent place where it can be seen.
- All parents should be discouraged from using phones inside the preschool and they should not to be used for taking photos.
- Any staff using a phone to take photos will have it removed from their person until the photos are removed.
- All cameras in the pre-school including those on staff mobile telephones can be

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subject to scrutiny at any time by the Safeguarding Officer or committee.

- Staff should only use the pre-school memory cards to take photos and these must not be downloaded onto any personal computers except the preschool laptop which is password protected and covered by data protection.
- No electronic copies of photographs should be passed to outside agencies unless educational use has been signed for.

Smart watches/Fitbit and similar devices

We believe our staff should be completely attentive during working hours to ensure all children in the setting receive good quality care and education. To prevent them becoming distracted from their work with the children staff must ensure that smart watches/Fitbit devices and similar have the settings for notifications switched to OFF, unless on recreational breaks and NEVER in the presence of children.

Children photographing each other

Statement of intent

Children may on occasion be given the opportunity to photograph each other and their surroundings. This practice may occur during off-site activities and for most children it will be normal practice to take photographs to record a trip or event. Children also have access to cameras within the setting environment to support their learning and development needs. These activities will be encouraged in a safe and enabling environment.

The Designated Persons for Safeguarding are responsible for ensuring the safe storage of all images, in accordance with the Camera Policy.

Procedures

Staff are required to discuss and agree some age appropriate acceptable use rules with children regarding the appropriate use of cameras.

Nevertheless there may be occasions where children will take inappropriate images, including photographs that may show friends and other children in a state of undress. This practice will be discouraged, and parents will also be advised to monitor their child's use of cameras within the home and social environment.

The right of parents to take photographs and videos

Statement of intent

Parents and carers will not be covered by the General Data Protection Regulations (GDPR) 2018 if they are to take photographs or make a video recording for their own private use. The Act will therefore not prevent parents from taking photographs or making video recordings of their own children within the setting environment, for example, during nativity plays.

The right to refuse parents the opportunity to take photographs and make videos is however to be reserved on health and safety grounds. This right will be implemented should it be deemed appropriate. For example, if an excessive use of flashlights and/or bulky and noisy equipment are to be considered a potential health and safety risk.

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Procedures

- Parents will be required to sign a Photography Request form should they wish to take or make any recordings within the setting environment. Authorised use will only be permitted on agreed dates and times, and within designated areas of the setting.
- Before a photography request can be authorised, consent will need to be obtained from all parents of other children who may be captured in any photograph or video. Should it not be possible, to gain consent from the parents of all children who may be implicated, there will be no option but to refuse an open request to take or make images. Consideration will however be given to organising a one-off photograph opportunity which will only involve those children for who consent has been obtained.
- Parents will only be permitted to make recordings or take photographs of any event for their own personal use. The use of such images and recordings for any other purpose, without express permission, will be a breach of the General Data Protection Regulations (GDPR) 2018
- Parents who are to be authorised to use photographic equipment must be encouraged to be mindful of others when making and taking such images. This will be to ensure minimum disruption to other parents during any event or production. Care must be taken to ensure the view of others will not be obscured and intrusive photography or filming must be avoided at all times. The right to withdraw consent will be maintained and any images or filming must be open to scrutiny at any time.
- Every effort must be made to ensure that individuals with no connection to the early years setting are to be given no opportunity to film covertly. Rainbow Pre-School staff and committee are to have the authority to question anybody they do not recognise (subject to their own safety being ensured) should they be observed using any photographic equipment at events and productions or within the general vicinity. Care will be taken at all times to prevent any opportunist photography or filming taking place.

Use of a professional photographer

Statement of intent

Rainbow Preschool will ensure that any professional photographer who is to be engaged to record any events will be prepared to work according to the terms of this policy document and the following guidelines:

In the context of data protection legislation, the photographer will be considered a 'data processor' and any agreement with them will be in accordance with the General Data Protection Regulations (GDPR) 2018

Photographers will only be used where they will guarantee to act appropriately to prevent unauthorised or unlawful processing of images; and will insure against accidental loss or destruction of, or damage to, personal data.

Procedures

Photographers will be asked to sign an agreement that will aim to ensure:

- Compliance with the General Data Protection Regulations (GDPR) 2018
- Images are only to be used for a specified purpose and will not be used in any other

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context.

- Images will not be disclosed to any third party unless it is to be a specific requirement to do so in order to fulfil the requirements of the agreement. Such use will also be subject to parental permission.
- Only reputable photography agencies and/or professional photographers will be used. Evidence of such authenticity will be required.
- Details of any checks regarding suitability, which are to include evidence of Criminal Record Bureau checks, will be requested. Photographic identity will be checked on arrival. Should there be any concerns in respect of the authenticity of any photographer, entry will be refused. Such concerns will be reported as is it deemed appropriate.
- Photographers are to be treated as any other visitor. As such, appropriate levels of supervision will be in place at all times. This will ensure that no unsupervised access to children will be given.

Legal framework

This policy complies with the requirements of the General Data Protection Regulations (GDPR) (2018), Freedom of Information Act 2000, Human Rights Act 1998 and other relevant Acts regarding the taking and use of photographic images of children.

Further guidance

- § *Data Protection Policy*
- § *Confidentiality policy*

This policy was adopted at a meeting of	Rainbow Preschool	name of setting
Held on	16 th July 2018	(date)
Date to be reviewed	2020/2021	(date)
Signed on behalf of the management committee		
Name of signatory	Lisa Brown & Lucy Daybell	
Role of signatory (e.g. chair/owner)	Co-Chairs	