

CHIDDINGSTONE NURSERY SCHOOL CIO

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Image Use Policy and Procedure

Written by	Miss Sam Wells Mrs Megan Downing
Ratified on behalf of Board of Trustees	September 2026
Date for Review	September 2027
Signed - Co-Chair (s) of Board of Trustees	S.Turpin
Signed - Nursery Leader	M.Downing

This policy will be reviewed and ratified at least annually and/or following any updates to national and local guidance and procedures.

This policy has been impact assessed by Megan Downing in order to ensure that it does not have an adverse effect on race, gender or disability equality.

Statement of Intent

Chiddingstone Nursery School CIO recognises the safety and potential risks for all as well as the value of IT. The nursery will be responsible for ensuring the acceptable, safe use and storage of all images / videos and IT devices. We ensure that all online safety practice is managed and implemented effectively within the requirements of the law.

Our Designated Person (a member of staff) who co-ordinates child protection issues is:

Mrs Megan Downing

Our Designated Person (a member of staff) who co-ordinates online safety issues is:

IT Manager - Miss Sam Wells

Our Data Protection Officer is:

Mrs Victoria Tripp

Chiddingstone Nursery School CIO uses sim free mobile phones and a desktop computer to document the children's activities as part of play, learning and as a useful tool to support children's exploration and development. Under the UK GDPR ("the Act") any photos/videos taken are for official nursery use only. Parents/carers and children should be advised when they are being taken.

If parent/carers do not give consent for their children's images to be taken, then the Nursery will ensure those wishes are followed and that images are neither taken nor stored.

Aims of the Policy

This policy seeks to ensure that images and recordings taken, stored, used or shared by the nursery are managed lawfully, safely and appropriately, with due regard to safeguarding, online safety, privacy and data protection.

This policy applies to all staff, including the Nursery Board of Trustees, cover/support staff, visitors, volunteers, and other individuals who work for or provide services on behalf of the Nursery (collectively referred to as 'staff' in this policy), as well as children and parents/carers.

This policy must be read in conjunction with other relevant nursery policies including (but not limited to) safeguarding and child protection, achieving positive behaviour, data protection, privacy notices, staff code of conduct, acceptable use policy, confidentiality and online safety, smart, mobile technology and social media policy. This

policy applies to all images (including still and video content) taken, stored, used or shared by the Nursery.

The Data Protection Officer (DPO) within the setting is Mrs Victoria Tripp, Mrs Megan Downing is the Designated Safeguarding Lead and is supported by the IT Manager, Miss Sam Wells who are responsible for ensuring the acceptable, safe use and storage of all smart devices, and images/videos within the setting. This includes the management, implementation, monitoring, and review of the Image Use Policy.

Chiddingstone Nursery School CIO has a responsibility to promote the welfare of all children in our care, and to take, share and use images of children safely. We recognise that:

- Sharing images and videos of our activities can help us celebrate the successes and achievements of children. The welfare of the children taking part in our activities is paramount. We also use images/videos to promote and share activities undertaken at nursery.
- Children, their parents/carers have a right to decide whether their images are taken and how these may be used, regardless of age, disability, race, religion, or belief.
- Consent to take images of children is only meaningful when children, their parents/carers understand how the images will be used and stored.

Keeping children and young people safe is of paramount importance, we do this by: -

- Obtaining written parental permission prior to taking and using a child's image
- We explain what images/videos will be used for, and how they will be stored
- We ensure parents/carers understand that if a child or their family withdraw consent for an image to be shared, it may not be possible to delete images that have already been shared or published, for example a group Tapestry observation.
- Making sure children, parents/carers understand how images of children will be securely stored and for how long. When a child leaves the setting any images/videos are deleted/destroyed, usually within 7 days. This includes Tapestry. When a child leaves the setting their learning journal is made available for the parent/carer to download. If a parent/carer does not download their child's journal within that time, their journal, and parental information is deleted. (A child's journal takes 90 days to be permanently deleted from Tapestry's system).
- We also have a robust procedure for reporting the abuse or misuse of images of children as part of our child protection procedures. Alongside ensuring all staff know the procedures to follow to keep children safe.
- Any images/videos taken of children are only taken on nursery owned devices

Images of identifiable individuals are personal data. We will ensure that images are processed in line with data protection legislation, including the UK General Data Protection Regulation (UK GDPR) and the Data Protection Act 2018. Alongside our safeguarding and child protection requirements. This means that images will be processed:

- Fairly, lawfully and in a transparent manner
- For a specified, explicit, and legitimate purposes
- In a way that is adequate, relevant limited to what is necessary
- To ensure it is accurate and up to date
- Kept on file for no longer than is necessary
- In a manner that ensures appropriate security
- Processed for limited, specifically stated purposes only.
- Used in a way that is adequate, relevant, and not excessive.
- Processed in line with an individual's legal rights

Official use of Images of Children

Consent will not be treated as a one-off administrative process. We will review consent arrangements regularly and at key transition points to ensure parents/carers and, children, understand how images may be used.

Children's wishes and feelings will be sought and taken into account in an age-appropriate way. Images will not normally be taken or used where a child indicates that they do not wish to be photographed or recorded, unless there is a clear and justified reason to do so.

Parental Consent

Written permission from parents or carers is obtained before images/videos of children are taken, used, or published by the Nursery. This permission is sought during our admission process and remains in the child's individual portfolio.

Separate permission is obtained to take and use photographs offsite for professional, marketing and training purposes. This will be in addition to parental permission sought for onsite images.

We respect each parents/carers individual right and choice to not give, or revoke consent for their child to have images/videos taken at nursery. Where consent is

refused, restricted or withdrawn, we will update our records promptly and take reasonable steps to stop further use of the relevant images and remove them from nursery-controlled platforms where practicable.

We recognise that some children are classed as vulnerable and subsequently do not have consent to appear in images/videos alongside other children. This is recognised and adhered too by all staff. We will never exclude a child from an activity because we do not have consent to take their photograph.

Under the UK GDPR and the Data Protection Act parents/carers have the right to withdrawn consent of photos/videos being taken of their child/ren at any time. The nursery will respect any decision made by the parent/carer, and will delete any stored images of the child, and refrain from taking pictures in the future of the child.

Storage, Retention, and Safety of Images and Videos

We recognise that images and videos shared online may be copied, downloaded, scraped, altered, manipulated, redistributed or reused without our knowledge or consent. This includes potential misuse through artificial intelligence and other digital tools.

We only upload images / videos to our online learning platform, Tapestry which has been robustly risk assessed by the nursery leader, and IT manager. Parents also receive an acceptable use policy and reminders about images / videos only being for personal use, and in no circumstances are they to be shared or uploaded to any social media platform.

All images/videos taken and processed by or on behalf of the Nursery will take place using the nursery's sim free phones only.

We take steps to mitigate the risk of unauthorised access to, and inappropriate use of images of children. This includes:

- Only using nursery's sim free mobile phone to take and store photos/videos of children
- Ensure that only nursery staff take, or use images/videos of children
- Sim free phones are only used by educators for the purpose of observation, assessment, and planning and to take photographs for learning journeys.
- Phones are stored in a locked cabinet when not in use.

All members of staff, including volunteers will ensure that all images are available for scrutiny and will be able to justify any images in their possession.

The Nursery Leader and deputy conducts spot checks on images and deleted images regularly.

Images will be stored securely on approved nursery owned systems, with access limited to authorised staff who need to use them for a legitimate purpose.

Images will not be kept for longer than is to be considered necessary. The Nursery Leader and IT Manager will ensure that all images/videos are permanently deleted once the images are no longer of use.

All images / videos will always remain on site, unless prior explicit consent has been given by both the Nursery Leader and the parent or carer. Should permission be given to take any images off site then all relevant details will to be recorded, for example who, what, when and why and how the data will be kept securely, for example with appropriate encryption.

The Nursery Leader reserves the right to view any images taken and/or to withdraw or modify a member of staffs' authorisation to take or make images at any time where concerns arise regarding safeguarding, professional conduct, policy compliance or data protraction.

Only official Nursery owned sim free mobile phones will be used by staff to capture images of children for official purposes. Use of personal cameras or other associated IT devices by staff is strictly prohibited.

Any apps, websites, cloud services, learning platforms, or third party, companies used to share, host or access children's images will be risk assessed prior to use by the Nursery Leader and IT Manager.

Publication and Sharing of Images and Videos

We recognise the importance of reducing the risk of images/videos being copied and used inappropriately.

Images or videos that include children will be selected carefully for use e.g. only using images of children who are suitably dressed.

Children's' full names will not be used on the website or any other nursery publications in association with photographs or videos, without written prior permission for parents/carers.

Obtaining parental consent prior to any images/videos being taken. Parent/carers sign and adhere to a parental acceptable use policy. The Nursery will not include any personal addresses, emails, telephone numbers, on video, on the website, in our prospectus or in other printed publications.

If we become aware of any images/videos being used inappropriately, strict sanctions will be put in place. Should we believe this to be illegal we will notify the police, relevant authorities immediately.

Usage of Apps/Systems to Share Images with Parents

The Nursery uses Tapestry, a secure online learning journal to upload and share images / videos of children with parents/carers.

The use of Tapestry has been appropriately risk assessed and the Nursery Leader, and Designated Online Safety Coordinator/IT Manager, who have taken steps to ensure all data stored is held in accordance with the Data Protection Act 1998 and UK GDPR.

Images uploaded to Tapestry are only taken and uploaded on nursery sim free mobile phones. Staff, parents and carers are provided with clear expectations regarding safe and appropriate use before access is given. This will include expectations regarding passwords, access sharing, downloading, copying, screenshotting, onward sharing and reporting concerns. Failure to comply with this may result in access being removed.

Safe Practice when Taking Images and Videos

Careful consideration is given before involving children, or vulnerable children including children with special educational needs and disabilities, or looked after children when taking photos or videos, who may be unable to question why or how activities are taking place. The Nursery will discuss the use of images with children in an age-appropriate way.

A child or young person's right not to be photographed is to be respected. Images will not be taken of any child against their wishes. Photography is not permitted in sensitive areas such as the toilets, or nappy changing area.

Use of Images or Videos by Parents/Carers

Parents/carers are permitted to take images / videos during nursery celebrations for personal and family use only. The Information Commissioner's Office explains that Data Protection law does not stop parents / carers taking photos or videos for their own personal or family use. However, as an early year setting, we have a responsibility to safeguard children, therefore we may prevent images / videos being taken at any nursery run event to ensure the safety of the children in our care.

Parents are instructed that any photos/videos taken during nursery celebrations, are not to be shared on any social media platforms.

Parents/carers are not permitted to take or make recording of their children in the Nursery environment and certainly not permitted in sensitive areas such as the toilets or nappy changing area. We operate a no electronic devices policy, whereby any wearable, smart or mobile technology are not permitted to be worn in nursery. Visitors to the nursery are required to put their personal smart and mobile devices in the safe box in the office for the duration of their visit.

Parents/carers are asked not to copy, download, screenshot, redistribute or publicly share images taken or provided by the nursery. These include any images / videos shared on our online learning platform.

Parents/carers who attend trips or events are expected to follow the nursery's safeguarding, confidentiality, image use, acceptable use and data protection procedures. This does not prevent parents/carers from taking photographs or videos of their own children for personal and family use, where this is permitted by the nursery.

Parents/carers and volunteers should not take photographs or recordings on behalf of the nursery, or of other children in their volunteer capacity, using personal devices.

Any concerns about photography, filming or the sharing of images should be reported to the DSL Mrs Megan Downing immediately.

Use of Images of Children by the Media

There may be occasions when members of the press or media are invited to a planned event to photograph, film or interview children, for example to celebrate achievements, community events, or fundraising activities. While this can be positive for the setting

and its community, the Nursery Leadership team will carefully consider how press or media involvement will be managed before access is agreed.

This includes how and where the media publishes images / videos. Once published, we may have limited control over how images are shared, copied or reused. Therefore, we will ensure that the nursery, parents/carers, and children (where appropriate), understand how media images may be used before consent is sought.

A written agreement will be sought between parents and carers and the press which will request that a pre-agreed and accepted amount of personal information (such as first names only) will be published with images and videos, alongside the reason for taking the images and/or what the images will be used for.

Parental consent will be sought prior to the event; we will also inform the photographer of anyone who does not give consent.

Where a parent/carer does not give consent, or where a child does not wish to be involved, this must be respected. Particular care should be taken where children, families or staff may be more vulnerable if identified, including children in care, adopted children, children subject to safeguarding plans or court orders, or families affected by domestic abuse, stalking, harassment or other safety concerns.

At the event we will inform children, parents, and carers that an external photographer is present and ensure the photographer is easily identifiable.

We provide the photographer with a clear brief about appropriate content and behaviour, ensure parents and carers have given written consent to images which feature their child being taken and shared, and report concerns regarding inappropriate or intrusive photography following our child protection procedures.

The identity of any press representative will be verified, and access will only be permitted where the event is planned, and where press is to be specifically invited to attend. Authorisation will not be given to unscheduled visits by the press under any circumstances.

During any such events it is our responsibility to manage access to children safely, check consent, consider safeguarding risks and communicate clearly with families.

Use of Professional / External Photographers

Photographers will have regard to our safeguarding, online safety policy, data protection, GDPR, and image use policy, which ensures compliance with the General Data

Protection Regulation 2018, the Data Protection Act 2018, and the nursery's associated policies and procedures. Images taken by professional/external photographer's will only be used for a specific purpose, and must not be used for any other purpose, shared with third parties, uploaded to personal or unauthorised platforms, or used in the photographer's own publicity.

Written consent from parent/carers will be obtained to give permission for professional / external photographers to take images of their children within nursery. If consent to take photographs is not given, we will respect individual parent/carer wishes. Photographers will not have unsupervised access to children.

If there are concerns about the authenticity, conduct or behaviour of a photographer or videographer, access should be refused or withdrawn, and the concern should be reported in line with the nursery's safeguarding procedures.

AI Enabled Imagery, Manipulation and Abuse

As an early year setting, we are acutely aware of the emerging risks linked to artificial intelligence and image manipulation are reflected within image use, safeguarding, online safety, data protection and mobile/smart technology policies.

The UK Council for Internet Safety (UKCIS) Online Harms Early Warning Working Group Protecting your setting's images from AI manipulation and abuse guidance highlights the importance of responsible management, sharing and protection of photographs and videos of children and young people across education settings.

We do not use any images or videos of children on our website, unidentifiable or otherwise. We only upload images / videos of children to our online learning platform Tapestry where parents can view only their own child's account. Other children may be visible in group photos or videos, but parental agreement for groups photo is sought via our admission and permission paperwork completed at induction.

We have clear processes for responding if images are misused, altered, copied, shared without consent or used as part of harassment, blackmail, exploitation or other safeguarding concerns. This includes reporting to our DSL Mrs Megan Downing whereby support can be sought for affected children, families or staff, and advice from safeguarding, data protection or police professionals where appropriate.

The senior management team ensures that staff fully understand that image security is now part of wider safeguarding and online safety practice.

Consensual and Non-Consensual Sharing of Nude and Semi-Nude Images and/or Videos – (Sexting or Youth Produced Sexual Imagery)

Sexting is defined as the sending or posting of nude or semi-nude images, videos, or live streams online by young people under the age of 18. This could be via social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline.

As an educational setting we are acutely aware of the associated risks posed to children and young people, when they engage with technology. Sexting is a form of child sexual abuse and can also be linked to other forms of abuse, and must be referred to the relevant authority, alongside the police as a matter of urgency.

The consensual and non-consensual sharing of nude and semi-nude imaged and/or videos is also included in our online safety policy.

If an incident of consensual and non-consensual sharing of nude and semi-nude images and/or videos are discovered on a device, this also includes inappropriate/illegal material, the following procedure will be followed: -

- Report immediately to Mrs Megan Downing who is the Designated Safeguarding Lead (DSL) or deputy Miss Vicki Wallis in line with the nursery's child protection and safeguarding policy.
- Never view, copy, print, share, store or save the imagery yourself, or ask a child to share or download – this is illegal.
- If you have already viewed the imagery by accident (e.g. if a young person has showed it to you before you could ask them not to), report this to the DSL or deputy and seek support
- Do not delete the imagery
- Do not ask the child/children or young person(s) who are involved in the incident to disclose information regarding the imagery. This is the responsibility of the DSL or deputy DSL
- Do not share information about the incident with other members of staff, the young person(s) it involves or their, or other, parents and/or carers.
- Do not say or do anything to blame or shame any young people involved.
- Do explain to them that you need to report it and reassure them that they will receive support and help from the DSL or deputy DSL

Any devices found to contain illegal images will be confiscated to preserve evidence and passed onto the Police. Under the new Guidance for Searching, screening and confiscation.