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## Electronic communications, social media, and children's Privacy policy

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Date Policy Written: February 2020

Date of current revision: July 2022

Date of next revision: July 2023

Person responsible: Esme Olyn

### Aims and Intent

ABC Kidz Educare exists to provide a safe, developmentally appropriate environment for children aged 10 weeks to 5 years. One of our focus areas is the children's safety and privacy and the Internet is a particularly dangerous place for children.

The aim of this policy is to:

1. Protect the safety and privacy of our children, parents, and staff.
2. Protect ABC Kidz Educare from legal risks.
3. Ensure that the reputation of the preschool, its staff, and the parents are protected.
4. Ensure that any users can clearly distinguish whether information provided on social media is legitimately representative of ABC Kidz Educare.

### Method

1. This policy will be implemented and updated by Esme Olyn, principal.
2. During an employee's induction she will be informed of the contents of this policy and sign a contract that lays out their responsibilities and obligations, and acknowledgement of their understanding and willingness to adhere to these rules.
3. When a child is enrolled at ABC Kidz Educare the parents are informed of the contents of this policy and sign a form declining or approving the use of their children's photographs.

### Key Facts

1. Electronic devices include but are not limited to:
  - a. Emails, and
  - b. Any material that can be downloaded via the Internet, or

- c. Sent across ABC Kidz Educare's computer network via the intranet from or to electronic equipment such as:
  - i. Computers
  - ii. Disks and drives
  - iii. Phones
  - iv. Network servers
  - v. Fax machines
  - vi. Any equipment with electronic storage capability
  - vii. Any recording devices
  - viii. Closed circuit television
2. To protect the interests of children, personal or private information is not be included on any publicly available webpage or application.
3. Only when written permission has been received and child protection obligations met, will photos, videos and news shared.
4. ABC Kidz Educare's Facebook page limits access to a specific, relevant group of users and we use a closed community instead of a public page.
5. The Social Media Administrator will grant access to approved users on request.
  - a. Approved users are current parents and staff members.
6. When a child is enrolled or leaves our facility, the Social Media Administrator will remove them from, or invite them to the closed Facebook group and the WhatsApp Parent Group.
7. ABC Kidz Educare has appointed an Information Regulator as stipulated in the POPI Act. That person is:
  - a. Name: Esme Olyn
  - b. Designation: Principal
  - c. Contact details: 071 101 8282/010 501 0209/8

## Legislation

There are many South African and international regulations that protect the rights of children. ABC Kidz Educare adheres to all of them to the best of our ability.

1. **Section 28 of the South African Constitution**, which clearly states that: *"A child's best interests are of paramount importance in every matter concerning the child"*.
  - a. "The best interests" are what informs all our decisions about the children enrolled at ABC Kidz Educare.
2. **The United Nations Convention on the Rights of the Child** – South Africa signed the Convention in 1993 and ratified it on 16<sup>th</sup> June 1995, therefore it is mandatory.
3. **Principles from legislation and best practice:**
  - a. **Children's Act, Section 9:** *In all matters concerning the care, protection, and wellbeing of a child the standard that the child's best interest is of paramount importance must be applied.*
  - b. **Children's Act, General Data Protection Regulation (GPDR) and the Protection of Personal Information Act (POPIA):**
    - i. Children need special protection.
    - ii. Children are identified as "vulnerable individuals" and deserving of special protection.
    - iii. Of note, we need to look at this particular regulation which states: *"The best interest of the child is of paramount importance and will be prioritised in all matters related to child protection"*. At ABC Kidz Educare we understand that:
      1. The online world is not separate from the off-line world. There is no set of different laws that apply online. The law, which applies in our everyday lives, applies online too.
      2. South African law is clear: when publication occurs every single person, who is directly or indirectly responsible for the publication, can be held legally liable for it.
  - c. **Constitution – Section 14 and POPI Act:** Every person has the right to privacy which includes a right to protection against the unlawful collection, retention, dissemination and use of personal information.
  - d. **POPI Act, Part C:**

- i. A "reasonable person" (the Principal or the centre's Information Regulator) must obtain permission from a "competent person" (the child's parent/guardian) before processing any of a child's personal information, including photographs, or performing any action to do with the child.
- ii. Reasonable measures will be put in place to protect the integrity and confidentiality of the personal information collected about children.
- iii. Only collect information and images that you need for a specific purpose.
- iv. Ensure data is relevant, accurate and up to date.
- v. Only hold as much information/data as you need, and only for as long as you need it or is mandated.
- vi. Allow the data subject of the information (or his/her parents/guardians) to see it upon request.
- e. **POPI Act: Potential non-compliance implications** for individuals and ABC Kidz Educare:
  - i. Unnecessary financial and reputational risks.
  - ii. Negative media publicity.
  - iii. Loss of stakeholder confidence and trust.
  - iv. Civil action by a data subject.
  - v. Fines and penalties issued by the official Government Information Regulator and/or imprisonment of up to 12 months. In certain cases, the penalty for noncompliance could be a fine and/or imprisonment of up to 10 years (Section 107).
- f. **Sexual Offences Act:** Depending on what sort of image is posted and where it was posted to could lead to prison time.
- g. **The Journalism Act:** States that all photographs and visual imagery will accurately portray and not sensationalise the situation of children and this includes visual images that:
  - i. Do not respect the dignity and self-worth of the child.
  - ii. Are exploitative or manipulative as far as the subject is concerned (e.g. asking the child to cry for the photo).
  - iii. Misleads the viewer as to the actual situation of the subject of the image (e.g. labelling children as HIV orphans).
  - iv. Distorts reality or does not accurately reflect reality.
  - v. Discloses personal information about the child or family.
4. There is a common thread that runs through all the legislation, such as:
  - a. The welfare of children is paramount.
  - b. Child protection is both an individual and a corporate responsibility.
  - c. All children have equal rights to protection from abuse and exploitation, and inequalities should be challenged.
  - d. Everyone must take precautions and responsibility to help create a safe place for children and support their care and protection. This begins with everyone being well informed and aware of child protection issues as is the case at ABC Kidz Educare.
  - e. Organisations and networks owe a *duty of care* to the children with whom they work and a responsibility to meet minimum standards of protection for the children in their care.

## Duty of Care, Ethical and Legal Obligations

Duty of care is defined as: *"a requirement that a person act toward others and the public with the watchfulness, attention, caution and prudence that a reasonable person in the circumstances would use. If a person's actions do not meet this standard of care, then the acts are considered negligent, and any damages resulting may be claimed in a lawsuit for negligence"*.

Before sharing content ABC Kidz Educare considers:

1. Our duty of care: As we work with vulnerable young children our duty of care for their well being is paramount. We bear in mind legal, ethical and moral obligations and do not post any personal details, such as their names, addresses (home and ECD centre), photos, videos and work.
2. Privacy, confidentiality and sensitive content: If there are likely to be any privacy or confidentiality issues, or if content is of a sensitive nature we will not post it at all.

- a. If the Social Media Administrator is unsure or unable to make this decision he/she will seek advice from the Principal/owner.
3. The Social Media Administrator reports to our Principal who oversees the social media function and must ensure appropriate standards are maintained with particular focus on removing any information that may identify a child.
4. Particular consideration will be given to:
  - a. Vulnerable children whose circumstances and/or personal characteristics place them at increased risk of harm when using social media.
  - b. This may include children under Court Orders where contact between a child and another person, including a family member, may be unlawful.
  - c. Links to external websites must not contravene this policy and bi-annual audits will be conducted to ensure that externally linked websites have not changed to something undesirable.

### **Electronic Communications, The Internet, and Downloads**

It is a term of the Employment Contract that employees comply with ABC Kidz Educare's rules and with all our policies including this one for the use of its computers, the Internet and email, which are as follows:

1. Computers, networks, and email systems are the property of the company. This excludes employee's own personal computer and email address.
2. Our computer systems are maintained solely for the conducting of the preschool's business.
3. The use of the Internet, Intranet and email for any other purpose may be subject to action under the disciplinary procedure.
4. All copies of messages created, sent, received, or stored on our systems shall remain the property of ABC Kidz Educare. Messages on company property are not the private property of Employees and as such there should be no expectation of privacy in any circumstances.
5. The company reserves the right to access and monitor all messages created, sent, received, or stored on our systems.
6. A message means one that has been created on ABC Kidz Educare's equipment, whether it has been sent, forwarded, printed or not. The contents of email messages may be disclosed internally and to third parties without further permission of the Employee and at the discretion of the Principal/owner.
7. The use of email and the Internet to create, send receive or store any material which is offensive, disruptive or infringes copyright is an offence and will be dealt with through the Disciplinary process.
8. Our policies regarding discrimination or harassment apply fully to the Internet and emails.
9. Employees must remember:
  - a. The same laws apply to email as to any other written documents and, therefore, any comments that could be regarded as defamatory, inaccurate, or misleading must be avoided.
  - b. Any written documents, texts or messages that are derogatory towards staff, children and/or parents may result in the employee being disciplined.
  - c. That even when an email message is deleted it is still possible for the message to be retrieved and read. The use of passwords does not assure confidentiality and the existence of a password does not restrict ABC Kidz Educare's right to access.
10. Notwithstanding our right to retrieve and read any email messages, emails should be treated as confidential by other Employees and opened only by the intended recipient.
11. Employees may only disclose information or messages obtained from emails to recipients authorized to have such information.
12. All emails and downloads can contain viruses, especially email attachments with the post-fix **.scr** and **.exe**. Therefore, all downloads and email messages will be virus-checked before opening.
13. It is an offence to load unapproved software including computer games on to ABC Kidz Educare's computers without express permission from management.
14. The watching of illicit material or pornography during office hours is an offence and may be punishable by law.
15. The playing of computer games and Internet gambling on- or offline when on ABC Kidz Educare's premises is an offence.
16. All email communication between employees, parents, and other stakeholders at ABC Kidz Educare must be made from our official email account.

## Photographs

1. Upon enrolment parents will sign a form whereby they will either grant or deny permission for us to post photographs of their children and artworks on our selected social media platforms.
2. If the parents deny permission then we will give their child something else to do whilst the photographs are being taken. Afterwards the child will return to participate in the activity.
3. Employees taking photographs:
  - a. Employees may only take photographs of the children with permission of the Principal who will have received prior permission from the parents.
  - b. Only our official camera may be used for photographs.
  - c. Employees are forbidden from taking photographs of the children or any part of the ECD centre on their private cellphones. If they do it may result in disciplinary action.
4. Types of photographs that may be taken:
  - a. Images of children doing group activities, provided that none of the faces are recognizable.
  - b. The child must be fully dressed in all pictures – no swimming costumes, ballet outfits or babies in nappies. Children dressed in fantasy clothing that fully covers them is allowed to be photographed.
  - c. Images of the school grounds and facilities.
  - d. Images of the staff.
5. When posting images of children or their work the following rules apply:
  - a. The Social Media Administrator must ensure each child shown in the image has a signed consent form.
  - b. Where a photograph is taken of a group of children (eg, six children have a signed consent form on record but one has not) the image cannot be used unless consent is obtained for all the children. A smiley face/emoji may be placed over the face of the child whose parent did not consent, and if the child is unidentifiable, the photograph may be used.
  - c. Images of children on social media platforms will not include any names identifying any of the children in the image, or any part of the face that identifies the child and care must be taken not to reveal personal information about the subjects.
  - d. The Social Media Administrator will not tag images.
  - e. Only text identifying our facility can be used and/or a description of the activity (eg, "children from ABC Kidz Educare visiting the dairy").
  - f. Only photographs with children wearing day clothing or dress up costumes are used. Photos of individual children and of children in swimming attire or partially clothed will not be posted.
  - g. Parents are aware of this policy and, in their personal capacity, should be aware of the privacy and security concerns of identifying their children online.
  - h. However, if parents/guardians still choose to share pictures and identify their children on the Internet, then:
    - i. It is their right.
    - ii. Even so, we appeal to all parents/guardians not to share online images of their child which show them with other children who attend ABC Kidz Educare.
6. When posting images of children to the Internet we consider the regulations in the Acts and the potential risk factors, such as:
  - a. A child may be targeted for harmful purposes by a person who does not have that child's best interest in mind. The risk increases when an image is shared where the child's face is clearly visible, or the image is coupled with personal information such as the child's name or location.
  - b. Harmful purposes include the use of the image for cyber-bullying, child pornography etc.
  - c. Images may also be used to track children e.g. for the purpose of human trafficking or in domestic disputes.
  - d. We strongly bear in mind that images may impact children negatively later in life, e.g. when they go for job interviews as adults and a search is done on their name.
  - e. We do not use unauthorised usage of images of children in our marketing. Without proper consent and protective measures, we may be taken to court for using those photographs in violation of data protection legislation and special consent will be requested from the parent of the child we would like to use.
7. We do a thorough risk assessment with the above-mentioned legislation, principles and risks in mind while considering both the potential consequences for the organisation and the child.

8. Before posting an image or using it legitimately, we use our best judgement as to whether the image may cause any harm, ridicule or emotional pain to the child – whether it is now or in the future, in hard copy or online.
9. We refrain from using identifiable images of children.
10. Any images that are used will be within the boundaries of this policy.
11. Under no circumstances may visitors to ABC Kidz Educare take any photographs whilst on our premises. This includes Government Officials during their regular inspections but excludes SAPS whilst doing an investigation.
12. When a child's image is no longer going to be used for any reason, it will be discarded in a safe way such as shredding (hard copy), and deleting a soft wile from both the computer and the "Trash" on the PC.
13. Consent for the use of the children's images is voluntary and may be removed at any time by the parent/guardian.
  - a. If it is unavoidable to have an identifiable child in a photograph, then the child's face will be covered by a positive icon/emoji before posting, thus rendering it unidentifiable.
  - b. Photographs that portray children in a negative light (e.g. the child crying) will never be used.
  - c. Photographs that highlight a child's special need will never be used.
  - d. None of the photographs that we may legitimately use will be photoshopped or enhanced.
  - e. None of the photographs that we take will be sold. They will usually/always be shared with the parents.
  - f. When the official annual photographs are being taken, the photographer will never have unsupervised access to the children.
  - g. The photographs we keep of the children at ABC Kidz Educare are securely stored under lock and key regardless of whether they are digital or on paper. The photographs are stored in Principal's office and only management has access to them.
  - h. Photographs of the children are often used in the classrooms to help the children feel part of the classroom environment and to enable them to identify:
    - i. Themselves on the birthday chart.
    - ii. Their own locker.
    - iii. Their towel and/or jacket.
    - iv. Themselves on certain creative activities.
  - i. If photographs or any other data on a child is lost, our Information Regulator will inform the parents/guardians of the situation, explain how it happened and what is going to be done about it.
14. Due to the danger that the Internet poses to children, no employee may upload any images of the children enrolled in this school onto the Internet or any social media platforms.

## Social Media

1. ABC Kidz Educare uses social media websites and appliations as a means of communicating and sharing information about the facility and educational programs with families and the community. Specifically we use:
  - a. Facebook and Messenger
  - b. Email
  - c. Google Plus
  - d. LinkedIn
  - e. Website
  - f. The Intranet
  - g. WhatsApp
2. Our social media accounts are additional communication tools and used to:
  - a. Promote our events.
  - b. Update parents on staff training and development.
  - c. Give tips on activities the children enjoyed and home learning ideas.
  - d. Give news.
  - e. Display photographs of activities, educational shows, special events and projects.
3. **A Social Media Account Administrator** has been appointed and is Esme Olyn, she is:
  - a. Responsible for updating the page with relevant information about the center.
  - b. Uploading photos of the educational program using only photographs that conform to the rules listed under "Photographs and the Internet" in this policy.
  - c. Promoting our events.

- d. Responding to questions from the local community.
  - e. Creating links to our website or other relevant websites.
  - f. Moderating our social media audiences.
  - g. Moderating or removing any comments deemed to be unacceptable or inappropriate.
4. When providing information on social media on behalf of ABC Kidz Educare the Social Media Administrator will:
- a. Be familiar with the social networks and how they function.
  - b. Have an understanding of the code of conduct and ethical/professional behaviours of our preschool and the ECD sector.
  - c. Have the authority, knowledge and insights to respond to feedback and inquiries.
  - d. Use good judgement to know when to seek advice from others (eg, about content of response, how to respond or legal/ethical advice).
  - e. Know when to escalate the matter to the management for a response.
  - f. Be confident in uploading or linking to files and know how to link to other online content (eg, web pages, videos, images).
  - g. Be aware of the specific social media channels and etiquette and understand the views and feelings of our direct community.
  - h. Ensure all posts published are respectful of all individuals and communities.
  - i. Be respectful and professional in their duty of care and when communicating and referring to children, parents/guardians and their families.
  - j. Not publish any material that is offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, or is otherwise unlawful.
  - k. Ensure that all content published is accurate, not misleading and complies with these privacy guidelines.
  - l. Respect privacy, financial disclosure and other applicable laws when publishing on social media platforms.
  - m. Respect copyright laws and attribute work to the original source wherever possible.
  - n. When posting on behalf of ABC Kidz Educare, only offer information, support or comment on topics that fall within our area of responsibility.
  - o. Ensure all information posted or comments made on government policy are appropriate, remain politically neutral and does not breach any confidentiality guidelines.
  - p. Unless specifically given permission to do so, it is not the policy of ABC Kidz Educare to be the first to make a significant announcement.
  - q. Will not use government branding.
  - r. Protects personal details rigorously to ensure that the identity of children, families, staff members and other parties remain confidential.
  - s. Undertake social media training when requested to do so.
5. All staff are aware that their responsibilities under SACE's Code of Ethics for Educators also applies when using social media.
6. The same principles apply to online comment as to any other kind of public comment, however, there are some additional considerations that apply to online participation:
- a. The speed and reach of online communication means that comments posted online are available immediately to a wide audience.
  - b. Material posted online effectively lasts forever and is not private, may be replicated endlessly, and may be shared with recipients who we never expected to see it, or who may view it out of context.
7. Upon enrolment families will be informed of the Electronic Communications Social Media Policy and will be asked to sign a "permission to use likeness, image, voice, performance and/ or creative work of children" form.
8. Absolutely no personal information about any of the children appears on our official social media platforms.

## **Personal use of social media**

1. ABC Kidz Educare supports staff who choose to use social media in their capacity as private individuals, however, they should be aware that content published on social media sites is publicly available even on their personal accounts.
2. Educators and other staff may be held accountable for their actions outside of business hours and staff should ensure:

- a. They are mindful that their behaviour is still bound by the Code of Ethics, even outside work hours.
  - b. Not to make comments that are obscene, defamatory, threatening, harassing, discriminatory or hateful to or about your work or about another person or entity.
  - c. Not make comments that could be perceived to be:
    - i. Made on behalf of ABC Kidz Educare. Comments must be an expression of the employee's personal view.
    - ii. So harsh or extreme in your criticism of ABC Kidz Educare that questions are raised about your capacity to work professionally, efficiently and/or impartially thereby compromising the staff member's capacity to fulfil their duties in an unbiased manner.
      1. This applies particularly where comment is made about policies and programmes in our ECD centre.
  - d. So strong in your criticism of ABC Kidz Educare administration that it could seriously disrupt the workplace – employees are encouraged to rather resolve concerns by using the Grievance procedures.
  - e. Any gratuitous personal attack connected with your employment.
  - f. Criticism of ABC Kidz Educare's children, families and other stakeholders.
  - g. Compromise the public's confidence in ABC Kidz Educare.
3. Where staff participate in a discussion not directly related to their work but that draws on their expertise in a field, such as child development, teaching or education, this is considered personal use.
  4. Staff should not reveal information about ABC Kidz Educare that isn't publicly available.
  5. It is not appropriate to make connections with everyone who follows your posts.
  6. Be professional, use good judgment and be accurate and honest in communications. Errors, omissions or unprofessional language or behaviour will reflect poorly on the employee and ABC Kidz Educare and may result in the disciplinary process and termination of employment.
  7. In order to maintain professional boundaries, staff should not accept or initiate personal invitations to be friends on social media from parents at ABC Kidz Educare unless they know them in a personal
  8. Do not 'friend', 'follow' or subscribe to posts from under- aged children.
  9. Be aware that some people create accounts for spam – block or report these accounts.
  10. Staff must not mention any names of children, parents, and staff of ABC Kidz Educare on their online profiles.
  11. Staff may not publish photos of the children on their personal online profiles.
  12. Staff may not access social networking sites during their working hours.
  13. All staff should be cautious and mindful when accepting friend requests from co-workers.
  14. Staff members are encouraged to set their online profiles to private so that only friends are able to see the information.
  15. ABC Kidz Educare's logo may not be used on any staff member's any personal social media.
  16. Any breaches of the Social Media Policy could result in disciplinary action.
  17. Staff are also advised to consider the reputation of the school in any posts or comments related to their employment with the school on any social media accounts.
  18. Staff must be mindful that everything posted online is public, even with the strictest privacy settings.
  19. Assume that everything is permanent and may be shared!

## Inappropriate Content

1. Inappropriate content includes any content that could be seen as:
  - a. Pornographic, obscene, or offensive.
  - b. Harassment (racial, religious, sexual orientation physical characteristics, gender, ability, disability, economic status).
  - c. Impersonating by using another person's online profile to access social networking.
  - d. Intimidation or threatening behaviour.
2. The aim of social media is to promote conversation and the Social Media Administrator will remove content that is:
  - a. Abusive, offensive in nature or contains offensive language.
  - b. Bullying, harassing, defaming, or giving offence to other people.
  - c. Contains personal and/or cultural attacks or insults.
  - d. Promotes hate of any kind.



- e. Is potentially libellous or defamatory.
  - f. Off-topic or spam.
  - g. Plagiarised material.
  - h. Commercial/advertising.
3. Records will be kept on content that has been removed. A hard and/or soft copy will be kept.
  4. If any member of staff notices inappropriate or unlawful online content relating to any person associated with ABC Kidz Educare they must report it to the principal/manager.
  5. This person will report the inappropriate content to one or more of the following bodies:
    - a. Cybercrime.org.za: [cybercrime.org.za/docs/Advisory\\_on\\_Reporting\\_Cyber\\_crimes](http://cybercrime.org.za/docs/Advisory_on_Reporting_Cyber_crimes)
    - b. SAPS:
      - i. [childprotect@saps.org.za](mailto:childprotect@saps.org.za)
      - ii. SAPS Crime Stop (Tip-offline): 0860 010 111
    - c. Childline:
      - i. 08000 55 555
      - ii. [www.childlinesa.org.za](http://www.childlinesa.org.za)
    - d. Crime Line: [www.crimeline.co.za](http://www.crimeline.co.za)
    - e. Film & Publications Board: [www.fpbprochild.org.za](http://www.fpbprochild.org.za)

### **CCTV Surveillance System**

1. ABC Kidz Educare has a CCTV surveillance system installed.
2. Images are monitored and recorded and will be used in strict accordance with this policy.
3. The principal is responsible for the operation of the system and for ensuring compliance with this policy.
4. CCTV digital images, if they show a recognisable person, are Personal Data and are covered by the POPI Act.
5. The system comprises:
  - a. 26 x fixed position cameras inside.
  - b. 1 x three fixed position cameras outside
  - c. 1 x monitor located in the office
  - d. 1 x digital recorder.
6. There are no hidden cameras.
7. Every effort has been made to ensure maximum effectiveness of the system, however, it is not possible to guarantee that the system will detect every incident that takes place within the area of coverage.

### **Purpose of the system**

1. The primary purpose of our CCTV system is to:
  - a. Ensure the safety and security of the children, staff, parents and visitors consistent with respecting the individual's right to privacy.
  - b. To have a digital record of any accidents/incidents.
  - c. Protect our property and equipment.
2. These purposes will be achieved by monitoring the system to:
  - a. Observing classroom behaviour.
  - b. Assist in the prevention and detection of crime.
3. The system will not be used to provide recorded images for the Internet, nor to provide images for any third party, other than the South African Police in the course of their enquiries.
4. The cameras record every day for 24 hours.
5. Recordings are made using a digital video recorder operating in real time mode.
6. Recordings will normally be retained for 3 months from the date of recording, and then automatically over written.
7. Images captured by the system will be monitored on our premises.
8. It is recognised that images are sensitive material and subject to the provisions of the POPI act. Our Information Regulator is responsible for ensuring day to day compliance with the Act. All data recordings will be handled in strict accordance with this policy.
9. Video clips of accidents/incidents will be stored indefinitely.
10. Access to recordings will be restricted to our Information Regulator.

- 11. Disclosure of recorded material will only be made to third parties in strict accordance with the purposes of the system and is limited to the following authorities:
  - a. Law enforcement agencies where images recorded would assist in a criminal enquiry and/or the prevention of terrorism and disorder.
  - b. People whose images have been recorded and retained unless disclosure to the individual would prejudice criminal enquiries or criminal proceedings.
  - c. Emergency services in connection with the investigation of an accident.
- 12. No staff member, parent or visitor will have instant access to the CCTV digital images/recordings as, if they show a recognisable person as these recordings, it will be deemed Personal Data and covered by POPI.
  - a. A person who’s image has been recorded, or the parents of a child who’s image has been recorded and retained, may apply for access in writing to our Information Regulator.
  - b. If the Information Regulator deems it appropriate arrangements will be made for the viewing of the recording/images and subsequent discussions about the content.
  - c. The POPI Act gives the Information Regulator the right to refuse a request for a copy of the data, particularly where such access:
    - i. Could jeopardise the privacy of a child.
    - ii. Could prejudice the prevention or detection of crime or the apprehension or prosecution of offenders.
  - d. If it is decided that a data subject access request will not be complied with, the reasons will be fully documented and the data subject informed, whenever possible in writing, stating the reasons.

This policy was adopted on 12 February 2020. At Braamfontein and is in full force and effect at ABC Kidz Educare. Where necessary all the parents have been informed of this policy. All our employees have a good understanding of the contents of this policy and if at any time any of the clauses in this policy are contravened, normal disciplinary sanctions, as per the Basic Conditions of Employment Act, will be taken.

Name and Signature 1: .....  
Name and Signature 2: .....  
Name and Signature 3: .....

**References:**

With thanks to Hannelize Oliver, from the Unique Playschool, for her input  
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