



DIGITAL IMAGING POLICY

Statement of Intent

When taking photographs, our setting will ensure the safety and welfare of children in our care. Our policy applies to all staff, committee and volunteers working at the pre-school as well as visitors.

Aim

Pre-Schools need and welcome publicity. Children's photographs add colour, life and interest to articles promoting school activities and initiatives. The pre-school records children's achievements through their learning journals. Taking photos, as a guide to their development, is vital to show parents and staff how a child is progressing. Parents can also identify and celebrate their child's achievements. However, photographs must be used in a responsible way (Appendix 1).

In May 2004, section 45 of the Sex Offences Act 2003 amended Section 1 of the Protection of Children Act 1978 by raising the age of a 'child' from 16 to 18. This means it is now an offence to 'take, make, allow to take, distribute, show, possess with intent to distribute, or advertise indecent photos or pseudo photographs of children under the age of 18.

Threemilestone Pre-School recognises the need to respect children's and parents' rights of privacy and is aware of potential child protection issues.

Images taken by parents, legal guardians or family members at a pre-school event:

- Parents will be asked for their permission before photography is allowed.
- Parents, legal guardians, family members and friends can take images of their child and friends participating in pre-school activities for family and personal use only after written permission is given by all parents.

- Before they are allowed to take images during pre-school activities, parents or legal guardians have to sign an Acceptable Use Agreement specifying that any images they take will not be used inappropriately or uploaded to the internet.
- Photography and video filming will be limited to designated areas.
- The pre-school will ensure that children are appropriately dressed.
- The pre-school will ensure that children who should not be photographed, for example those whose parents/legal guardians have refused consent, are not included in any images.
- Use of cameras and other equipment will be monitored.

Images for pre-school publications:

- The pre-school will only take and use images that are appropriate and are considered to not be open to misuse.
- If an image of a child is used, the child's name **will not** be published. If a name is published, **no image will be used** without specific consent.
- Children and their parents/legal guardians will be made aware of why their picture is being taken and how it will be used.
- The pre-school will ensure that images of a single child with no surrounding context of what they are learning or doing will be avoided.
- Children and parents should be encouraged to recognise the value of group photographs or recordings of pre-school events.
- The pre-school recognises that images must not be used to cause distress, upset or embarrassment.
- The pre-school will use photographs that represent the diversity of the children participating.
- Images will be kept securely and held by the pre-school for the duration of the pupil's time there, after which they will continue to be held with parents consent only. (See page 7 of our registration form which is available on the pre-school website)
- Images of children from the pre-school will not be used to illustrate controversial subjects.

Images for the pre-school website:

- Pre-School websites are part of the internet and are more easily accessible than paper based school publications. The pre-school will make sure that only appropriate images are used. Image filenames will avoid using children's names.
- The storage of electronic images will be regularly reviewed by a senior member of staff/Trustee of Threemilestone Preschool CIO, and will be kept securely at the pre-school.

CCTV:

- The pre-school uses CCTV in some areas of the pre-school property as a security measure.
- Cameras will only be used in appropriate areas.

Please note that images taken by the media are not covered by this policy and are subject to a separate set of regulations.

APPENDIX 1

DATA PROTECTION GOOD PRACTICE NOTE TAKING PHOTOGRAPHS IN SCHOOLS

In October 2007 the Information Commissioner's Office (ICO) published Good Practice Guidance aimed at Local Authorities and those working in schools, colleges and universities. It gave advice on taking photographs in educational institutions and whether doing so must comply with the Data Protection Act 1998.

Recommended Good Practice

The Data protection Act is unlikely to apply in many cases where photographs are taken in schools and other educational institutions. Fear of breaching the provisions of the Act should not be wrongly used to stop people taking photographs or videos which provide many with pleasure.

Where the Act does apply, a common sense approach suggests that if the photographer asks for permission to take a photograph, this will usually be enough to ensure compliance

- Photos taken for official school use may be covered by the Act and pupils, students and parents/carers should be advised why they are being taken.
- Photos taken purely for personal use are exempt from the Act.

Examples:

Personal Use:

- A parent takes a photograph of their child and some friends taking part in the school Sports Day to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.
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Official School Use

- Photographs of students/pupils are taken for building passes. These images are likely to be stored electronically with other personal data and the terms of the Act will apply.
- A small group of pupils are being photographed during an activity and the photo is to be used in the pre-school prospectus. This will be personal data but will not breach the Act as long as the children and/or their parents/carer/

guardians are aware this is happening and the context in which the photo will be used.

Media Use

- A photograph is taken by a local newspaper of a school awards ceremony. As long as the school has agreed to this and the children and/or their parents/carers/guardians are aware that photographs of those attending may appear in the newspaper, this will not breach the Act.
- The Data Protection Act should not be wrongly cited to stop people taking photographs or filming videos.

This policy was adopted at a meeting of Threemilestone Preschool CIO

Held on 12th June 2017

Signed for and behalf of the pre-school

Trustee (Sarah Wallis)
Threemilestone Preschool CIO