

# A Mobile Phone and Camera Toolkit for Early Years Settings

Early Years Services | April 2013 | Version 1.0

## 1.0 Who is the Toolkit for?

The toolkit is designed to be used by any setting providing services for the early years age group (birth – 5 years), it supports good practice and can be applied to any organisation working with children.

The toolkit will aim to provide guidance on best practice for managing the risks associated with mobile phones and cameras.

This toolkit will provide information and guidance to promote best practice through policies and procedures and includes exemplars. Early years settings will be required to tailor the policies and exemplars to meet their own individual requirements and to ensure that they meet their own Local Authority's safeguarding policy and procedures.

The Statutory Framework for the Early Years Foundation Stage (2012) requires settings to have a safeguarding policy and procedure which includes the use of mobile phones and cameras in the setting (Pg.13 3.4) to minimise the risk of inappropriate sharing of images (Pg.14 3.6).

## 2.0 Mobile Phone Policy and Procedures

### 2.1 Aim

**To protect children from harm by ensuring the appropriate management and use of mobile phones by everyone who comes into contact with the setting.**

### 2.2 Procedures

To minimise any risks, all personal mobiles must not be used where children are present. This applies to shared use of rooms where non setting staff may be present at the start of the session, for example an out of school club using a classroom with teaching staff present.

Procedures must be put into place that will ensure safe and secure storage of practitioners' personal belongings including mobile phones. It is recommended that personal mobile phones are security marked, password protected and insured.

Visitors, including other professionals, contractors and parents/carers must be made aware by signs and verbal reinforcement that they are not to use their mobile phone where children are present.

Under no circumstances are images, videos or audio recordings to be made without prior explicit written consent by the designated safeguarding person.

Personal mobiles may be used in designated areas at break times.

Staff are advised to provide their work place contact number to their family members, own children's schools/settings for use in the event of an emergency.

- The setting will not be held responsible for any loss or damage of personal mobile phones.

## 2.3 Work/Setting Mobile

- The mobile phone needs to be a phone only, not a camera phone, and clearly labelled as a works mobile phone.
- Where the setting has a mobile and it is the only source of communication or for use on outings, effective security procedures must be in place to guard against misuse.

# 3.0 Camera and Image Policy and Procedure

## 3.1 Aim

**To safeguard children by promoting appropriate and acceptable use of photographic equipment and resources for storing and printing images.**

## 3.2 Legislative Framework

- Data Protection Act (1998) in which there is eight principals.
- Freedom of Information Act 2000
- Human Right Act 1998

## 3.3 Procedures

- Consent is required under the Data Protection Act 1998 as images are considered to be personal data.
- All images are to be stored and disposed of in line with Data Protection Act 1998.
- If images are to be stored for a short period of time they must be password protected on a computer storage device.
- Security procedures must be monitored and reviewed regularly by the designated safeguarding officer. The security procedures include protection against theft of equipment and computer security.
- **Consent forms must be signed by parents/carers with parental responsibility when they register their child with the setting and copies of the consent forms should be provided for the parents.**
- Images must not be used for anything other than the agreed purposes unless additional consent is obtained.
- Photographs must be appropriately disposed of should they be no longer required. This could include giving the images to parents, deleting or shredding.
- Where group photographs of children are to be taken, written permission must be obtained from all parents /carers who have the right to refuse.
- The purpose and context for any proposed images should always be considered to decide whether a photograph or video are the most appropriate method of recording the information.
- The purpose of taking any images is to be clearly explained for example marketing of the business, prospectus, website, or local newspaper, use in display and to document children's learning.
- Each reason is to be clearly explained and agreed with an option for parents/carers to refuse any or all of the discussed uses and to withdraw consent at any time. Any consent should be reviewed on a regular basis and at least annually.
- Consent for the use of images applies to adults as well as children.
- A child's full name should not appear alongside their photographs particularly if the images could be viewed by the general public.

### **3.4 Use of a Professional Photographer**

- Only a reputable photographer who can provide evidence of authenticity should be used. Their photographic identity should be checked on arrival.
- They should be viewed as visitors therefore appropriate supervision should be in place at all times to ensure no unsupervised access to children. They should be supervised by a person who is in regulated activity. For further information on this follow the website link on the back page.
- They should be asked to sign an agreement to ensure that they comply with Data Protection requirements, to agree that images will only be used for the agreed specified purpose and not be disclosed to any third person.

### **3.5 Parents/Carers**

- The use of any photographic equipment by staff, parents or visitors must be with the consent of the head teacher, manager or person in charge.
- The manager should have the authority to challenge anyone using photographic equipment without prior consent.
- Parents and carers are not covered by Data Protection Act if they take photographs or make a video recording for their own private use. For further information see the website at the back of the document.

### **3.6 Digital Photo Frames**

- If these are used to display slide shows of children, consent must be obtained from parents and carers.
- Images of children must be purposeful and show them in an appropriate context.
- Careful positioning of photo frames should be considered as they are often displayed in the most public areas of the childcare setting i.e. reception area.

## **4.0 Code of Conduct**

**A code of conduct is recommended to ensure that all staff are informed and work together to safeguard and promote positive outcomes for children, and complete a professional conduct agreement.**

### **4.1 Legislative Framework**

- Data Protection Act (1998)**
- Freedom of Information Act (2000)**
- Statutory Framework for Early Years Foundation Stage (2012)**

Reasonable steps must be taken to ensure the reliability and suitability of any individual who is to have access to personal data.

All practitioners are required to:

- follow confidentiality and information sharing procedures which will be agreed at the time of induction;
- have a clear understanding of what constitutes misuse;
- avoid putting themselves in compromising situations which could be misinterpreted and could lead to potential allegations;
- be aware of reporting concerns immediately

# 5.0 Children’s Records (Learning Journeys/Profiles)

## 5.1 Legislative Framework

- Data Protection Act (1998)
- Freedom of Information Act (2000)
- Statutory Framework for the Early Years Foundation Stage(2012)

## 5.2 Procedures

- Learning journeys are to be treated as personal data as each journey relates to an individual, identifiable child.
- Where possible blanket consent will be requested from parent and carers for group images to be included in the learning journeys of other children. Parents and carers must be given the opportunity to view any images before they are included in any learning journey and must be given the option to restrict their consent.
- If it is not possible to obtain consent, the relevant image must not be shared across learning journeys of other children.
- Parents and carers must be reminded that they must not share, distribute or display images containing other children without the relevant permission or consent from their parents.
- Parents should be encouraged to contribute information to this learning journey, by including some information and photographs which show what their child enjoys doing at home.
- Learning journeys should remain on site at all times. If learning journeys are taken off site, this must be with prior written agreement between head teacher/manager/practitioner and parents and a risk assessment should be undertaken.
- For Ofsted registered settings, prior agreement from Ofsted is required for records to be kept securely off the premises (Pg. 26 3.68).

**This policy was approved by the Governing Body of Moor First School at their meeting on:**

**Sign:..... Chair of Governors**

**Sign: .....Co-Headteacher /  
Designated Safeguarding Lead (DSL)**

**Sign: .....Co-Headteacher /  
Deputy Designated Safeguarding Lead (DDSL)**