



Camera and Mobile Phone Policy

Safeguarding and Welfare Requirement: 3.4

Aims of the Policy

It is our intention to provide an environment in which children, parents/guardians and staff are safe from images being recorded and inappropriately used in turn eliminating the following concerns:

- Staff being distracted from their work with children
- The inappropriate use of mobile phone cameras or other image recording equipment, around children

Aim

Our aim is to:

- Have a clear policy on the acceptable use of mobile phones and cameras that is understood and adhered to by all parties concerned without exception.
-

In order to achieve this aim, we operate the following Acceptable Use Policy:

Mobile Phones

- Forest Park Day Nursery and Preschool will allow staff to bring in personal mobile telephones and devices for their own use. Under no circumstances does the nursery allow a member of staff to contact a current child or parent/guardian using their personal device. This also refers to personal numbers and contact details to be given out.
- Users bringing personal devices into nursery must ensure there is no inappropriate or illegal content on the device.
- To ensure the safety and welfare of all the children within our care, we operate a no mobile phone policy in the nursery. This policy is also to protect our staff members against possible allegations.
- At the beginning of a staff members shift, they will be asked to turn their mobile phone off and place it the designated area in the office.
- Staff members will be allowed access to their mobile phone's on their break but this must be away from the children and in the designated staff area. After your break, staff members must return their mobile phone back to the designated area. The Manager or Deputy Manager (whoever is present and in charge on the day) will be responsible for checking this is adhered to.
- If staff members have a personal emergency they are free to use the setting's landline telephone. They can in turn speak to the Manager to ask permission to make a personal call from their mobile in the designated staff area of the nursery. If any staff member has a family emergency or similar, they are encouraged to

give the nursery number for them to be contacted on. IF this is not possible for whatever reason, and they are required to keep their mobile phone on and “to hand”, prior permission must be sought from the Manager or Deputy Manager (whoever is in charge on the day) and the mobile phone should be placed in the designated place in the Office, where it can be visible at all times.

- Staff members will need to ensure that the Manager has up to date contact information and that staff make their families, children's schools etc. aware of emergency work telephone numbers. This is the responsibility of the individual staff member.
- All parent helpers/students will be requested to follow the same policy.
- During group outings nominated staff members will have access to the setting's nominated mobile phone, which is to be used for emergency purposes only. This mobile phone MUST not have a camera on it.
- It is the responsibility of all members of staff to be vigilant and report any concerns to the Nursery Manager or Deputy Manager.
- Concerns will be taken seriously, logged and investigated appropriately (see allegations against a member of staff policy).
- The Manager or Deputy Manager in her absence reserves the right to check the image contents of a member of staffs mobile phone should there be any cause for concern over the appropriate use of it.
- Should inappropriate material be found then our Local Authority Designated Officer (LADO) will be contacted immediately. We will follow the guidance of the LADO as to the appropriate measures for the staff member's dismissal.

Cameras

Photographs taken for the purpose of recording a child or a group of children participating in activities, celebrating their achievements is an effective form of recording their progression in the Early Years Foundation Stage. However, it is essential that photographs are taken and stored appropriately to safeguard the children in our care.

- Only the designated nursery camera is to be used to take any photo within the setting or on outings.
- Images taken on this camera must be deemed suitable without putting the child/children in any compromising positions that could cause embarrassment or distress.
- All staff members are responsible for the location of the camera; this should be placed in the office when not in use.
- The camera must be locked away in the office at the end of every session.
- Images taken and stored on the camera must be downloaded as soon as possible, ideally daily or a minimum of once a week.
- Key people are responsible for down-loading and printing their own key children's photographs. These must be downloaded onto the nursery photograph data key, which MUST stay on the nursery site.
- Under no circumstances must cameras of any kind be taken into the bathrooms without prior consultation with the Manager or Leader. If photographs need to be taken in a bathroom, i.e. photographs of the children washing their hands, then the Manager or Leader must be asked first and staff be 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.
- Failure to adhere to the contents of this policy will lead to disciplinary procedures being followed.

The right of parents to take photographs and videos

Statement of intent

Parents/Guardians will not be covered by the Data Protection Act 1998 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/guardians 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.

Procedures

Permission from all parents/guardians will be sought if a parent or guardian should 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/guardians of other children who may be captured in any photograph or video. Should it not be possible, to gain consent from the parents/guardians 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/guardians 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 Data Protection Act 1998.

Parents/guardians 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. Forest Park Day Nursery and Pre-school staff 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

Forest Park Day Nursery and Pre-school 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 Data Protection Act 1998.
- 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 which will aim to ensure:

- Compliance with the Data Protection Act 1998.
- Images are only to be used for a specified purpose and will not be used in any other 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 to be 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 Data Protection Act 1998, 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*
- *Child protection policy*