

PHOTOGRAPHY/VIDEO POLICY

Videos and photographs play an important part in children's development, strengthening their Understanding the world and their own individuality.

We recognise that parents may have concerns about the misuse of such resources. Parents give their consent whether they do or do not want their child to be photographed on the registration form.

Eastwood Neighbourhood Nursery would like to reassure parents/ carers by using strict guidelines to govern the circumstances where photographs can or cannot be taken.

- Photographs may be taken as part of the children's development.
- For displays inside the nursery entrance and care rooms.
- Evidence for OFSTED during inspections.
- As a record for parents of special occasions (e.g. birthdays).
- Material for promotions of the setting e.g. press, Early Years Children's Services (EYCS), newsletters, Our City Magazine, The Sentinel Newspaper and our Website. (With parents/carers consent). (A separate consent slip will be signed by the parent on these occasions).

In addition, parents are permitted to take video and still photographs of children in any nursery events during the year. Manager asks parents, visitors before event if anyone has any objections to using cameras or videos.

Photographs will not be taken:

- When parent has not given their consent.
- When children are unclothed
- By any visitor to the nursery who is unauthorised to do so.

MOBILE PHONE/CAMERA POLICY

- The Nursery respects that staff may bring their mobile phones to work. All staff must ensure that their mobile phone is stored either in their bag or locker and remain there at all times.
- Receiving and making calls will be done during staff break time, if staff are expecting an emergency call or they have children home ill then the nursery telephone number will be the one given as contact.
- The settings landline may be used by staff if they are unable to use their mobile (with prior permission from the management)
- No photographs will be taken on staff/visitors phones or cameras under any circumstances, if so then the phone or camera will be removed from their person until the photographs have been removed.
- All parents are discouraged from using mobile phones inside the setting and should not be used for taking photographs, even of their own child.

- Under no circumstances must cameras of any kind be taken into toilets with prior consultation with the Manager, Deputy or Senior Practitioner. If photographs need to be taken in the toilet area for example photographs of children washing hands staff must be supervised while carrying out the activity.
- At all times the camera must be placed in a prominent place where it can be seen.
- No mobile phone will be used beyond the security door of the nursery, by parents, visitors or staff
- Visitors will be asked to leave their mobile phones and cameras in the office.
- Staff should only use the setting's camera and memory card to take photographs and these must not be downloaded onto any personal computers.
- Photographs can only be downloaded from the memory cards onto the nursery laptop or computer.
- No electronic copies of photographs will be passed to outside agencies unless prior consent from the child's parent/carer.
- Photographs may be emailed to parents; prior consent to email will be obtained from parent/carer.
- Failure to adhere to any of the above is taken seriously, logged and investigated and appropriately and disciplinary may occur.

CHILDREN PHOTOGRAPHING EACH OTHER

Children may on occasions be given the opportunity to photograph each other and their surroundings. This practice may occur during off-site activities and for most children it will be normal practice to take photographs to record trips and events. Children also have access to cameras within the setting environment to support their learning and development needs. These activities will be encouraged in a safe and enabling environment.

Procedures

- Staff are required to discuss and agree age appropriate acceptable rules with children regarding appropriate use of cameras.
- Nevertheless there may be occasions where children will take inappropriate images. Staff will be vigilant when children are using cameras to ensure no inappropriate images are taken. If inappropriate photographs are taken these will be deleted immediately.
- The Manager, Deputy or Senior Practitioner is responsible for ensuring safe storage of all images.

THE RIGHT OF PARENTS TO TAKE PHOTOGRAPHS AND VIDEOS

Parents and carers will not be covered by the Data Protection Act 1988 if they are to take photographs or made a video recording for their own 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 nativity concert, sports day

The right to refuse parents the opportunity to take photographs and make videos is however reserved on health and safety grounds. The right will be implemented should it be deemed appropriate. For example, if excessive use of flashlights, bulky and noisy equipment are to be considered a potential health and safety risk.

Procedures

- Parents are required to sign in the Photograph/Video request book should they 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 parent of other children who may be captured in any photograph or video. Should it not be possible to gain consent from the parents 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 will only be permitted to making recordings or take photographs of any event for their own personal use only but only if all persons attending the event agree.
- Parents who are to be authorised to use photographic equipment must be mindful of others when taking such images. This will 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.
- Every effort must be made to ensure that individuals with no connection to the setting are to be given no opportunity to film covertly. The staff will question anyone they do not recognise (subject to their own safety being ensured) should they be observed using photographic equipment within the vicinity.

USE OF PROFESSIONAL PHOTOGRAPHER

Statement of intent

The setting will ensure that any professional photographer who is engaged to record any events will be prepared to work according to the terms of this policy 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 1988.
- Photographers will only be used where they will guarantee to act appropriately to prevent unauthorised or unlawful processing of images, and will ensure against accidental loss or destruction of, or damage to, personal data.

Procedures

Photographers will be asked to sign an agreement which will aim to:

- Compliance with the data protection Act 1988
- Images only used for a specific 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 requirement. 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 D.B.S. Checks, will be requested. Photographic identity will be checked on arrival. Should 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 no unsupervised access to the children is given.