

## **Some advice for childminders about photographs, mobile phones and tablets**

*The EYFS requires us, in our Safeguarding policy, to cover the use of mobile phones and cameras in our childminding setting, see the Safeguarding and Welfare Requirements. You may wish to write a separate policy to cover all the issues. Here is some background information which will help you to write a policy.*

### **Written permission, safeguarding awareness, and some tips**



Photographs are a great way for childminders to record a child's learning, celebrate a child's achievements and keep parents informed. We all know that from the outset written permission is needed from the parent to take photographs, but non-specific, blanket permission is not enough. For example, specific permission would be needed to put a child's photograph on a childminder's website, or to use a child's photo in any childminding publicity. Be aware that any information on a website which either identifies a child (such as their name), or carries personal information (such as their likes or hobbies), potentially could make a child more vulnerable to 'grooming'. Photos can be easily copied and adapted, perhaps to create images of child abuse, which can then find their way into other websites. Here are some 'good practice' tips:

- In general use images of children in suitable dress to reduce the risk of inappropriate use.
- When taking photos in a group situation, avoid including children other than your own in the frame, unless you have prior, specific consent. In some circumstances you might choose to take a photo of a child from behind or with their head turned away
- Avoid using a child's name in photograph captions on a website

### **Safeguarding and allegations**

A parent needs to be fully aware and in agreement with the specific use of photographs of their child. For this reason taking a photograph to record a bruise or mark on a child, when the childminder has concern about possible child abuse, is not advised: a mark or bruise should be described in the 'Accident and Incident' book. Likewise it is not advised to take a photograph of a bruise or mark in case there happens to be a future dispute between childminder and parents, or when a childminder wishes to protect him or herself against possible allegation. In these kinds of situation the photograph is really for a use other than to keep the parent informed, and in any case the parent's permission has not been granted.

Nowadays it is so easy to digitally adjust an image that only expert photographic evidence can be used in court.

### Data protection responsibilities

The Data Protection Act covers storage/processing of personal information, that is, both paper and electronic information about individuals (children in this case) who are living and can be identified.

**What does the Data Protection Act say?** It says the 'data controller' (childminder in this case) should:

- have good reason to hold the personal data
- use the data in a way that would not cause distress to the subject,
- be transparent about how the data is used
- respect privacy
- handle the data in a way that the individual would reasonably expect
- make sure the data is relevant, not excessive, up to date and not stored longer than is necessary.

Childminders already reflect these basic data protection principles by storing photographs and information about their minded children in a sensible and responsible way, such as:

- getting clear and specific permissions from parents about the use of photos
- storing paper records safely in the house
- installing virus-checking on the computer
- encrypting the laptop (password protection)
- removing personal information before disposing of an old computer.



Some childminders have wondered if photographs of minded children can be taken out of the house on occasion, for example when submitting a folder of work to an assessor. There is no law to say that you should not take photos of minded children out of the house. In order to make a decision ask yourself if there good reason to take the photographs out of the house, is that reason clear to the parent and with the agreement of the parent, are the photos/ information handled responsibly in the way that the parent would reasonably expect? If you have covered these considerations then you are a responsible data controller conforming to the Data Protection Act.



### Storing and Sharing images and information with parents

The use of photos to support observation, assessment and planning and to provide a pictorial record for parents has become part of many childminder's practice. To ensure that everyone in the setting is protected it is wise to have the following procedures in place:

- Pictures are taken only by the childminder with the written permission of parents. Parents indicate if they are willing for photos of their children to be used for: sharing with parents; supporting Observation, Assessment & Planning; children's records; advertising (in which case how and where)

- Pictures are transferred to a computer which is password protected
- OR
- Pictures and observations are uploaded to a secure server if using a web based assessment app.
- OR
- Pictures are printed and then deleted when they have been used for their intended purpose

You need to be aware of the following:

- If you use the camera on your phone or tablet (Samsung, Galaxy, Google, Nexus) the photo will be stored on the 'photo-stream'. When you delete the photos from your 'camera roll' they will remain on your 'photo- stream' until you delete them off there too.
- If you share a mobile phone or tablet, even if there are different email addresses, Google or Apple systems will merge photo-streams. In other words, work photos and other personal photos will get mixed up together. What's more, Facebook 'friends of friends could access your photo –stream in some circumstances.

In order to keep data safe and confidential follow **this advice**:

- Use a dedicated App for taking photos on a mobile camera or tablet, as these Apps (Orbit, Look at Me, 2Simple, Tapestry, Early Essence) bypass storage on your device to a secure server using Wifi or the mobile network. This means it is possible to use your personal device without risking the pictures being mixed with your own personal photos and social media.
- Likewise use a dedicated App if you want to make notes about a child on your smart phone or tablet camera
- Obviously the cost is an issue, but it is preferable to have a dedicated personal smartphone or tablet just for work, with a separate work email. This avoids any possible confusion over email identity of users and possible merging of data.
- If you use Apple devices, have a separate work Apple I.D. for itunes. Use separate I.D. for Android platforms too.
- It is best not to let anyone else, such as family members, to use your smart phone or tablet for their own use, or their own emails.
- Ensure your device has a password or PIN access for protection if lost or stolen.

## Social Platforms



Using social networking sites and apps such as Facebook, Twitter, Instagram or Snapchat to share photographs or information with parents is not recommended. There are many reasons, including: pictures and information being shared knowingly or unknowingly with third parties, a lack of appropriate professional distance between childminder and client, and the

difficulties in handing back this information to parents when a child leaves your care.

### Children's centres mobile phones and photographs

Children's centres and nurseries generally do not allow practitioners or visitors to use personal mobile phones on site, nor the use of mobile phones in groups. Photographs which are taken with camera phones can potentially be sent and shared without trace, so, in order to be accountable for the appropriate storage and sharing of images of children on the premises, a children's centre may ask childminders to use the establishment's camera while attending a childminding group at a children's centre.



In addition to the above safeguarding issue, mobile phones are a distraction from work and can affect the quality of supervision of children. Of course childminders are in a slightly different position to group settings, as they are individually responsible for their

children, need to be contactable and to contact parents. However while visiting a group at a children's centre childminders should consider how to keep phone calls/texts to a minimum so as not to interrupt the group, keeping the focus on the children, and bearing in mind the confidentiality of the work-related call. Managing an in-depth phone call about a child is a skill! A professional, such as a social worker or health visitor, should understand that a childminder may not be in a position to have a confidential or lengthy conversation at certain times of the day and may have to call again! While at a childminding group in a children's centre, when there is additional staff, it may be possible for the childminder to step outside the room to take a work-related call

*(13/1/14 Bristol South Childminder Hub & Childminding Support Team with thanks to Lead Teacher Kate Irvine)*