

 **Camera, ICT and Mobile Phone & smart watches with a camera built in Policy**

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|  Safeguarding and Welfare Requirement: Child Protection  1.16 Acceptable use of ICT Policy“The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting.The safeguarding policy and procedures must include an explanation of the action to be taken in the event of an allegation being made against a member of staff, and cover the use of mobile phones and cameras in the setting” |

**Statement of intent**

 At Smart Steps it is our intention to provide an environment in which children, parents/guardians and staff are safe from images being recorded and inappropriately used in turn eliminating the following concerns:

* Staff being distracted from their work with children
* The inappropriate use of mobile phone cameras or other image recording equipment, around children

**Aim**

* To have a clear policy on the acceptable use of mobile phones and cameras that is understood and adhered to by all staff, parents, volunteers and visitors without exception.

 In order to achieve this aim, we operate the following Acceptable Use Policy:

**Mobile Phones**

* Smart steps Day Nursery will allow staff to bring in personal mobile telephones and devices for their own use. Under no circumstances does the nursery allow a member of staff to contact a current child or parent/guardian using their personal device. This also refers to personal numbers and contact details to be given out.
* Users bringing personal devices into Smart Steps nursery must ensure there is no inappropriate or illegal content on the device.
* To ensure the safety and welfare of all the children within our care, we operate a no mobile phone policy in the nursery. This policy is also to protect our staff members against possible allegations.
* At the beginning of staff members’ shifts, they will be asked to place their mobile phones in the designated area in the office.
* Staff members will be allowed access to their mobile phones on their break, but this must be away from the children and in the designated staff area. After their break, staff members must return their mobile phones back to the designated area. The Manager or Deputy Manager (whoever is present and in charge on the day) will be responsible for checking this is adhered to.
* If staff members have a personal emergency, they are free to use the setting’s landline telephone. They can in turn speak to the Manager to ask permission to make a personal call from their mobile in the designated staff area of the nursery. If any staff member has a family emergency or similar, they are encouraged to give the nursery number for them to be contacted on. IF this is not possible for whatever reason, and they are required to keep their mobile phone on and “to hand”, prior permission must be sought from the Manager or Deputy Manager (whoever is in charge on the day) and the mobile phone should be placed in the designated place in the Office, where it can be visible at all times.
* Staff members will need to ensure that the Manager has up to date contact information and that staff make their families, children’s schools etc. aware of emergency work telephone numbers. This is the responsibility of the individual staff member.
* All parent helpers/students will be requested to follow the same policy. There are signs on the main door stating we do not allow mobile phones in the main nursery rooms.
* During group outings nominated staff members will have access to the settings nominated mobile phone (camera free) which is to be used for emergency purposes only. It is the responsibility of all members of staff to be vigilant and report any concerns to the Nursery Manager or Deputy Manager.
* Concerns will be taken seriously, logged and investigated appropriately (see allegations against a member of staff policy).
* The Manager or Deputy Manager in her absence reserves the right to check the image contents of a member of staff’s mobile phone should there be any cause for concern over the appropriate use of it.
* Should inappropriate material be found then our Local Authority Designated Officer (LADO) will be contacted immediately on **01905 846221**. We will follow the guidance of the LADO as to the appropriate measures for the staff member’s dismissal.
* Personal mobile phones, smartwatches, and fitbits should be turned off or set to silent during working hours.
* Use of personal mobile phones and smartwatches is allowed only during designated breaks, away from the children or in the nursery office

**Parents & Visitors**

Parents or visitors who either arrive using a mobile phone or take a call on a mobile should be immediately told to end their phone call or leave the premises. Visitors are signed into the nursery and asked to leave their personal belongings and mobile phones in the office area.

**Cameras**

Photographs taken for the purpose of recording a child or a group of children participating in activities, and celebrating their achievements are an effective form of recording their progression in the Early Years Foundation Stage. However, it is essential that photographs are taken and stored appropriately to safeguard the children in our care.

* Only the designated nursery camera is to be used to take any photo within the setting or on outings.
* Images taken on this camera must be deemed suitable without putting the child/children in any compromising positions that could cause embarrassment or distress.
* All staff members are responsible for the location of the camera; this should be placed in the office when not in use.
* The camera must be locked away in the office at the end of every session.
* Key people are responsible for downloading and printing their own key children’s photographs. These must be downloaded onto the nursery laptop or computer, which MUST stay on the nursery site.
* Under no circumstances must cameras of any kind be taken into the bathrooms without prior consultation with the Manager or Leader. If photographs need to be taken in a bathroom, i.e. photographs of the children washing their hands, then the Manager or Leader must be asked first, and staff to be supervised whilst carrying out this kind of activity. At all times the camera must be placed in a prominent place where it can be seen.
* Failure to adhere to the contents of this policy will lead to disciplinary procedures being followed.

**The right of parents to take photographs and videos**

Permission from all parents/guardians will be sought if a parent or guardian should 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 parents/guardians of other children who may be captured in any photograph or video. Should it not be possible, to gain consent from the parents/guardians 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/guardians will only be permitted to make recordings or take photographs of any event for their own personal use. The use of such images and recordings for any other purpose, without express permission, will be a breach of the General Data Protection Regulation 2018.

Parents/guardians who are to be authorised to use photographic equipment must be encouraged to be mindful of others when making and taking such images. This will be to 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 and intrusive photography or filming must be avoided at all times. The right to withdraw consent will be maintained and any images or filming must be open to scrutiny at any time. Every effort must be made to ensure that individuals with no connection to the Early years setting are to be given no opportunity to film covertly. Smart steps Nursery staff have the authority to question anybody they do not recognise (subject to their own safety being ensured) should they be observed using any photographic equipment at events and productions or within general. Care will be taken at all times to prevent any opportunist photography or filming taking place.

**Use of laptops, computers & tablets**

* All laptops & tablets that are used by staff are thoroughly checked monthly by the manager.
* They are to be locked away in the office at the end of every session
* Laptops & tablets DO NOT leave the nursery at any point unless an agreement has been put into place with the manager.
* All tablets are set with a passcode to avoid them being accessed by anyone who is unauthorized to do so.
* Although all precautions have been taken while using the internet, including a block on adult content if inappropriate content pops up the member of staff is to report this to the manager immediately.
* The computer that the children have access to does not have use of the internet or a camera.
* Children are always supervised while they access to the computer.
* Nursery devices should not be used to search for personal reasons while at work. The result of this happening may lead to disciplinary action.

**Use of a professional photographer**

Smart Steps Day Nursery will ensure that any professional photographer who is to be engaged to record any events will be prepared to work according to the terms of this policy document 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 General Data Protection Regulation 2018.

* Photographers will only be used where they will guarantee to act appropriately to prevent unauthorised or unlawful processing of images; and will insure against accidental loss or destruction of, or damage to, personal data.
* Compliance with the Data Protection Act 1998.
* Images are only to be used for a specified 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 requirements of the agreement. 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.
* Photographic identity will be checked on arrival. Should there be 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 that no unsupervised access to children will be given.

**Safeguarding and Welfare Requirement: 3.4**

This policy has been written for Smart Steps Day Nursery, this policy is aligned with the statuary framework requirements published in March 2017, and in accordance with General Data Protection Regulation 2018.

This will be reviewed every 6 months unless any changes are made in legislation.

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| **Policy adopted on:** | **Signed for on behalf of the nursery:** | **Review date:** |
|  August 2019 | KButler | **Every six months**  |
| April 2024 Updated: added smart watches that include a camera.  | KChilton  | **Every 6 months**  |