

## Some interim advice on use of cameras/mobile technology/Social media

There have been some issues/concerns recently in relation to the use of personal cameras and images. The LA will be reviewing the existing e-safety strategy and guidelines this year to ensure they are up-to-date and aligned with the guidance produced by Welsh Government. The guidelines should work for schools whilst protecting pupils and staff. The LA will endeavour to do this when we update the existing guidance in 2016/17. In the interim the following advice has been given by the IT advisor to schools.

### Data protection

It is important to remember that images of people are defined as personal data. As such the Data Protection Act 1998 applies to capturing images, holding images, storing images, sharing images and destroying images. Schools taking and using photographic images of children and young people need to comply with the Data Protection Act. A child is considered to be anyone under the age of 18yrs. The Data Protection Act also emphasises the need to ensure that appropriate consent is given for the use of images of clearly identifiable people, children and adults alike.

### Changing technologies

Although Local Authority guidance for schools is being updated this year as technology is changing and moving on, some things will remain a constant in any revised guidance which is that:

- staff should **not** use their own equipment because they feel their personal devices are more up-to-date and efficient than school equipment.
- staff should not use personal devices to store and upload images/videos of children for any reason.

This may appear to be over-prescriptive and designed to restrict what teachers can do with technology in the classroom - but this particular point in the guidance is intended to protect teachers from allegations and maintain their professional reputation.

### Social Media Sites

If a school requires access to social media sites or sites that staff require for professional development, even though they are blocked by default by PCC, the head teacher can request that they are un-blocked for their school site by contacting IT Helpdesk. Then schools can access social media sites and upload images using school equipment.

If the school equipment is not capable of uploading photos to social media sites, then the school should ensure that there is a rolling IT procurement plan included in the SDP so that IT equipment is regularly updated and is fit for purpose. The LA is reviewing the sites being blocked on the curriculum network in an attempt to ensure that legitimate educational sites are not blocked in error which is frustrating and restricting.

Staff are free to use their personal devices to *personally* view these sites - but we would not recommend connecting a personal device accessing the web via 3G, unfiltered, to a projector and showing the website to pupils. Frequently, unfiltered sites may carry advertising, comment streams and message boards that may present inappropriate material. If this was done on a member of staff's personal device they would be personally responsible if they showed inappropriate material to pupils. PCC's filtering is industry-standard, and does the best job possible of protecting users from inappropriate material. However, no filtering is perfect and, if an incident occurred on our filtered school network, PCC would be liable should that incident escalate - not the school or the individual teacher.

### Pupils using their own devices

If a school is considering going for BYOD (Bring Your Own Device) our IT department can assist with technical guidance and support regarding this. There are some schools that have started using BYOD and have put policies and practices in place that would be of use to other schools. PCC e-safety guidance will include advice about BYOD. However, we would again maintain that policies designed around BYOD would still recommend that school staff do not use personal devices to store and upload images and videos of children.

### Storing Images

Photos should be stored in HWB's Office 365 cloud services, they're on UK servers, protected by EU Data Protection law, and any data breach would be the responsibility of Welsh Government (so the school would not be liable). Staff can download images of pupils onto school equipment, whether in school or at home as long the equipment is the property of the school. However, it is important to remember the guidance is not to download images of children to staff *personal* devices - this could put staff at risk if any allegations were made.

It is not appropriate to take photos showing injuries to children. Concerns about a child with injuries should immediately be reported to the Child Care Assessment Team (CCAT).

HWB are due to publish a new Information Governance document (it was due in May, so it should be very soon!) with specific guidance for schools on the safe use of the platform and HWB tools like Office 365.

If you have any queries relating to the use of cameras/digital equipment/social media etc. please contact:

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