

Camera and Image Policy



Camera and Image Policy

1 Introduction

1.1 The use of cameras should be considered an essential and integral part of everyday life. As such, children and staff are to be encouraged to use such technology in a positive and responsible way.

1.2 It has to be recognised however, that digital technology has increased the potential for cameras and images to be misused and inevitably there will be concerns about the risks to which children and young people may be exposed.

1.3 Practical steps must be taken to ensure that the use of cameras and images will be managed sensitively and respectfully. A proactive and protective ethos is to be reflected which will aim to promote effective safeguarding practice.

1.4 It must however be acknowledged that technology itself will not present the greatest risks, but the behaviours of individuals using such equipment will.

2 Aim

2.1 The Camera and Image Policy will aim to ensure safer and appropriate use of cameras and images through agreed acceptable use procedures. This is to be in line with legislative requirements and will aim to respect the rights of all individuals.

3 Scope

3.1 The Camera and Image Policy will apply to all individuals who are to have access to and/or be users of work-related photographic equipment. This will include children and young people, parents and carers, early years practitioners and their managers, volunteers, students, committee members, visitors, contractors and community users. This list is not to be considered exhaustive.

3.2 The Camera and Image Policy will apply to the use of any photographic equipment. This will include mobile phones and portable gaming devices with inbuilt cameras as well as other forms of digital technology and resources for storing and printing images.

4 Responsibilities

4.1 The Senior Designated Person for Safeguarding (SDPS) is to be responsible for ensuring the acceptable, safe use and storage of all camera technology and images.

At class team level it will be the responsibility of all staff to ensure the safe classroom storage of photographic equipment and stored images.

5 Legislative framework

5.1 This policy complies with the requirements of the Data Protection Act 1998, Freedom of Information Act 2000, Human Rights Act 1998 and other relevant Acts regarding the taking and use of photographic images of children.

5.2 All images will be used in a manner respectful of the eight Data Protection Principles.

5.3 This means that images will be:

- fairly and lawfully processed
- processed for limited, specifically stated purposes only
- used in a way that is adequate, relevant and not excessive
- accurate and up to date
- kept on file for no longer than is necessary
- processed in line with an individual's legal rights
- kept securely
- adequately protected if transferred to other countries.

Where necessary, registration as a data controller will be applied for to all own personal information to be processed.

6 Code of conduct

6.1 Class staff teams must ensure that the policy and procedures included herein are to be adhered to at all times. The Camera and Image Policy must be considered in conjunction with the Acceptable Use Policy and the ICT Misuse Policy.

6.2 The use of cameras and other photographic equipment is only to be authorised by the Senior Designated Person for Safeguarding. Staff should only use such equipment for purposes as designated by the Senior Designated Person for Safeguarding. It must be recognised that individuals may be given different levels of responsibility in terms of authorised use.

6.3 Wherever practical, cameras and other photographic equipment will be designated for work-related purposes only. Such equipment must be booked and

signed out accordingly. The use of personal photographic equipment is to be avoided this includes Mobile Phone Cameras as these are the most likely pieces of equipment that may be lost, stolen or misplaced. Should it be considered that such use is not to be precluded for a given reason, explicit authorisation must be obtained from the Senior Designated Person for Safeguarding and all relevant details of use are to be recorded.

6.4 Staff must report to the ICT Coordinator (acting on behalf of the SDPS)to book out video camera equipment. Any difficulties encountered or concerns reported.

6.5 The use of personal USB sticks, the transferring of images via free unfiltered web mail or via mobile media is to be avoided.

6.6 The Senior Designated Person for Safeguarding must reserve the right to view any images taken and/or to withdraw or modify an individual's authorisation to take or make images at any time. Staff must ensure that all images are available for scrutiny and be able to justify any images in their possession.

6.7 The Senior Designated Person for Safeguarding will be responsible for ensuring the safe storage of all images, in accordance with the Camera and Image Policy.

6.8 Staff are to have a duty to report any concerns relating to potential misuse. Clear whistle-blowing procedures are to be in place. An anonymous reporting system will also be promoted and used to facilitate this process.

7 Consent

7.1 Statement of intent

7.1.1 General signed consent to take photographs or record images of children will be requested from the parent or carer on enrolment of their child. The purpose for taking any images is to be clearly explained and agreed. Any consent given is to be reviewed on a regular basis (of a period of no more than one year) until such time the child or young person will no longer attend the setting. This consent will cover the taking of images for general purposes, such as taking photographs which will be used to document children's learning.

7.1.2 Consent must be requested because an image of a child or young person is considered to be personal data under the Data Protection Act 1998 and consent must be obtained as a requirement of the Act. The requirement for consent will be applied to all children and young people under the age of 18 years (or from the young person, if deemed to be competent to make such a judgement, from the age of 12 years). The child's view is however to be considered at all times, regardless of age.

7.1.3 It should be recognised that some children and young people will be more vulnerable than others, for example disabled children, children in care, those with a child protection or child in need plan, children with English as an additional language, black, minority and ethnic children and those who have been subject to domestic abuse. For a range of reasons, such children's security may be compromised more than others, and therefore extra precautions must be considered in such circumstances.

7.2 Procedures

7.2.1 Prior consent will always be obtained in writing before any images will be taken. If it should not be possible to obtain prior written consent, no images will be taken until arrangements have been made and verified by another member of staff or the SDPS.

7.2.2 Only consent provided by a parent or carer with parental responsibility is to be accepted.

7.2.3 The parent or carer will reserve the right to refuse or withdraw their consent at any time. Partial or restricted consent may also be given where deemed necessary by the parent or carer.

7.2.4 Specific consent for the use of images for purposes other than those previously stated and agreed will be requested, for example, should images be required for publicity materials or to support the training needs of early year's practitioners and their managers. Such consent will detail how the photographs are to be used and for what period of time such permissions will cover.

7.2.5 Images must not be used for anything other than the stated purposes; unless additional revised consent is to be obtained. A copy of the relevant image will be stored with the specific consent form.

7.2.6 Images of children who are to no longer attend Acorns school will not be used, unless specific consent has been obtained to cover this extended period. Generally consent to use images will lapse should a child leave Acorns School.

8 Images

8.1 Statement of intent

8.1.1 It must be recognised that children and young people could be exposed to potential risk should images be misused, including:

- the making, taking and distribution of inappropriate and indecent images.
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- grooming (the process by which child sex offenders and paedophiles will befriend victims through direct or indirect contact, often preceded by efforts to gain personal information about the child or young person).

8.1.2 It must be remembered that such incidents fortunately remain very rare; but it should also be understood that detailing such concerns will often raise further anxieties and will make many individuals feel uncomfortable. It must be acknowledged however, that the first step towards minimising any danger will be to have a fuller understanding of what constitutes a risk and what behaviours may compound it.

8.1.3 Protective and precautionary measures should therefore be considered when taking, making or using images of children. It is to be ensured that all staff are aware of the potential for images to be subject to misuse; and therefore will be expected to agree to adhere to this policy.

8.2 Procedures

8.2.1 The purpose and context for any proposed image should always be considered. It must be determined whether taking a photograph or video, for example, will be the most effective option or whether alternative methods of capturing information are to be judged more appropriate in the given circumstance.

8.2.2 Sensitivity must be shown to any child or young person who is to appear uncomfortable; and the potential for misinterpretation is to be recognised. Images will therefore not be taken of any child or young person against their wishes. Coercion must not be used to encourage a child or young person to participate when it has been indicated that they clearly do not want to be involved. A child or young person's right not to be photographed is to be respected.

8.2.3 The taking or making of images of a child or young person in a one to one situation with an adult is to be avoided whenever possible; unless there is an agreed, specified reason for doing so. It must be recognised that the context of such situations are likely to be perceived as sensitive and the use of cameras will be seen as intrusive and open to misinterpretation. It is to be recognised that this may leave both the adult and child in a vulnerable position and is therefore not to be considered accepted practice.

8.2.4 It is to be recognised that individual close up pictures of a child or young person often provides little context or purpose, and most often, an image of a group of children will show an activity or situation to better effect. Unnecessary close up pictures of an individual child or young person with no surrounding context or purpose are therefore to be avoided. The vast majority of photographs taken in the setting environment will therefore be general shots of whole small group activities a shot showing the child working in context.

8.2.5 Where group photographs of children and young people are to be planned, permission must be obtained from all parents and carers. If any parent or carer has indicated that their child is not to have a photograph taken then a group photograph will not be considered appropriate.

8.2.6 Images which could be considered to cause distress, upset or embarrassment must not be used.

8.2.7 Images of children and young people must only be taken when they are in full and suitable dress. In no circumstances, are images to be taken of children or young people in any state of undress. Should children and young people be participating in sport activities, careful consideration must be given to the appropriateness of taking such images, in particular the angle of which shots may be taken.

8.2.8 In places other than Acorns school, It should be ensured that a child or young person's name or any other identifying information does not appear in any caption or accompanying text alongside their photograph, for example on displays, documentation panels and name cards. Particular care is to be taken where such images are likely to be viewed by others, including the general public.

8.2.10 The minimum amount of information possible is to be provided to preserve the identity of children and young people at all times. No personal details, such as home telephone numbers, email or home addresses are to be disclosed in any written or verbal communications. This is to include information that will contribute to the personal profile of a child or young person.

8.2.11 It must be understood that the need to obtain consent for the use of images, is to be applied to adults as well as children. Staff must be made aware that they are not permitted to 'publicise' another child or young person in photographs.

9 Practitioners training portfolios

9.1 Statement of intent

20.1.1 During training, practitioners may be required to compile portfolios which will be used to document and evidence their own learning. Part of this documentation is likely to include images of the practitioner working alongside children and young people participating in various activities. Should such evidence be required, parent or carer consent will be requested.

9.1.2 The Senior Designated Person for Safeguarding is to have a duty of care to ensure practitioners are to act responsibly in compiling the images to be included in training portfolios. Practitioners will therefore be monitored in their taking, making and use of such images. All images will be subject to scrutiny.

9.2 Procedures

9.2.1 The Senior Designated Person for Safeguarding will oversee the compilation of images which are to be used by practitioners when completing training portfolios. Any images which are to be deemed unsuitable for any reason will not be included.

9.2.2 Should images be considered inappropriate, the Senior Designated Person for Safeguarding will ensure the ICT Misuse Policy is to be applied
