

CHEVENING SCHOOL NURSERY

Image Use Policy



Key Details

Policy written by: Adele Udale

Updated: November 2024

Date to be reviewed: Annually or following any national/local policy/legislation changes

Data Protection Officer: Adele Udale, admin

Designated Safeguarding Lead (DSL): Suzanne Lingard, manager

Governor with lead responsibility: Kelly Stiff

Scope and aims of the policy

1. This policy seeks to ensure that images taken within and by Chevening School Nursery are taken and held legally and the required thought is given to safeguarding all members of the community.
2. This policy applies to all staff including the governing body, teachers, support staff, external contractors, visitors, volunteers and other individuals who work for or provide services on behalf of the setting (collectively referred to as staff in this policy) as well as children and parents/carers.
3. This policy must be read in conjunction with other relevant policies including, but not limited to; child protection, anti-bullying, behaviour, data security, image use, Acceptable Use of Technology Policies (AUPs), confidentiality policies.
4. This policy applies to all images, including still photographs and video content taken by Chevening School Nursery.
5. All images taken by the setting will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
 - o fairly, lawfully and in a transparent manner

- for specified, explicit and legitimate purposes
 - in a way that is adequate, relevant limited to what is necessary
 - to ensure it is accurate and up to date
 - for no longer than is necessary
 - in a manner that ensures appropriate security
6. The Data Protection Officer (DPO) within the setting is supported by the Designated Safeguarding Lead and management team are responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the Image Use Policy.

Official use of images of children

Parental consent

7. Written permission from children and/or parents or carers will always be obtained before images of children are taken, used or published. **Parents sign a consent form in their registration pack prior to their child starting the nursery.**
8. Written consent will always be sought to take and use images offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.
9. Written consent from parents will be kept by the setting where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.
10. A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of, and the record will be updated accordingly.

Safety of images

11. All images taken and processed by or on behalf of the setting will take place using setting provided equipment and devices and in line with this and other associated policies, including but not limited to Child Protection, Staff Behaviour and Conduct.
12. Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training.
- Staff will:
 - only publish images of learners where they and their parent/carer have given explicit written consent to do so.
 - only take images where the child is happy for them to do so.
 - ensure that a senior member of staff is aware that the equipment is being used and for what purpose.
 - avoid making images in a one-to-one situation.

- Staff will not
 - take images of learners for their personal use.
 - display or distribute images of learners unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child).
 - take images of learners using personal equipment (*except when communicating with the child's parent via WhatsApp where agreement is sought prior to starting nursery. See point 29*)
 - take images of learners in a state of undress or semi-undress or which could be considered as indecent or sexual
 - take images of a child's injury, bruising or similar or make audio recordings of a child's disclosure.
13. 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.
 14. Images will only be retained when there is a clear and agreed purpose for doing so. The DSL will ensure that all images are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use.
 15. Images will be stored in an appropriately secure place.
 16. Images in the setting will remain on site, unless prior explicit consent has been given by the DPO and DSL and the parent/carer of any child or young person captured in any images. Should permission be given to take images off site, all relevant details will to be recorded, for example who, what, when and why. Images taken offsite will be kept securely for example with appropriate protection.
 17. Any memory stick/storage or device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.
 18. The DPO and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.
 19. Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.
 20. The setting will ensure that images always are held in accordance with the UK General Data Protection Regulations (UK GDPR) and Data Protection Act, and suitable child protection requirements, if necessary, are in place.
 21. Images will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not to be taken of

any images without relevant authority and consent from the DPO and/or DSL and the parent/carer

Safe Practice when taking images

22. 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.
23. The setting will discuss the use of images with children and young people in an age-appropriate way.
24. A child or young person's right not to be photographed or videoed is to be respected. Images will not be taken of any child or young person against their wishes.
25. Photography or video recording is not permitted in sensitive areas such as changing room (Adult/disabled toilet), children's toilets.
26. Images or videos that include children will be selected carefully for use, for example only using images of children who are suitably dressed.

Publication and sharing of images

27. Children's' full names will not be used on the setting website or other publication, for example newsletters, social media channels, in association with photographs or videos.
28. The setting will not include any personal addresses, emails, telephone numbers, on the website, in a prospectus or in other printed publications.

Usage of apps/systems to share images with parents

29. Staff also use WhatsApp on their own personal phones, to share images of their key children with their key children parents only. Consent is requested prior to the child starting at the setting.
30. The use of the system has been appropriately risk assessed and the setting has taken steps to ensure all data stored is held in accordance with GDPR and the Data Protection Act. Staff clear WhatsApp conversations from their phones regularly.
31. All users of WhatsApp are advised on safety measures to protect all members of the community, for example, using strong passwords, logging out of systems after use etc.
32. Parents/carers will be informed of the expectations regarding safe and appropriate use (For example, not sharing passwords or copying and sharing images) prior to being given access. Failure to comply with this may result in access being removed.

Use of images of children by others

Use of image by parents/carers

33. Parents/carers are permitted to take photographs or video footage of events for private use only.
34. Parents/carers who are using photographic equipment must be mindful of others, including health and safety concerns, when making and taking images.
35. The opportunity for parents/carers to take photographs and/or make videos may be reserved by the setting on health and safety grounds.
36. Parents/carers are not permitted to take or make recordings within the setting or grounds, including the main school.
37. Parents may contact the setting to discuss any concerns regarding the use of images.
38. Photos and videos taken by the setting and shared with parents should not be shared elsewhere, for example posted onto social networking sites. 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 images by children

39. The setting will discuss and agree age-appropriate acceptable use rules with children regarding the appropriate use of cameras, such as when engaging in remote learning and when onsite. This will include places children cannot take cameras, for example unsupervised areas, toilets etc.
40. The use of personal devices, for example, mobile phones, tablets, digital cameras, is covered within the setting's mobile and smart technology policy.
41. 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. Parents are shown and asked to sign our Acceptable Use Policy when starting the setting.
42. Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos or videos.
43. Images taken by children for official use will only be taken with parental consent and will be processed in accordance with UK GDPR and the Data Protection Act.

44. Parents/carers will be made aware that children will be taking images of other children and will be informed how these images will be managed. For example, they will be for internal use by the setting only and will not be shared online or via any website or social media tool.
45. Images 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.

Use of images of children by the media

46. 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.
47. 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 (such as first names only) will be published along with images and videos.
48. The identity of any press representative will be verified, and access will only be permitted where the event is planned, and where press are specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
49. 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 external photographers, including videographers and volunteers

50. External photographers who are engaged to record any events officially will be prepared to work according to the terms of our policies, including our child protection policy.
51. External photographers will sign an agreement which ensures compliance with UK GDPR and the Data Protection Act.
52. Images taken by external photographers will only be used for a specific purpose, subject to parental consent.
53. External photographers will not have unsupervised access to children and young people

Policy breaches

54. Members of the community should report image use concerns regarding image use or policy breaches in line with existing setting policies and procedures.
55. Following a policy breach, leadership staff will debrief, identify lessons learnt and implement policy changes as required. Action will be taken in line with existing setting policies and procedures which may include child protection, anti-bullying, mobile and smart technology, acceptable use and behaviour policies.

56. Advice will be sought, and reports will be made to other organisations in accordance with national and local guidance and requirements. For example, where there may have been a data protection breach, the ICO will be contacted, and if an allegation has been made against a member of staff, contact will be made with the Local Authority Designated Officer (LADO).

Acknowledgements

This guidance has been written by Kent County Council.

Disclaimer

Kent County Council make every effort to ensure that the information in this document is accurate and up to date. If errors are brought to our attention, we will correct them as soon as practicable. The copyright of these materials is held by Kent County Council. However, education settings that work with children and young people are granted permission to use all or part of the materials for not-for-profit use, providing Kent County Council copyright is acknowledged and we are informed of its use.

Dear Parents and carers

We are staging a production/special event of our annual Christmas nativity concert on Friday 6th December at Chevening Church. We are sure some parents/carers would like to take photographs/videos of the production. As you know we have a policy in place with regards to the taking, making and use of images and you will have previously signed a consent form stating whether your child could be photographed or filmed.

If you wish to take photos or videos at the production, there is a strong possibility that other children will also be included. We therefore need to ensure all parents/carers who have children in the production are happy for photographs and/or videos to be taken.

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of adding our images and videos to our online social networks. This means that we can easily share our photos and video with family and friends.

Whilst this can be very useful to all of us, we must ensure that we protect and safeguard all children and staff, including those who do not want to have their images stored online. Some children are at risk and **MUST NOT** have their image put online. Not all members of the community will know who they are:

- Once posted and shared online, an image or video can be copied and could stay online forever.
- Some people do not want their images shared online for personal or religious reasons.
- Some children and staff may have a complex family background, which means that sharing their image online could pose significant safeguarding risks and consequences.

In order to keep all members of the community safe we must all **think before we post** online.

At Chevening School Nursery we are happy for parents and carers to take photos and video of events for personal use, but we request that these images are not distributed or shared online; this is to protect all members of the community.

Please be aware that parents are not permitted to take photographs or to make a video recording for anything other than their own personal use for example, with a view to selling videos of an event.

Should any parent/carers not agree with their child being photographed, we will consider alternative options including:

- restricting who is involved in the production/special event
- staging specific photograph opportunities

Photographs of productions are ones which parent/carers tend to treasure; we will therefore only prohibit the use of cameras as a last resort. We hope you will support us in this.

We would, therefore, be very grateful if you would complete the slip at the bottom of this letter and return it no later than Friday 29th November 2024.

Yours sincerely

Suzanne Lingard, Manager

Parental consent for images as part of group activity

I understand that whilst the setting has requested that parents only take and share images of their own children, it is possible that my child may appear in parents' photographs or videos.

I am / am not * happy for photographs/videos to be taken of the nativity concert in which my child is due to appear on Friday 6th December 2024.

(*Please delete as appropriate)

Child's name: _____

Date: _____

Parent/Carer's Name: _____

Parent/carer's signature: _____

Child's Signature (if appropriate): _____

Template Broadcasting Letter and Form

Dear Parents and carers

We are staging our annual Christmas nativity concert on [Friday 6th December 2024](#)

This year, we will be sharing [event name](#) online. **List details of how this will be achieved, for example, it will be pre-recorded and shared online or live streamed, what platform will be used and any specific times.**

The recording will be available for (**insert details about the timeframes for the availability of recordings after the event or remove if it will be live streamed only**).

As you know we have a policy in place with regards to the taking, making and use of images and you have previously signed a consent form stating whether your child could be photographed or filmed.

We all enjoy and treasure images of our children. Whilst the use of technology to share and access images brings fantastic benefits, we must however ensure that we protect and safeguard all children and staff. Some children are at risk and **MUST NOT** have their image shared online and not all members of our community will know who they are.

In order to keep all members of the community safe we must all think before we share online. You can support us in keeping all children safe by:

- Remembering images and videos shared with you by the setting are for your own or your family's personal use only
- Thinking about who has the right to view or listen to the recordings, not only of your own child, but of others who will have been included as well.
- Considering whether or not to share this imagery online. If you choose to do so then you must make sure this is limited to immediate family only and not made publicly available.

If content is shared or accessed outside of our requested expectations, then we may restrict or prohibit access in the future. Photographs of special events are ones which parent/carers tend to treasure; we will therefore only prohibit access as a last resort. We hope you will support us in this.

We would, be very grateful if you would complete the slip at the bottom of this letter and return it by [\(date\)](#). If you need to discuss any of the points within this letter or have a related image use query, please don't hesitate to contact us to discuss further.

Yours sincerely

Suzanne Lingard, Manager

Parental consent for children's images being broadcast online

I understand that **school/setting** will be broadcasting **event name** online.

The event will be broadcast/recording will be available via **insert details e.g. platform, how it can be accessed and specific times if it will be live streamed.**

I understand the broadcast will be accessible for **insert details about the timeframes for the availability and access to recordings after the event.** **Remove if live streaming only.**

I understand that the **school/setting** has requested that parents/carers:

- Do not share the link or related access information to broadcast events with anyone outside of the immediate family.
- **Include any expectations regarding taking screenshots, private recordings and wider sharing of the broadcast.**

I *am / am not* * happy for my child to be involved in the broadcast of production/special event on **(date)**.

(*Please delete as appropriate)

Child's name: _____

Date: _____

Parent/Carer's Name: _____

Parent/carer's signature: _____

Child's Signature (if appropriate): _____



Chevening School Nursery Guide to the Use of Images Online

Using Images Safely and Responsibly

We all enjoy and treasure images of our family and friends; family events, holidays and events are moments we all like to capture in photos or on video. We now have the exciting dimension of sharing our images and videos to online social networks, such as Facebook, YouTube, WhatsApp and other websites. This means that we can easily share photos and video with family and friends quickly. Whilst this can be useful, we must however ensure that we all take steps to protect and safeguard children and staff, including those who do not want to have their images stored or shared online.

What should we all think about before posting any images or video online and are there any risks?

- Once posted and shared online any image or video can be copied and will stay online forever.
- Some people do not want their images online for personal or religious reasons.
- Some children and staff may have a complex family background which means that sharing their image online can have unforeseen and dangerous consequences.
- Some children are at risk and **MUST NOT** have their image put online; not all members of the community will know who they are.

In order to keep all members of the community safe we must all '**think before we post**' online

At Chevening School Nursery we are happy for parents and carers to take photos and video of events for personal use but request that these images are not posted or shared online. This is to protect all members of the community.

We thank you for your support.

Further Information on the use of Images and video and online safety:

- Information Commissioner's Office: <https://ico.org.uk>
- NCA-CEOP: www.thinkuknow.co.uk/parents
- Get Safe Online: www.getsafeonline.org
- Childnet: www.childnet.com



Respect and Care for the Whole Community when taking Photos and Videos

We are happy for parents and carers to take photos and video of their child at this event for personal use. We request that these images are not distributed or shared online if they contain other children, adults or staff without consent.

Sharing images of others online may put our community at risk.

Thank you for your support

Suzanne Lingard - Manager

Consent form for using photographs of staff

The setting would like to use your photograph for staff recognition purposes. These images will appear on our website and emailed to parents as part of the induction pack. To comply with UK General Data Protection Regulations (UK GDPR) and the Data Protection Act, we need your permission to use photographs of you. Please answer the question below, then sign and date the form where shown. We will not use the images taken, or any other information you provide, for any other purpose. Please return the completed form, even if you have chosen not to give your consent, to Adele Udale.

Conditions of use

1. This form is valid for **two years from the date of signing**. Your consent will automatically not apply to any other usage of the photos.
 2. Images must only be used in circumstances where consent has been given. Signed consent must be given for images to appear on the website (which is viewable by potentially anyone), or they cannot be published in this way.
 3. Under UK GDPR and Data Protection legislation your rights include:
 - a) Your consent (to the publication of your photo) can be withdrawn at any time (principle 1 of the Act)
 - b) Your photo will not be used for any other purpose without your further consent (principle 2 of the Act)
 - c) Your personal data will be accurately maintained and kept up to date (principle 4 of the Act)
 - d) Publication of your photo will cease, and all electronic copies will be deleted when you leave the setting (principle 5 of the Act)
- I have read and understood the conditions of use.
 - I confirm that I understand publication of my picture will mean that my picture will be viewable by those with access, alongside my job title and work contact details and I consent to such processing of my personal data.
 - I understand that if my picture and details are placed on the website and/or social media channels potentially this will be accessible by anyone in the world with internet access.

Please circle your answer

May we use your image on our:

- | | |
|---|--------|
| • Display and notice boards, accessible to all who visit the setting? | YES/NO |
| • Website, viewable by anyone in the world? | YES/NO |

Name: _____

Signed: _____

Date: _____