Cambridgeshire County Council

early years childcare and school readiness service

Guidance for settings on the use of images

September 2026

Introduction

This guidance is designed to offer practical advice to settings to help them achieve a balance between safeguarding the children and young people in their care and ensuring families can celebrate in their children's achievements through the use of technology.

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 by the setting i.e., observations**
- **Images taken by parents at setting events**
- **Images taken by third parties**

Ensuring images of children and young people are protected is not only about compliance or reputation but, most importantly, safeguarding. The duty to safeguard children and young people includes online spaces. Therefore, to further protect children we will consider primarily if the image of a child is necessary in this instance to either promote an activity, event or the setting. We aim to

- **remove any identifying data**
- **Replacing images that directly show a student face-on**
- **using alternative angles or group shots where possible.**
- **Avoid names or full names.**
- **Limit public visibility of student images (e.g. closed groups rather than open platforms).**
- **Ensure all image metadata is stripped before publication.**
- **Use lower resolution images to reduce risk of misuse.**
- **Share clear information with parents and carers about potential risks and the processes in place to protect student imagery.**
- **Consider protective software solutions (e.g. watermarking, metadata scrubbing or "immunisation" tools) to reduce the risk of unauthorised alteration or misuse of student imagery.**
- **Replace images of any children or young people who are no longer members of the setting**

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

The UK General Data Protection Regulation (UKGDPR) and the Data Protection Act 2018 affect the use of photography. An image of a child is personal data and it is, therefore, a

requirement that consent is obtained from the parent/carer of a child for any images made such as those used for setting websites, 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 – see Appendix A. Settings should annually review consent to ensure that parents and young people, who have previously given consent, can choose to opt out if they no longer wish to be included.

Where parents/carers have refused permission for their child/young person to be photographed or have not returned a completed and signed consent form, the child's image must not 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.

The setting will never exclude a child from an activity if consent is not given.

Care should be taken in relation to particularly vulnerable children such as Children in Care, recently adopted or those who have fled domestic abuse.

We will avoid using names during publication of images, and using only first names if we do need to identify them. We will never publish personal information or disguising information about the child.

All images used will be of children wearing appropriate clothing and avoiding full face or body shots of any children taking part in activities such as swimming where there is heightened risk of them being misused.

We will promote the positives of activities in our images.

Examples:
*A photograph of a child is taken as part of their Learning and Development record and consent has been gained from parents/carers. The images are likely to be securely stored electronically with other personal data and the terms of the GDPR and 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 UK GDPR and Data Protection Act 2018 if the children and/or their parents/carers have given their consent and the context in which the photo will be used.*

Parents wishing to take images at setting events

The UK GDPR and Data Protection Act 2018 do **not** prevent parents/carers 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 – see **Appendix B**

Examples:

A parent takes a photograph of their child and some friends taking part in a sponsored fun walk to be put in the family photo album. These images are for personal use and the UKGDPR and Data Protection Act 2018 ***do not*** *apply.*

Grandparents are invited to the setting nativity play and wish to video it. These images are for personal use and the UKGDPR and Data Protection Act 2018 ***do not*** *apply.* ***However,*** *if they intend to use the video on a social networking site e.g. Instagram, Twitter, they must receive permission from the parents/carers 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, to retain control over the images produced.
We will use any event opportunities to remind visitors such as parents and grandparents of the safe use of images and consent for images being taken.

Third parties

Staff should challenge anyone who is using a camera, mobile phone or video recorder at the setting 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 who 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 it is recommended that they do not do so. The setting will collect the name and details of the person taking photographs onsite as a visitor and they will be escorted at all times.

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 event may appear in the newspaper and given permission, this will not breach the GDPR and Data Protection Act 2018.

Images taken by an external photographer/videographer

If an event is being photographed by a hired professional photographer or an external person who has been asked to formally take image, the setting will ensure the photographer is provided with a clear brief about appropriate content, and the photographer is escorted at all times, whilst being correctly signed into the provision as a

visitor. Parents, carers and children will be informed of the photographer's presence and all and any concerns will be reported as necessary.

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, on videotape, in prints or negatives, or electronically, provided the storage is secure.

Images must be maintained securely for authorised setting use only, and disposed of either by return to the child, parents, or by shredding. The Images taken will be stored for the length of time required and no longer than the child remains in attendance at the provision.

Consideration must be given to the use of doorbell recording devices, Alexa and other technological device that may hold images or voices of children. Doorbell footage will only be accessed by staff whilst on the property and not from an outside source without prior consent from management. These devices will be included in the DSL's filtering and monitoring processes that are in place. Further advice can be sought from the devices own Safeguarding policy.

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 Department for Education advises 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 including the children's work as an alternative to using an image of the child

Useful sources of information

The Information Commissioner Office website	https://ico.org.uk/
Guidance to the General Data Protection Regulation (GDPR) https://www.gov.uk/government/publications/guide-to-the-general-data-protection-regulation	
	www.ceop.gov.uk

Child Exploitation and Online Protection

Appendix A

Name of Setting: Under Fives Roundabout

This form should be completed by an adult who has parental responsibility for the child.

Use of images consent form

During your child's time at Under Fives Roundabout images may be taken of your child for our use, to record observations or special events. There may also be occasions (such as a special event), where a third party, e.g. other parents/carers or the media, may take images of your child. Images could be a photograph, video/DVD or website image.

It is a requirement of the General Data Protection Regulation (GDPR) Data Protection Act 2018 that we have your consent for this. Your permission is sought in advance to take, display and on occasion, publish photographs and video recordings involving your son or daughter. It is intended that your consent will cover the duration of the time your child attends the setting. However, we will inform you of all instances where images will be published outside of the setting and you have the right to withdraw consent at any point.

The setting has adopted certain safeguards in order to minimise any risk to your child

- We will avoid the publication of your child's full name with any image used by the setting
- Images will be kept securely and destroyed after their required time
- Staff, volunteers and parents will not use personal equipment such as mobile phones or cameras to take images of children who attend the setting.

Please note that the setting does not have control of how images taken by the media are published. However, the setting will not provide children's names to the media without parental permission.

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Taking and using digital images of children/young people

Consent reply form

Name of setting: ----------

Child's name: ----------

Name of Parent/Carer: _____

I do / do not* give my consent for digital images of my child to be taken and used

by the setting Yes/No

by third parties Yes/No

*(*please delete as appropriate*)

Signature of Parent/Carer

---------- Date: ----------

Appendix B

Request for parents/carers wishing to take their own photos/videos

In accordance with the General Data Protection Regulation (GDPR) Data Protection Act 2018, I agree to ensure that all images I take will only be for my personal use and will be kept securely and used appropriately. *

Name of setting: ----------

Child's name: ----------

Name of parent/carer/relative: ----------

Relationship to child: ----------

Signed: ---------- Date: ----------

Print name: ----------

**Thank you for your co-operation. The safety of children in the setting is paramount. For further information please refer to the setting document* 'Guidance for settings on the use of images'.