

## 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

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 Policy<sup>1</sup>. Staff, visitors, parents, volunteers and students are not permitted to use their own mobile phones, cameras or other electronic devices with imaging and sharing capabilities, eg. wearable technology<sup>2</sup>, to take or record any images of pre-school children for their own records during session times.

Photographs, digital images including those on the internet (images), are protected by copyright<sup>3</sup>. 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 Chairperson<sup>4</sup>.

#### Procedures

- Under the General Data Protection Regulations 2018 (GDPR) and the Data Protection Act 2018 (DPA), St Joseph's Pre-school must seek parental consent to take photographs and use recording devices. If a parent/carer does not give their permission for their child to be photographed, all staff will be informed so that all reasonable steps can be taken to ensure that the child is not included in any photographs at St Joseph's Pre-school.
- 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 Tapestry<sup>5</sup> are taken on the Pre-school's tablets. Once these photos have been uploaded they are then deleted. When the child transfers to a new setting or to primary school, their Tapestry learning journey is transferred to that new setting/school and their information is automatically deleted from Tapestry within 48 days of the transfer date. These photos are used to demonstrate development and are kept in the individual child's profile.
- Photographs may be taken during indoor and outdoor play and displayed in albums or a child's development records for children and parents/carers to look through.

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<sup>1</sup> See Policy 1.12 E-Safety

<sup>2</sup> See EYFS paragraph 3.6 ('Safeguarding policies and procedures')

<sup>3</sup> Copyright, Designs and Patents Act 1988

<sup>4</sup> Email: stjosephspresch@gmail.com

<sup>5</sup> Tapestry is the child's online learning journey

- 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.
- Often photographs may contain children in the background.
- Events such as Sports day, outings, Christmas and fundraising events may be recorded by video and photographed by staff and parents/carers and will always be in full view of all attending.
- On occasion we might use photographs of the children taking part in an activity to advertise/promote St Joseph’s Pre-school via our website, Facebook<sup>6</sup> page etc; however, in this instance specific parental permission for these events would be required. Again, if a parent/carer does not give their permission for their child to be photographed, all staff will be informed so that reasonable steps can be taken to ensure that the child is not included in any photographs at the Pre-school.
- Many mobile phones and tablets have built in cameras so staff/visitors/parent/carers mobiles 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.
- **Cameras, mobile phones and other recording devices are prohibited in the toilet and nappy changing areas. A child will never by photographed when their clothes or nappy are being changed<sup>7</sup>.**
- 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. The designated place for a member of staff’s mobile phone is the kitchen window ledge.
- 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 and grievance procedures.
- 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 Social Media policy<sup>8</sup> gives additional parameters for the use and sharing of images.

## Legal Framework

- General Data Protection Regulations 2018

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<sup>6</sup> The setting has 2 Facebook pages. One open to advertise the setting – no photographs or day-to-day information uploaded, and a second which is closed and accessible for current parents and practitioners which does contain photographs and daily activities.

<sup>7</sup> Policy 1.2 Safeguarding Children and Child Protection

<sup>8</sup> Policy 1.12.3 Social Networking

- 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

### 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 <sup>nd</sup> read by C Ajayi.	7 Nov 2018
3.0	K Coupe	Reviewed and wording re parents/carers taking photos/videos on premises and grounds amended	20/11/21 Cttee Mbr (T Clapp)
4.0	K Coupe	Updated re Facebook in line with guidance from Early Years Gloucestershier	01/02/22 Cttee Mbr (A Shipton)
5.0	K Coupe	Updated in light of review of 1.12.3 Social Media. Inclusion of information re copyright	09/10/2023 Cttee Mbr (S Webb)
6.0	K Coupe	Reviewed and updated as follows: • 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	14/01/2024 Cttee Mbr (G Ind)