

Image Use Policy

Key Details

Policy written by: Claire Germany (Manager)

Date to be reviewed: September 2026

Setting Data Protection Officer: Claire Germany (Manager)

Setting Designated Safeguarding Lead (DSL): (Claire Germany (Manager))

Scope and aims of the policy

1. This policy seeks to ensure that images taken within and by Goldilocks Nursery are taken and held legally and the required thought is given to safeguarding all members of the community.
2. This policy applies to all staff including the staff, external contractors, visitors, students and 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.
3. This policy must be read in conjunction with other relevant policies including but not limited to, Child Protection and Safeguarding, Acceptable Use of Technology Policies (AUPs), Confidentiality and Managing Children's Records.
4. This policy applies to all images, including still photographs and video content taken by Goldilocks Nursery.
5. All images taken by Goldilocks Nursery will be used in a manner respectful of the Data Protection Principles. This means that images will be processed:
 - fairly, lawfully and in a transparent manner
 - for 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
 - for no longer than is necessary
 - in a manner that ensures appropriate security
6. The Data Protection Officer (DPO) within the setting Claire Germany (Manager) supported by the Designated Safeguarding Lead Claire Germany (Manager) is responsible for ensuring the acceptable, safe use and storage of all camera technology and images within the setting. This includes the management, implementation, monitoring and review of the Image Use Policy.

Official use of images of children

Parental consent

7. Written permission from children and/or parents or carers will always be obtained before images of children are taken, used or published.
8. Written consent will always be sought to take and use images offsite for professional, marketing and training purposes. This may be in addition to parental permission sought for onsite images.

9. Written consent from parents will be kept by the nursery where children's images are used for publicity purposes, such as brochures or publications, until the image is no longer in use.
10. Parental permission will be sought on an agreed basis **on admission to the nursery**.
11. A record of all consent details will be kept securely on file. Should permission be withdrawn by parents/carers at any time, then all relevant images will be removed and disposed of, and the record will be updated accordingly.

Safety of images

12. All images taken and processed by or on behalf of the nursery will take place using nursery provided equipment and devices and in line with this and other associated policies, including but not limited to Child Protection and Safeguarding, Staff Code of Conduct, Acceptable Use of Technology Policies (AUPs), Confidentiality and Managing Children's Records.
13. Staff will receive information regarding the safe and appropriate use of images as part of their data protection and safeguarding training.
 - Staff will:
 - only publish images of children where they and their parent/carer have given explicit written consent to do so.
 - only take images where the child is happy for them to do so.
 - Staff will not
 - take images of children for their personal use.
 - display or distribute images of children unless they are sure that they have parental consent to do so (and, where appropriate, consent from the child).
 - take images of children using personal equipment.
 - take images of children in a state of undress or semi-undress or which could be considered as indecent or sexual
14. 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.
15. Images will only be retained when there is a clear and agreed purpose for doing so. (Claire Germany (Manager & DSL) designated member of staff will ensure that all images are permanently wiped from memory cards, computer hard and portable drives or other relevant devices once the images will no longer be of use or within 4 weeks after the child leaves.
16. Images will be stored in an appropriately secure place.
17. Images will remain on site, unless prior explicit consent has been given by the DPO and DSL and the parent/carer of any child or young person captured in any images. Should permission be given to take images off site, all relevant details will to be recorded, for example who, what, when and why. Images taken offsite will be kept securely for example with appropriate protection.

18. Any memory stick/storage or device containing images of children to be taken offsite for further work will be suitably protected and will be logged in and out by the DPO and/or DSL; this will be monitored to ensure that it is returned within the expected time scale.
19. The DPO and/or DSL reserve the right to view any images taken and can withdraw or modify a member of staffs' authorisation to take or make images at any time.
20. Any apps, websites or third-party companies used to share, host or access children's images will be risk assessed prior to use.
21. The nursery will ensure that images always are held in accordance with the UK General Data Protection Regulations (UK GDPR) and Data Protection Act, and suitable child protection requirements, if necessary, are in place.
22. Images will be disposed of should they no longer be required. They will be returned to the parent or carer, deleted and wiped or shredded as appropriate. Copies will not to be taken of any images without relevant authority and consent from the DPO and/or DSL and the parent/carer

Safe Practice when taking images

23. Careful consideration is given before involving very young or vulnerable children when taking photos or recordings, who may be unable to question why or how activities are taking place.
24. The nursery will discuss the use of images with children in an age-appropriate way.
25. A child or young person's right not to be photographed or videoed is to be respected. Images will not be taken of any child or young person against their wishes.
26. Photography or video recording is not permitted in sensitive areas such as toilets or nappy changing areas.
27. Images or videos that include children will be selected carefully for use, for example only using images of children who are suitably dressed.

Publication and sharing of images

28. Full names of children will not be used on the nursery website or other publication, for example newsletters, social media channels, in association with photographs or videos.
29. The nursery will not include any personal addresses, emails, telephone numbers, fax numbers on video, on the website, in a prospectus or in other printed publications.
30. Where images that could identify staff or children are published online, the nursery will ensure any image metadata is removed and lower resolution images are used.

Usage of apps/systems to share images with parents

31. The nursery uses Family to upload and share images of children with parents.

32. The use of the system has been appropriately risk assessed, and the proprietor has taken steps to ensure all data stored is held in accordance with GDPR and the Data Protection Act.
33. Images uploaded to Family will only be taken on nursery devices.
34. All users of Family are advised on safety measures to protect all members of the community, for example, using strong passwords, logging out of systems after use etc.
35. Parents/carers will be informed of the expectations regarding safe and appropriate use (For example, not sharing passwords or copying and sharing images) prior to being given access. Failure to comply with this may result in access being removed.

Use of Video Surveillance, including CCTV

36. All areas which are covered by video surveillance will be well signposted, and notifications are displayed so that individuals are advised before entering such vicinity.
37. Recordings will be retained for a limited time only and for no longer than their intended purpose; this will be a for a maximum of 30 days. All recordings are to be erased before disposal.
38. Regular auditing of any stored images will be undertaken by the Data Controller and/or DSL or other member of staff as designated by the management team.
39. If cameras record activities taking place on the premises which are of a criminal nature or give any cause for concern, then information will be referred to the appropriate agency.
40. Video surveillance cameras will be appropriately placed within the setting.
41. Please refer to CCTV policy.

Use of images of children by others

Use of image by parents/carers

42. Parents/carers are permitted to take photographs or video footage of events for private use only with permission, only on occasions when consent is sought from all participating children's parents. Managers will confirm on each individual event.
43. Parents/carers who are using photographic equipment must be mindful of others, including health and safety concerns, when making and taking images in events.
44. The opportunity for parents/carers to take photographs and/or make videos may be reserved by the nursery on health and safety grounds.
45. Parents/carers are only permitted to take or make recording within designated areas of the nursery on authorised event days. Photography or filming is not permitted in sensitive areas such as toilets and nappy changing areas.

46. The right to withdraw consent will be maintained and any photography or filming on site will be open to scrutiny at any time.
47. Parents may contact the nursery DPO/DSL to discuss any concerns regarding the use of images.
48. Photos and videos taken by the nursery and shared with parents should not be shared elsewhere, for example posted onto social networking sites. To do so may breach intellectual property rights, data protection legislation and importantly may place members of the community at risk of harm.

Use of images by children

49. The use of personal devices, for example, mobile phones, tablets, digital cameras, is covered within the nurseries acceptable use policy.
50. All staff will be made aware of the acceptable use rules regarding children's use of cameras and will ensure that children are appropriately supervised when taking images for official or curriculum use.
51. Members of staff will role model positive behaviour to the children by encouraging them to ask permission before they take any photos or videos.
52. Images taken by children for official use will only be taken with parental consent and will be processed in accordance with UK GDPR and the Data Protection Act.
53. Parents/carers will be made aware that children will be taking images of other children and will be informed how these images will be managed. For example, they will be for internal use by the nursery only and will not be shared online or via any website or social media tool.
54. Images taken by children for official use will be carefully controlled by the nursery and will be checked carefully before sharing online or via digital screens.

Use of images of children by the media

55. Where a press photographer is to be invited to celebrate an event, every effort will be made to ensure that the newspaper's, or other relevant media, requirements can be met.
56. 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 along with images and videos.
57. The identity of any press representative will be verified, and access will only be permitted where the event is planned, and where press is specifically invited to attend. No authorisation will be given to unscheduled visits by the press under any circumstances.
58. Every effort will be made to ensure the press abide by any specific guidelines should they be requested. No responsibility or liability however can be claimed for situations beyond reasonable control, and where the setting is to be considered to have acted in good faith.

Use of external photographers, including videographers and volunteers

59. External photographers who are engaged to record any events officially will be prepared to work according to the terms of our policies, including our child protection and safeguarding policy.
60. External photographers will sign an agreement which ensures compliance with UK GDPR and the Data Protection Act.
61. Images taken by external photographers will only be used for a specific purpose, subject to parental consent.
62. External photographers will not have unsupervised access to children.

Policy breaches

63. Members of the community should report image use concerns regarding image use or policy breaches in line with existing nursery policies and procedures.
64. Following a policy breach, leadership staff will debrief, identify lessons learnt and implement policy changes as required. Action will be taken in line with existing nursery policies and procedures which may include child protection, anti-bullying, mobile and smart technology, acceptable use and behaviour policies.
65. Advice will be sought, and reports will be made to other organisations in accordance with national and local guidance and requirements. For example, where there may have been a data protection breach, the ICO will be contacted, and if an allegation has been made against a member of staff, contact will be made with the Local Authority Designated Officer (LADO).