

## Image Use Policy

This policy seeks to ensure that images and videos taken within and by Ringle Rainbow Nursery taken and held legally and the required thought is given to safeguarding all members of the community. This policy applies to all staff including external contractors, 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 school policies including (but not limited to) safeguarding and child protection, , behaviour, data security, Acceptable Use Policies, confidentiality. This policy applies to all images (including still and video content) taken by Ringle Rainbow Nursery.

All images taken by Ringle Rainbow Nursery will be used in a manner respectful of the eight Data Protection Principles of the GDPR. This means that the use of images will be subject to the following rights:-

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- the right not to be subject to automated decision-making including profiling.

The Data Controller, DSL and Leadership Team are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within Ringle Rainbow Nursery. This includes the management, implementation, monitoring and review of this Image Use Policy.

### Parental Consent

Written permission from parents or carers will always be obtained before images or videos of children are taken, used or published by Ringle Rainbow 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 will be kept by Ringle Rainbow Nursery 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 admission to Ringle Rainbow Nursery. The consent form also forms part of the admission pack.
- A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers, then all relevant images, where possible, will be removed and disposed of and the record will be updated accordingly.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 Ringle Rainbow Nursery will take place using setting provided equipment and devices.
- Staff will receive information regarding the safe and appropriate use of images as part of their 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 & videos will not be kept for longer than is to be considered necessary. A designated member of staff (Data Controller) 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 Data Controller 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 (e.g. 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 logged in and out by the Data Controller and/or DSL and this will be monitored to ensure that it is returned within the expected time scale.
- The Data Controller and/or DSL reserve 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 setting owned equipment (i.e. school provided digital or video cameras) will be used by staff to capture images of children for official purposes. Use of personal cameras and mobile phones for picture taking of children by staff or visitors is prohibited at all times.
- Any apps, websites or third party companies used to share, host or access children's images will be risk assessed prior to use.
- Ringle Rainbow Nursery will ensure that images & video always are held in accordance with GDPR regulations and suitable child protection requirements (if necessary) are in place.
- Photographs will be disposed of in line with our data retention policy. They will be returned to the parent or carer, if printed, and deleted where possible. Copies will not to be taken of any images without relevant authority and consent from the Data Controller 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 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, social media channels) in association with photographs or videos.

- Ringle Rainbow Nursery will not include any personal details, i.e. addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.

- Ringle Rainbow Nursery may post appropriate images of children on our social media pages, (including, but not limited to Instagram & Facebook) where permission has been granted.

#### **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.
- Ringle Rainbow Nursery 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 Closed-Circuit Television (CCTV)**

- All areas which are covered by CCTV will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity.
- If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.
- CCTV cameras will be appropriately placed within the setting.

#### **Use of Webcams**

- Parental consent will be obtained before webcams will be used within the setting environment for curriculum or educational purposes.
- Recordings will be retained for a limited time period only and for no longer than their intended purpose. All recordings are to be erased before disposal.

#### **Use of Photos/videos by Parents/Carers**

- Parents and Visitors are prohibited from using mobile phones or taking pictures inside the nursery
- Parents/carers are not permitted to take photographs or video footage of events for private use.
- Parents may contact the setting/setting Data Controller/DSL to discuss any concerns regarding the use of images.
- Photos and videos taken by the setting and shared with parents should not be shared elsewhere without prior consent, 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**

- Ringle Rainbow Nursery 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 (e.g. unsupervised areas, toilets etc.).
- The use of personal devices e.g. mobile phones, tablets, children's own digital cameras, is covered within our AUP and online 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 will be for educational use. If children are completing work that will be published (e.g. on the school website, social media or school newsletter) which contains photos of other children, then we will ensure that permissions already granted for that child's photo will be followed. All images are processed in accordance with the Schools Data Protection Policy which complies with the Data Protection Act (2018) and GDPR requirements (2018).
- 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. will be for internal use by the setting only.
- Photos taken by children for official use will be carefully controlled by the setting 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 (e.g. 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 Photographers**

- Professional photographers who are engaged to record any events will be prepared to work according to the terms of our online safety policy.
- Photographers will sign an agreement which ensures compliance with the GDPR, and that images will only be used for a specific purpose, subject to parental consent.

- Photographers will not have unsupervised access to children and young people.

Reviewed 11/09/2024 by P Reidy