

LIONEL WALDEN PRIMARY SCHOOL



MOBILE PHONE AND CAMERA POLICY

Updated: September 2021
Review Date: September 2022

LIONEL WALDEN PRIMARY SCHOOL



Staff and Volunteers Use of Personal Mobile Phones and Cameras

Lionel Walden Primary School recognises that staff, students and volunteers may have their personal mobile phones in their possession at work. However, safeguarding of children within the school is paramount and it is recognised that personal mobile phones have the potential to be used inappropriately and therefore the school have implemented the following policy:

- Personal mobile phones and cameras should only be used outside of lessons/times when working with children (when not on break or lunchtime duty) and never whilst children are present -
- If a staff member, student or volunteer must use their mobile phone (see above) this should be away from the children, ensuring that staff supervision levels are not compromised in any way
- Personal mobile phones and cameras should be stored securely in staff bags in classrooms, in the staff desk drawer or left at the School Office - **they should not be visible on desks**
- Pupils must hand in their mobile phones at the School Office on entry to school; they must be collected at the end of the school day on exit
- In very unusual circumstances, such as a family emergency, staff and volunteers should seek permission from the Head Teacher to use the landline telephone in the School Office
- Staff, students or volunteers who ignore this policy and use a mobile on the school premises without permission may face disciplinary action
- The school's main telephone number can be used for emergencies by staff or volunteers or by people who need to contact them - the number should be given to next of kin

- In circumstances such as outings and off site visits, staff will agree with the Headteacher the appropriate use of personal mobile phones in the event of an emergency
- Where there is a suspicion that the material on a mobile phone may be unsuitable and provide evidence relating to a criminal offence the 'Allegations of Abuse' process will be followed (please refer to the school's Safeguarding and Child Protection Policy)
- Staff, students or volunteers remain responsible for their own property and will bear the responsibility of any losses.

Non Staff use of personal mobile phones and cameras

Lionel Walden Primary School recognises that people may wish to have their personal mobile phones with them to use in case of emergency. However, safeguarding of children within the school is paramount and it is recognised that personal mobile phones have the potential to be used inappropriately and therefore the school have implemented the following policy:

- Mobile phones and cameras should only be used away from the children and where possible, off site
- In very unusual circumstances, such as a family emergency, volunteers should seek permission from the Headteacher/Deputy Headteacher to use their mobile phone in school
- The School's main telephone number can be used for emergencies
- Photos of children must not be taken without prior discussion with the Headteacher and in accordance with the Data Protection Act 1998 and using the Use of Images Consent Form (please refer to the setting document 'Guidance for settings on the use of Images, Mobile Phones and Cameras')
- In circumstances where there is a suspicion that the material on a mobile phone may be unsuitable and provide evidence relating to a criminal offence, the 'Allegations of Abuse' process will be followed (please refer to the setting Safeguarding and Child Protection Policy)
- People remain responsible for their own property and will bear the responsibility of any losses

Lionel Walden Primary School provides a range of devices for staff, students and volunteers to use to support their work with children. To ensure the appropriate use of this equipment, and to safeguard children, the following policy applies:

- Only the device and recording equipment belonging to the school may be used to take appropriate and relevant images of children i.e. observations, photographs of school events
- Images must be used in accordance with the Data Protection Act 1998 (please refer to the school's document 'Guidance for settings on the use of Images, Mobile Phones and Cameras')

- It is not appropriate to 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
- The school's devices must only be used for work related matters
- In circumstances where there is a suspicion that the material on the school's devices may be unsuitable and provide evidence relating to a criminal offence the 'Allegations of Abuse' process will be followed (please refer to the school's Safeguarding and Child Protection Policy)
- The school's devices remain the property of the school at all times and should not be taken off the premises (with the exception of visits and outings). Teachers may take home their assigned iPad/laptop for school related work only.

Guidance for settings on the use of images, mobile phones and cameras in accordance with the Data Protection Act 1998

Introduction

This guidance is designed to offer practical advice to settings in order for them to be able to balance safeguarding the children and young people in their care. Settings are advised to have a clear policy which outlines the safety guidelines for the use of photography and mobile phones within the setting (3.4 Early Years Foundation Stage Safeguarding and Welfare Requirements).

The use of images can be divided into three categories

- Images taken for setting use i.e. observations
- Images taken by parents at setting events
- Images taken by third parties

Images taken by the setting

Staff or volunteers **must not** use personal devices, videoing equipment or mobile phones to take images of children that attend the setting. The setting must consider the appropriate use of staff and volunteer mobile phones and should have a clear policy which outlines the agreed protocol.

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 web sites, observations, outings and events or other purposes. It is also important to take into account the wishes of the child, remembering that some children do not wish to have their photograph taken.

A signed consent form should be obtained from the child's parent/carer, and should be kept on the child's file, covering all cases where images of children are to be used.

Where parents/carers have refused permission for their child/young person to be photographed or have not returned a correctly completed and signed consent form, the child must be removed from situations where their image may be recorded. Where this is not practical, no images should be recorded.

Where a parent/carer has given consent but a child or young person 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/young person is not photographed/filmed.

Care should be taken in relation to particularly vulnerable children such as Looked After Children, recently adopted or those who have experienced domestic violence.

Examples:

*A photograph of child is taken as part of their Learning and Development record. The images are likely to be stored electronically with other personal data and the terms of the Data Protection Act **will** apply.*

*A small group of children are photographed during an outing and the photo is to be used in the setting newsletter. This will be personal data but **will not** breach the Act as long as the children and/or their parents/carers are aware this is happening and the context in which the photo will be used.*

Parents wishing to take images of setting events

The Data Protection Act does **not** prevent parents 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 of other children in the image.

Examples:

*A parent takes a photograph of their child and some friends taking part 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. Facebook, Twitter, they must receive permission from the parents of all the other children involved.*

The setting manager in consultation with the committee/employer must decide when parents are to be permitted to take images. This information must be given to parents.

It is recommended that wherever possible settings take their own 'official' photos or videos, in order to retain control over the images produced.

Third Parties

It is also important to ensure that people with no connection with the setting do not have any opportunity to produce images covertly. Staff should question anyone who is using a camera, mobile phone or video recorder at events or on outings whom they do not recognise.

Images taken by the press

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 staff must not do so.

Example:

A photograph is taken by a local newspaper of a setting event. As long as the setting has agreed to this, and the children and/or their guardians are aware that photographs of those attending the ceremony may appear in the newspaper and given permission, this will not breach the Act.

Storage of images

The setting has a duty of care to safeguard images so that they cannot be used inappropriately, or outside the agreed terms under which consent has been obtained. Images can be stored digitally or electronically but this should be secure. Images must be maintained securely for authorised setting use only, and disposed of either by return to the child, parents, or shredding.

Transfer of images

There is a risk, however small, that images may be lost while in the process of being transferred by either traditional or electronic methods. Therefore, there is the risk that an individual who would use them inappropriately may obtain the images. This risk should be explained to parents and carers.

Publishing or displaying photographs or other images of children

The DFE advise that if the photograph is used, avoid naming the child.

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
- Children should be in suitable dress
- An article could be illustrated by the children's work as an alternative to using an image of the child