

Remote teaching and learning - safeguarding perspective

(Andrew Hall, Specialist Safeguarding Consultant)

This is a non-exhaustive collection of notes and articles related to safeguarding and remote learning.

Live Webcams in teaching and learning - safeguarding issues to consider

- No 1:1s, groups only; 1:1s may be possible, subject to a risk assessment and SLT permissions
- Staff and children must wear suitable clothing, as should anyone else in the household.
- Any computers used should be in appropriate areas, for example, not in bedrooms; and where possible be against a neutral background.
- Any live classes could be recorded and backed up elsewhere, so that if any issues were to arise, the video can be reviewed; access and retention policies need to be in place
- Live classes should be kept to a reasonable length of time, or the streaming may prevent the family 'getting on' with their day
- Language must be professional and appropriate, including any family members in the background
- Schools should risk assess the use of livestreaming using webcams
- Data Controllers need to reassure themselves that any teaching/learning software and/or platforms are suitable and raise no privacy issues; or use cases against the providers terms and conditions (for example, no business use of consumer products)
- Consent is needed for the live-streaming or recording of children and adults in the images

Further information

Developing Digital Leadership Bulletin - March 2020

This link has some good documentation that can be used as a starting point in your own school, for example, an 'online home learning responsible user agreement'.

<https://secureservercdn.net/198.71.233.227/0ba.288.myftpupload.com/wp-content/uploads/2020/02/Developing-Digital-Leadership-Bulletin-CoronaVirus.pdf>

Source: Andrew Hall www.safeguarding.info

Coronavirus Guidance, Resources and Tools (SWGfL)

This is one of your 'go-to' website for all the information you need.

The South-west Grid for Learning have created an in-depth support page, with information about the following topics:

- Policy (inc downloadable templates)
- Systems
- Technology
- Location/Environment
- Education
- Behaviour
- Recording
- Personal Data
- Safeguarding
- Further Reading

See: <https://swgfl.org.uk/coronavirus/>

Retention policy for video recordings

Although, many people involved in safeguarding have said that online conversations with pupils may be recorded, there hasn't been a consideration of how long for. As ever, in data protection, there isn't one definitive answer.

I'm not a lawyer, but here's my thinking. (You will need to follow guidance given by your own Data Protection Officer or legal provider.)

I think these recordings constitute personal data because they contain personal images of identifiable people. This means that under GDPR, keeping these recordings should be considered by your Data Protection Officer as part of the Data Protection Impact Assessment (DPIA). Briefly this means assessing what data is being captured, why it is held, who can access it, for what reason, and how long will it be kept. Data should only be retained for as long as is necessary to meet the needs of the reason for recording it.

'Data protection: a toolkit for schools' (DfE, 2018) is perhaps the best document to consult here. On page 75, the guidance suggests four 'tiers' of retention:

- Short term – date of first recording plus 1 month
- Medium Term – 1 year
- Long Term – 5 years
- Very long term – until pupil is 25 years of age or older

Source: Andrew Hall www.safeguarding.info

As I see it, the recording of Zoom calls is to investigate any complaints that might arise, or for crime prevention and investigation. It is probably unjustifiable to keep the recordings for the long or very long term, and a month might be too short. You should check with your Data Protection Officer or legal provider, but for me I would think 6 - 9 months; perhaps a year would be about the right ballpark.

Data protection toolkits for schools can be downloaded here:

<https://www.gov.uk/government/publications/data-protection-toolkit-for-schools>

Communication with parents

Just because schools can use video meeting software like Zoom, doesn't necessarily mean they should. Phone calls can be just effective. We always have to start thinking about what we want to achieve, and then look at practically how might that be done. Many homes just do not have the infrastructure or devices to facilitate online learning which using sophisticated tools. For teaching and learning, simpler tools, like seesaw or class dojo might be more beneficial.

If schools are using video-calling, it is important that they explain to parents what tools are being used, including why they might be making recordings of the video call. Some schools have had negative feedback from parents about the recording the call, as they think it is about their child's misbehaviour. The key reason is guarding against staff grooming or other inappropriate or unprofessional behaviour. One way to mitigate this without recording could be to always have two staff members on the video call.

I think that advice to parents should be clear. Many schools will have sent information out to parents now, but if you're just getting started some of the following might help.

Possible letter to parents

At [school name] we would like to keep up to date with you and your children. To do this we are using a platform called [name of platform, eg. Zoom] for our video-calling. We will be using our school account for this, so you do not need to buy anything or create an account.

When we make our video call, we will always send you an email first with the video link and the time. We will never email your child asking them to join a call without you knowing, and we will never ask to 'video meet' with you or your child outside our school hours which are currently [state school hours/days].

To use the video link in our email just click on it. The browser window will open and the first time you use it, it will ask you to download the software. If you use a [name of platform, eg. Zoom] account for another reason, please make sure you log out of that

Source: Andrew Hall www.safeguarding.info

account before your child uses it. This will make sure any settings that you have made in your account do not over-ride any that we have put in place to safeguard your child.

When we make the video call please make sure the computer is in a suitable place, not in a bedroom or bathroom for example and the background is clear, showing just the wall perhaps.

For your child's safety we may record our call with you. The recordings are kept on our school servers for [state how long] and no-one is permitted to view them without good reason and with permission from the headteacher.

Our school account has settings that will limit problems with the following issues that you may have heard about:

- 'Zoom-bombing'
- Risk of phishing
- Privacy concerns
- Recordings
- Private zoom meetings
- Inappropriate content
- Data Protection
- Poor privacy controls and security

To protect you and your child further, please:

- Do not create or use an existing [name of platform, eg. Zoom] account for them, this will make sure that your child cannot change any of our settings.
- Make sure the joining email is from our school email address, this will prevent any impact from phishing emails where people try to get you to click on a fraudulent email.
- We aim to make sure that there are two adults on the video call and we would like parents to be alongside when our call takes place.
- There should be no inappropriate content on any of our video calls. Please contact the school if you are concerned about any of the content of the video call.

If you would like any further information, please getting in touch by...[state how parents can get in touch with the school]

Twenty Safeguarding Considerations for Lesson Livestreaming

A great resource for schools when thinking about using products like Zoom, Teams or Google Meet is here: <https://static.lgfl.net/LgflNet/downloads/digisafe/Safe-Lessons-by-Video-and-Livestream.pdf>

The considerations include:

- Only use school-registered accounts
 - Don't use any system that SLT have not approved
 - Remind pupils/staff about the Acceptable Use Policy agreements they have signed *[and perhaps parents too]*
 - Remind pupils and staff about [how to report concerns]
 - Is the Data Protection Officer happy [about the arrangements]? GDPR covered? Parental consents needed?
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FAQs about Zoom Education

Zoom this week sent out further information about how schools can safely use Zoom for Education. Questions include:

- Should I use Zoom Meetings or Zoom Video Webinars to host a class?
- What are best practices for setting up a virtual classroom?
- How do I ensure my classroom is secure?
- How do I share my screen?
- How do I annotate? Who else can annotate?
- What features are available on a Chromebook?
- Can I host and join meetings on a mobile device?

You can find the article here: <https://blog.zoom.us/wordpress/2020/04/24/zoom-for-education-top-10-frequently-asked-questions/>

Potential Safeguarding Risks

The risks to consider are mainly about inappropriate actions by the adult leading the learning session. Whilst a difficult thought, there are numerous examples. Students can also behave inappropriately themselves.

Key risks include:

- Not maintaining professional standards

Source: Andrew Hall www.safeguarding.info

- Grooming behaviours
- Attempts to move the child onto another platform, account or to access them by phone or text
- Setting up a separate, unmonitored lesson time or account
- Inappropriate use of chat messaging on the platform, and deleting those messages
- Inviting unauthorised adults into the platform
- Contacting teachers out-of-lesson time
- Stalking-type behaviours
- Inappropriate conduct during lesson time
- Inviting other students in to the 1:1 lesson who then behave inappropriately
- Unauthorised making and/or sharing recordings
- Cyberbullying

Guidance for Safer Working Practices - Addendum April 2020

(see especially section 24a)

Use of technology for online / virtual teaching: Key Points

“Wherever possible, staff should use school devices and contact pupils only via the pupil school email address / log in. This ensures that the setting’s filtering and monitoring software is enabled.

Virtual lessons should be timetabled and senior staff, DSL and / or heads of department should be able to drop in to any virtual lesson at any time – the online version of entering a classroom.

Staff engaging in online learning should display the same standards of dress and conduct that they would in the real world; they should also role model this to pupils and parents. The following points should be considered:

- think about the background; photos, artwork, identifying features, mirrors - ideally the backing should be blurred
- staff and pupils should be in living / communal areas - no bedrooms
- staff and pupils should be fully dressed
- filters at a child’s home may be set at a threshold which is different to the school
- resources / videos must be age appropriate - the child may not have support immediately to hand at home if they feel distressed or anxious about content

Recording lessons does not prevent abuse. If staff wish to record the lesson they are teaching, consideration should be given to data protection issues; e.g., whether parental/pupil consent is needed and retention/storage.

Source: Andrew Hall www.safeguarding.info

Senior leaders should:

- review and amend their online safety and acceptable use policies to reflect the current situation
- ensure that all relevant staff have been briefed and understand the policies and the standards of conduct expected of them have clearly defined operating times for virtual learning
- consider the impact that virtual teaching may have on children and their parents/ carers /siblings
- determine whether there are alternatives to virtual teaching in 'real time'- e.g., using audio only, pre-recorded lessons, existing online resources
- be aware of the virtual learning timetable and ensure they have the capacity to join a range of lessons
- take into account any advice published by the local authority, MAT or their online safety / monitoring software provider

Staff should:

- adhere to their establishment's policy
- be fully dressed
- ensure that a senior member of staff is aware that the online lesson /meeting is taking place and for what purpose
- avoid one to one situations – request that a parent is present in the room for the duration, or ask a colleague or member of SLT to join the session
- only record a lesson or online meeting with a pupil where this has been agreed with the head teacher or other senior staff, and the pupil and their parent/carer have given explicit written consent to do so
- be able to justify images of pupils in their possession

Adults should not:

- contact pupils outside the operating times defined by senior leaders
- take or record images of pupils for their personal use
- record virtual lessons or meetings using personal equipment (unless agreed and risk assessed by senior staff)
- engage online while children are in a state of undress or semi-undress”

Further guidance can be found here: <https://www.safeguardingchildren.co.uk/wp-content/uploads/2020/04/Guidance-For-Safer-Working-Practice-COVID-addendum-April-2020.pdf>

Source: Andrew Hall www.safeguarding.info

Google, Microsoft and Zoom platform-specific settings:

For advice on using these platforms, see <https://coronavirus.lgfl.net/safeguarding>

Questions

We are not currently doing live lessons as we have had concerns around safeguarding. For example, adults in the background being inappropriate or saying inappropriate things. as we are new to the live side (our lessons are set up via recordings etc.) can you point me in the right direction of the guidance we need to use if we set this up as I assume we need consent or at least a code of conduct that is agreed by parent/carers.

You are right to be concerned as these are all issues that have arisen. Before starting live lessons, schools need to risk assess and put in place mitigating steps. There are many sources of guidance about livestreaming from school, see links. The steps below will take you through the main issues to consider.

- Choose livestreaming platform, probably Zoom, Teams or Google Meet
 - Obtain consents from parents and any Acceptable User Policies for children, staff and parents
 - Carry out a risk assessment and implement mitigating steps
 - Ensure that the Data Protection Officer is aware and has reviewed and revised the Data Protection Policy and any Privacy Notices
 - If the school intends to record the images, where will they be stored, who can access them, and when will they be deleted?
 - Set up the equipment ensuring that privacy is considered, for example, not showing general views of the classroom which include images of children. (At least whilst schools are closed to most children, I think that only the teacher should be streamed, not other children in the class, as this may show children who are vulnerable.)
 - Ensure that users know how to respond to any concerns or issues.
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List of useful links:

Safeguarding and remote education during coronavirus (COVID-19)

<https://www.gov.uk/guidance/safeguarding-and-remote-education-during-coronavirus-covid-19>

Safeguarding during Remote Learning & Lockdowns (LGfL)

<https://coronavirus.lgfl.net/safeguarding>

Source: Andrew Hall www.safeguarding.info

Remote Working a guide for education professionals (SWGfL)

<https://swgfl.org.uk/assets/documents/educational-professionals-remote-working.pdf>

Guidance for Safer Working Practice - Addendum inc. Remote Learning (SRC)

<https://www.saferrecruitmentconsortium.org/GSWP%20COVID%20addendum%20April%202020%20final-2.pdf>

School Online Safety Policy Templates (SWGfL)

<https://swgfl.org.uk/resources/online-safety-policy-templates/>

Safeguarding Risks with Zoom (PracticePal)

<https://practicepalmusic.com/img/safeguarding-comp.pdf>

Zoom for Education: Top 10 Frequently Asked Questions (Zoom)

<https://blog.zoom.us/zoom-for-education-top-10-frequently-asked-questions/>

Zoom Basics - Using Zoom for Classes and Meeting (Steve Dotto/YouTube)

<https://www.youtube.com/watch?v=s5VU8cmEnTs>

Live Streaming (Childnet)

<https://www.childnet.com/teachers-and-professionals/hot-topics/livestreaming>

Undertaking remote teaching safely (NSPCC)

<https://learning.nspcc.org.uk/news/2020/march/undertaking-remote-teaching-safely>

A Guide to Safe Remote Learning in Education (Wigan Safeguarding Partnership)

<https://www.wiganlscb.com/Docs/PDF/Professional/A-Guide-to-Safe-Remote-Learning-in-Education.pdf>

Developing digital leadership – March 2020 (Edtech UK/ISC) [Especially the documentation from Kellet School, Hong Kong]

<https://0ba.288.myftpupload.com/wp-content/uploads/2020/02/Developing-Digital-Leadership-Bulletin-CoronaVirus.pdf>

Video conferencing services: security guidance for organisations (National Cyber Security Centre)

<https://www.ncsc.gov.uk/guidance/video-conferencing-services-security-guidance-organisations>

Source: Andrew Hall www.safeguarding.info