



The use of mobile phones, images, cameras and technological devices

1. Use of personal technological devices by staff, volunteers and students

ACE recognises that staff, students and volunteers may wish to have their personal mobile phones at work for use in case of emergency. It is acknowledged that staff may also have other technological devices in their possession or within their personal belongings.

However, safeguarding of children within the setting is paramount and it is recognised that personal mobile phones and technological devices have the potential to be used inappropriately and therefore ACE has implemented the following policy:

- Personal mobile phones and technological devices should never be used whilst working with the children, only in the staff room and office areas.
- Personal mobile phones and technological devices should be stored in staff lockers and switched onto silent.
- Staff can use their personal mobile phones and technological devices in the staff room and office.
- If any staff member needs to be contacted during the day for an emergency, the nursery landline can be used.
- If a staff member, student or volunteer must use their mobile phone this should be away from the children and the use should take place in the staffroom or office, ensuring staff supervision levels are not compromised.
- Staff, students or volunteers who ignore this policy and use a personal mobile phone or technological device without permission may face disciplinary action.
- In circumstances such as outings and off site visits, staff will use the nursery mobile phone and setting owned technological devices.
- Where there is a suspicion that the material on a mobile phone or technological devices may be unsuitable and may constitute evidence relating to a criminal offence, the 'Allegations of Abuse' process will be followed (please refer to the Whistle Blowing policy).
- Staff, students or volunteers remain responsible for their own property and will bear the responsibility of any losses.

2. Use of personal mobile phones and cameras and technological devices by non staff (such as visiting parents/carers , outside professionals and maintenance contractors)

ACE recognises that visitors may wish to have their personal mobile phones or technological devices with them.

However, safeguarding of children within the setting is paramount and it is recognised that personal mobile phones and technological devices have the potential to be used inappropriately and therefore ACE has implemented the following policy:

- Mobile phones and technological devices must only be used away from the children, off site if possible, and switched onto silent to ensure minimal disruption to the nursery.
- In exceptional circumstances, such as a family emergency, visitors should seek permission from a management team member to use their mobile phone.
- The setting's landline telephone can be used for emergencies.
- Photos of children must not be taken without prior discussion with the Headteacher or Deputy and in accordance with the Data Protection Act 1998 and using the 'Use of images consent form' (Please refer to the setting's document 'Guidance for settings on the use of images, mobile phones and cameras in accordance with the Data Protection Act 1998').
- In circumstances where there is a suspicion that the material on a mobile phone or technological devices may be unsuitable and provide evidence relating to a criminal offence, the 'Allegations of Abuse' process will be followed (please refer to the Whistle Blowing policy).
- Visitors remain responsible for their own property and will bear the responsibility of any losses.

3. Use of the settings mobile phone, camera and other technological devices

ACE provides a selection of technological devices for staff, students and volunteers to use to support their work with children. This part of the policy is designed to offer practical advice to help achieve a balance between safeguarding the children in our care and ensuring families are able to celebrate in their children's achievements through the use of technology.

The Data Protection Act 1998 affects the use of photography. An image of a child is personal data and it is, therefore, a requirement under the Act that consent is obtained from the parent/carer of a child for any images made such as those used for setting websites, observations, outings and events or other purposes. ACE believe it is important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

To protect all children staff will:

- Only use cameras and technological devices belonging to the setting to take appropriate and relevant images of children, i.e. observations, photographs of setting events.
- Use images in accordance with the Data Protection Act 1998.
- Not take photographs of bruising or injuries on a child for child protection concerns. In these cases, the 'Logging Concern Form and Body Map' must be used to record factual observations.
- Only use ACE's Technological devices for work related matters.

- Follow the 'Allegations of Abuse' process (please refer to the whistle blowing policy)in circumstances where there is suspicion that the material on the setting's mobile phone or technological devices may be unsuitable and provide evidence relating to a criminal offence.
- Obtain permission from all parent/carers before taking photographs or videos of the children. This is obtained via a permission form in the child's starter pack when they join ACE, covering all cases where images of children are to be used. Where parents/carers have refused permission for their child to be photographed or have not returned a completed and signed consent form, the child's image will not be recorded. Where a parent/carer has given consent but a child declines to have an image taken, it should be treated as consent not having been given and other arrangements should be made to ensure that the child is not photographed/filmed.
- Obtain separate written permission from all parent/carers before any photographs are taken by journalists for articles associated with the nursery. If a child is photographed by a newspaper, the photo becomes the property of the newspaper and the newspaper has the final say as to how it is used. (N.B. images can be placed by editors on the newspaper's website). Generally, newspaper photos of groups of 12 or more children do not have the names of the children attached. Photos of smaller groups might include the full name of the child in the accompanying caption; however, the setting/parents are not obliged to provide children's names and it is recommended that they do not do so. Whatever the purpose of displaying or publishing images of children care should always be taken to avoid the possibility that people outside the setting could identify and then attempt to contact children directly. Where possible, general shots of group activities rather than close up pictures of individual children should be used.
- Take care in relation to taking photographs and images of particularly vulnerable children such as looked after children, recently adopted or those who have fled domestic violence/abuse.
- Only display images of the children on setting owned technological devices.
- Tell parents/carers they are allowed to take photographs whilst on ACE outings or social events, but that these images are for personal use only and not to be placed on any social media sites (see ACE social events below).
- Adhere to all safeguarding policies and procedures.
- Obtain further written consent from parents/carers for any photograph to be used for publicity i.e. job advertisement, brochures or our website etc.
- Obtain further written consent from parents/carers for any photographs to be used by students.
- Avoid naming any children shown in photographs or videos.
- Ensure parents/carers do not use their own cameras/videos etc during play sessions.
- Give any photographs that aren't used and/or after use (i.e. when taken down from displays) to the parents/carers or add them to the child's development folders if appropriate, if not needed they will be shredded.
- Only store photographs on either of the 2 computers in the office, on the tablet, nursery camera's and video flip camera.

- Respect that the setting's mobile phones and technological devices remain the property of the setting at all times and should not be taken off of the premises, with exception of visits and outings.
- Challenge anyone who is using a camera, mobile phone or video recorder at the setting whom they do not recognise.
- Make sure children should be in suitable dress in any image or video.

Staff at ACE take photographs:

- For display purposes: so parents/carers, visitors and outside professionals can see how the children spend their time at ACE.
- To keep in each child's development folder: staff can evidence the progress of their key children. These photographs will very often include other children i.e. photographs of groups of children playing or a group of children joining in with a music/singing session. This may result in your child/ren appearing in photographs which will be used in other children's development folders and these folders are given to parents/carers when the child leaves ACE.
- To display photographs on our playroom digital photograph frame, again so parents/carers, visitors and outside professionals can see the wide range of ACE activities that we provide for the children.
- To share special events and good practice with ACE Nursery School.
- Tempest Professional Photographer visits the setting annually to take individual and group pictures. These are offered for sale to parents/carers.

Staff will use a video:

- As part of our settling in process with new children to show parent/carers how their child was during their settling in session.
- To record developmental milestones of the children, which will be shared with parents/carers.
- For staff development, to reflect on practice.

ACE events:

ACE parents' committee organise lovely social events throughout the year where everyone is welcome: staff, parents/carers, children, extended family and friends. During these social events each child is accompanied by an adult.

The Data Protection Act does not prevent parents/carer from taking images at setting events, but these must be for their own personal use. Any other use would require the consent of the parents/carers of other children in the image. Personal cameras may be used but we ask for photographs not to be displayed on social networking sites and are for the families own personal use.

Wherever possible ACE will take our own 'official' photos or videos, in order to retain control over the images produced.

Examples:

*A parent takes a photograph of their child and some friends taking part at a sponsored fun walk to be put in the family photo album. These images are for personal use and the Data Protection Act does not apply.

*Grandparents are invited to the setting nativity play and wish to video it. These images are for personal use and the Data Protection Act does not apply. However, if they intend to use the video on a social networking site e.g. Instagram, Twitter, they must receive permission from the parents of all the other children involved.

Useful contacts

Early Years Named Senior Officer (Gemma Hope)	01223 714760 or 07876 038762
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Early Years Safeguarding Advice Line	01223 729040
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Ofsted	0300 123 1231
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Policy adopted: Spring term 2017

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Signed: *Lisa Tuohy*

Position: Headteacher