

General Welfare Requirement: Safeguarding and Promoting Children's Welfare

Children's behaviour must be managed effectively and in a manner appropriate for their stage of development and particular individual needs.

Safeguarding children

1.11 Use of Mobile Phones, Digital Photography and Other Electronic Devices

Policy statement for St Joseph's Pre-school

The Pre-school recognises the importance of safeguarding children's images and follows current best practice guidance, including the UK Safer Internet Centre guidance "Protecting your setting's images from AI manipulation and abuse: Guidance for educational settings and organisations working with children and young people". We also acknowledge that sharing photographs and videos of our activities can help us celebrate the successes and achievements of our children, provide a record of our activities and raise awareness of the setting.

Photographs, digital images including those on the internet (images), are protected by copyright¹. Images taken when the Pre-school is operational belong to St Joseph's Pre-school, they own the copyright. Permission to use these images outside of the Pre-school will need to be obtained. This can be done by emailing the Committee Chairperson².

Children have their photographs taken to provide evidence of their achievements for developmental records (a requirement within the Early Years Foundation Stage statutory framework (EYFS) (latest version)). The use of mobile phones, cameras or electronic communications with a child or family at our setting is not acceptable other than for approved Pre-school business, as per our E-Safety Policy³. Staff, visitors, parents/*carers*, volunteers and students are not permitted to use their own mobile phones, cameras or other electronic devices with imaging and sharing capabilities, eg. wearable technology⁴, to take or record any images of pre-school children for their own records during session times.

Photography and use of images

Photographs and videos used by the Pre-school for promotional, educational or communication purposes will be carefully selected to minimise the identification of individual children. Images will generally be taken from a distance or using wide-angle shots, and direct face-on photographs of children will be avoided wherever possible. Side-profile images may be used where appropriate, and faces may be blurred or obscured to further protect children's identities. It is recognised that, on occasion, photographs may include children in the background; however, care will be taken to ensure that such incidental inclusion does not compromise a child's privacy or identifiability. Any accompanying text will describe the activity or learning experience rather than identify individual children by name.

¹ Copyright, Designs and Patents Act 1988

² Email: stjosephspresch@gmail.com

³ See Policy 1.12 E-Safety

⁴ See EYFS paragraph 3.6 ('Safeguarding policies and procedures')

Pre-school events

Events such as Sports day, outings, Christmas and fundraising events may be recorded by video and photographed by staff and will always be in full view of all attending. We provide parents and carers with advance notice, and where appropriate on-the-day reminders that they may wish to take photographs of their own child during preschool events.

To protect the privacy of all children, we ask that photographs or videos containing children other than their own are not shared on social media or other public platforms. Where an image includes their own child and other children, parents/carers must obtain permission from the parents/carers of the other children before sharing the image. This may be appropriate, for example, where families know each other and consent has been given.

Fostered or Looked After Children

The safety, welfare, and privacy of all children are of paramount importance.

Children who are in foster care or are identified as Looked After Children (LAC) will not be identifiable in any photographs taken or used by St Joseph's Pre-school. This is to safeguard their safety, wellbeing, and confidentiality.

Parental/carer consent and any restrictions regarding photography will be recorded within the child's Enrolment Form and adhered to at all times by the setting.

Where photographs are being taken by other individuals, such as parents, carers, or visitors, Pre-school staff will take all reasonable steps to ensure that children who must not be photographed are not included in images. This may include repositioning the child, directing photographers accordingly, or moving activities to an alternative area where appropriate.

The Pre-school operates two Facebook groups: a closed group for current parents and carers, and a public group accessible to the wider community. Images of children will only be shared within the closed group and will not be posted on public-facing social media unless specific additional consent has been obtained. Online content will be reviewed regularly, and out-of-date images will be updated or removed where appropriate.

Data Protection

In accordance with the UK General Data Protection Regulation (GDPR) and the Data Protection Act 2018 (DPA), St Joseph's Pre-school uses the following lawful bases for taking photographs and videos within the setting:

- *Consent* – we will obtain parent/carer and staff *consent* for the use of photographs or videos for promotional purposes, including the website, social media, displays, posters, or other marketing materials. Parent/carer consent forms are completed during enrolment and are reviewed and re-signed annually. Staff consent forms are completed at the start of their employment with the setting, and are reviewed and re-signed annually.

and

- *Legitimate Interests* – The pre-school may take photographs or videos as part of the day-to-day running of the setting, including recording children's activities, observations, and learning journeys on Tapestry. This use is necessary to support children's development and the effective operation of the setting, and is carried out in a way that respects children's privacy and rights. Where photographs or videos are processed under *Legitimate*

Interests, parents/carers and staff have the right to object or raise concerns, which the pre-school will consider carefully in line with children's privacy rights and the needs of the setting.

Parents and carers should be aware that photographs and videos taken for personal or family use are generally exempt from data protection legislation. However, once images or videos are shared on social media or other online platforms, they may become accessible to a wider audience and may no longer be considered solely for personal use. Parents and carers are therefore asked to consider carefully the privacy, confidentiality, and safeguarding needs of all children before sharing images online.

Parent/Carer Consent

- Within the Enrolment Form, parents/carers will be asked to provide separate consent for different uses of photographs and videos, including:
 - observations and learning journals;
 - the Pre-school's closed Facebook group;
 - the Pre-school website;
 - promotional and marketing materials; and
 - any public-facing social media or publicity.
- Parents/carers will be confirm their consent on an annual basis by re-completing the consent form within the Enrolment Form.
- St Joseph's Pre-school will ensure that all images are carefully selected in line with safeguarding, online safety and data protection procedures.

Withdrawal of consent or consent not given

Parents/carers may withdraw consent for the use of their child's image at any time by informing the Lead Practitioner in writing. Following withdrawal of consent, the Pre-school will stop using any new photographs or videos of the child for promotional or communication purposes wherever reasonably possible.

However, it may not always be possible to remove or withdraw images that have already been published or distributed prior to consent being withdrawn. This may include printed promotional materials, newsletters or other publications that are already in circulation. Such materials will usually continue to be used until they are updated, reprinted, or replaced.

Where possible, previously published digital images under the Pre-school's control, such as those on the website or social media pages, will be removed within a reasonable timeframe following the withdrawal of consent.

Where consent has not been given or has been withdrawn:

- all staff will be informed and all reasonable steps will be taken to ensure that the child is not photographed, filmed or included in any future published images or recordings;
- we will not exclude a child from an activity because we do not have consent to take their photograph.

When a child leaves the setting

When the child transfers to another early years setting or moves to primary school, St Joseph's Pre-school will:

- ensure that the child's Tapestry Learning Journal is transferred to the receiving setting or school. Following the transfer, the child's information will be automatically deleted from Tapestry within 48 days of the transfer date;
- review and remove any photographs or videos of the child held for publicity, marketing, social media, website content, or other non-statutory purposes as soon as reasonably practicable after the child leaves the setting; and
- take all reasonable steps to ensure that digital photographs, videos, and other personal data are not retained longer than necessary and are managed in accordance with the UK GDPR, the Data Protection Act 2018, and the Pre-school's Data Protection and Privacy Policies.

Staff Images and Consent

Photographs and/or videos of staff members may occasionally be taken during Pre-school sessions, activities, events, outings, training, or celebrations. These images may include staff interacting with children and may be used to celebrate, promote, and positively reflect the experiences and learning opportunities provided by the setting.

Images of staff may be used in a variety of ways, including:

- on the Pre-school website, including the *About us/Staff & Committee* section;
- on the Pre-school's closed and/or public social media pages, including Facebook;
- within newsletters, displays, posters and other promotional materials;
- for educational or display purposes within the setting;
- in external media publications, such as local newspapers or community publications, where the Pre-school or a specific event is being featured.

Written consent will be obtained from staff members before photographs or videos containing their image are used. Consent will be reviewed and renewed annually.

The Pre-school will ensure that all images are used appropriately, respectfully, and in accordance with safeguarding, confidentiality, and data protection requirements. Care will be taken to avoid the use of images that may cause embarrassment, distress, or place staff members at risk.

Staff profile photographs displayed on the website may remain in use for the duration of employment and will usually be removed within a reasonable timeframe after employment ends. Images shared on social media platforms will be reviewed regularly, and many are be removed or archived at the end of each Pre-school year.

Printed promotional materials may remain in circulation until updated or replaced.

Withdrawal of consent or consent not given

Staff may withdraw their consent at any time by notifying the Committee Chair or Lead Practitioner in writing. Following withdrawal of consent, the Pre-school will stop using any new

photographs or videos of the staff member for promotional or communication purposes wherever reasonably possible.

Please note that images published or distributed before consent is withdrawn may not always be able to be removed immediately. This may include items such as printed newsletters, posters or other promotional materials already in circulation. Existing materials may therefore continue to be used until they are reviewed, updated, or replaced.

Where reasonably practicable, the Pre-school will take steps to remove digital images held on platforms under its control, including the website and social media pages, within an appropriate timeframe after consent has been withdrawn.

With regards to photographs or videos that are published by external organisations or media outlets, such as local newspapers, the Pre-school cannot guarantee their removal once published.

Monitoring and Review

The Pre-school will undertake documented audits of its website, social media platforms and promotional materials on a biannual basis to ensure that all images remain appropriate, relevant and compliant with safeguarding and data protection requirements.

- All images displayed on the Pre-school website will include a watermark featuring the Pre-school logo to help discourage unauthorised copying or misuse.
- Images of children and staff who have left the setting will be removed from the website and replaced as soon as practicable.
- Photographs and videos used on social media pages are reviewed regularly, and many images will be removed during or at the end of each Pre-school year.
- Printed promotional materials may remain in circulation until stocks are exhausted or updated versions are produced.
- Images published by third parties, such as local newspapers or media outlets, are outside the direct control of the Pre-school once published.

Image Review Prior to Publication

Before any photograph or video is published, shared or used in promotional materials, the Pre-school will undertake a review of the image and consider the following questions:

- Is the use of this image necessary and appropriate?
- Does the image add genuine value and purpose, or is it simply being used as filler content?
- Is current parental/carer consent in place for the child or children featured?
- Could the image be misused, manipulated or taken out of context in any way?
- Does the image protect the dignity, privacy and safety of the child or children involved?
- Does the image comply with the Pre-school's safeguarding, online safety and data protection procedures?

Images that do not meet these considerations will not be used or published.

Staff Responsibilities for Photography and Mobile Phone Use

- Staff who use wearable technology, eg smart watches or fitbits, will ensure that they are switched to “no notifications” during work time. One device is able to take photos but is not linked to the associated mobile phone, thus no images can be taken/shared.
- Staff escorting children on an outing need to have access to a mobile phone to maintain contact with the Pre-school. This is strictly for emergency use, or planned contact times as agreed, and must never distract staff from the supervision of children, and should not be used for taking photographs.
- Staff are asked not to make personal calls during their working hours. However, in urgent cases, a call may be made or accepted if deemed necessary and by arrangement with the Lead Practitioner or Acting Manager on the day. These calls should be made in the reception area and kept to a minimum.
- Staff and Committee Members are required to ensure that their mobile phone is left in the Lead Practitioner’s office and on silent, or switched off.
- Any staff who does not comply with this policy will have their mobile phone, camera or other electronic device confiscated, and any photographs will be removed, and the person dealt with in line with St Joseph’s Pre-school’s disciplinary procedure.

Use of Cameras, Mobile Phones and Recording Devices

- **Cameras, mobile phones and other recording devices are prohibited in the toilet and nappy changing areas. A child will never be photographed when their clothes or nappy are being changed⁵.**
- Many mobile phones and tablets have built in cameras so staff/visitors/parent/carers mobile phones and tablets should not be carried around. Visitors may only use their mobile phones/tablets outside the Leigh building and not within pre-school grounds. No photographs may be taken by parents of any child that isn’t their own and any photos taken should be done so under the supervision of staff.
- Photographs may be printed and included in a child’s profile or displayed within the Pre-school. They will also, in future, be stored electronically and uploaded on a child’s online profile through a secure and pre-arranged platform, used specifically for the creation of online Learning Journeys. Photographs will normally be stored on the Pre-school’s USB. Permission for storing elsewhere will be given and noted by the Lead Practitioner.
- The pre-school’s digital camera and memory cards and tablets are kept on the premises, and only leave the school to be developed. All photographs are either printed at the Pre-school or by the Lead Practitioner at home. All photographs for Tapestry⁶ are taken on the Pre-school’s tablets. Once these photos have been uploaded they are then deleted. These photos are used to demonstrate development and are kept in the individual child’s profile.
- Tapestry uses the device photo picker that includes an option to blur parts of an image before it is uploaded to Tapestry or that can be accessed to edit a photo if it is uploaded. Staff will use this when it is deemed appropriate.
- Further guidance regarding the use and sharing of images can be found in the Pre-school’s Social Media policy⁷.

⁵ Policy 1.2 Safeguarding Children and Child Protection

⁶ Tapestry is the child’s online learning journey

⁷ Policy 1.12.3 Social Networking

- Further guidance regarding IT security can be found in the Pre-school’s Acceptable Use of Technology policy⁸.

Raising concerns

If a member of staff, Committee member or parent/carer has concerns about images being shared or an image of your child has been posted online, then the Information Commissioner’s Office (ICO) recommends that:

- you first contact the account owner to ask them to remove the images. In most cases, the account owner should agree to a request to take down images of another individual uploaded to their personal account. The ICO recommends that you allow one month for a response. If they refuse or do not reply then submit a complaint to the ICO; and
- with regards to the Pre-school’s Facebook page and/or website, then concerns should be raised in the first instance with the Pre-school’s Lead Practitioner. If you are unhappy with the response, then please follow St Joseph’s Pre-school’s complaint’s procedure⁹.

NB: St Joseph’s Pre-school undertake a biannual audit of its website, social media platforms and promotional materials.

Legal Framework

- General Data Protection Regulations 2018
- Data Protection Act 2018
- Human Rights Act (1998)
- Copyright, Designs and Patents Act 1988

Further Information

- Intellectual Property Office guidance “Copyright notice: digital images, photographs and the internet”
- www.saferinternet.org.uk “[Protecting your setting’s images from AI manipulation and abuse: Guidance for educational settings and organisations working with children and young people](#)”

Associated policies and procedures

- 1.2 Safeguarding children and child protection
- 1.11.1 Acceptable Use of Technology
- 1.12.1 E-safety
- 1.12.3 Social Media

Version Number	Author	Purpose of change	Date
1.0	K Coupe	New policy	Sept 2014
2.0	K Coupe C Ajayi	To comply with GDPR 2018 & DPA 2018, version control and review. Updated following 2 nd read by C Ajayi.	7 Nov 2018
3.0	K Coupe	Reviewed and wording re parents/carers taking	20 November

⁸ Policy 1.11.1 Acceptable Use of Technology

⁹ Policy 1.10 Making a Complaint

Version Number	Author	Purpose of change	Date
		photos/videos on premises and grounds amended	2021 Committee Member (T Clapp)
4.0	K Coupe	Updated re Facebook in line with guidance from Early Years Gloucestershiever	1 February 2022 Committee Member (A Shipton)
5.0	K Coupe	Updated in light of review of 1.12.3 Social Media. Inclusion of information re copyright	9 October 2023 Committee Member (S Webb)
6.0	K Coupe	Reviewed and updated as follows: <ul style="list-style-type: none"> • references to paragraphs in the Early Years Foundation Stage update; • text amended to include reference to ‘other electronic devices with imaging and sharing capabilities’, eg. wearable technology 	14 January 2024 Committee Member (G Ind)
7.0	K Coupe	Updated to reference to 1.11.1 Acceptable Use of Technology and criteria surrounding IT security	9 October 2025 Committee Member (G Ind)
8.0	K Coupe & N Finn-Powers	Updated to reflect current practice and recent advice on: <ul style="list-style-type: none"> • Protection children’s images from AI manipulation and abuse with significant re-write and ordering. • Better explanation of GDPR lawful basis • Hyperlink to guidance included. • What happens when consent is withdrawn or not given • New section “Staff images and consent • How to raise concerns. • Paragraph added to Data Protection section reminding Parents/Carers that images shared on social media etc are not exempt from data protection legislation. • New “When a child leaves the setting” section • Additional wording with regards Pre-school events 	12 June 2026 Chair (A Hitchings)