

# PHOTOGRAPH POLICY

Our Out of School Hours Care (OSHC) Service is committed to creating and maintaining a child safe environment where children are safe and feel safe and their voices are heard about decisions that affect their lives. Child safety is embedded in our organisational leadership, governance, policies and procedures and culture. Children have the right to be protected from the misuse of photographic and video images whilst at the Service. To ensure the privacy of children and families is respected, our OSHC Service will only use photographs of children to support their learning and to record individual developmental progress with written authorisation from parents/guardians.

## NATIONAL QUALITY STANDARD (NQS)

QUALITY AREA 2: CHILDREN'S HEALTH AND SAFETY		
2.2	Safety	Each child is protected.
2.2.1	Supervision	At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
QUALITY AREA 5: RELATIONSHIPS WITH CHILDREN		
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.
QUALITY AREA 6: COLLABORATIVE PARTNERSHIP WITH FAMILIES AND COMMUNITIES		
5.1.2	Dignity and rights of the child	The dignity and rights of every child are maintained.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
181	Confidentiality of records kept by approved provider
183	Storage of records and other documents
184	Storage of records after service approval transfer

## RELATED POLICIES

Child Safe Environment Policy Child Protection Policy Code of Conduct Policy Dealing with Complaints Policy Educational Program Policy	Enrolment Policy Social media Policy Technology Policy Privacy and Confidentiality Policy Respect for Children Policy
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## PURPOSE

We aim to ensure the collection and use of photographs or video of children complies with privacy laws and related legislation. We are committed to creating and maintaining a child safe environment by adhering to the [National Principles for Child Safe Organisations](#).

## SCOPE

This policy applies to children, families, staff, educators, approved provider, nominated supervisor, students, volunteers and visitors of the OSHC Service.

## IMPLEMENTATION

The displaying of photos provides children and families with a sense of belonging. Photographs allow children to see themselves at play, are a topic of conversation for children and parents, allow families to see their child at play, and convey the message to children that what they are doing is important. However, it is fundamental to respect the rights of all children and families to privacy and ensure child safety is embedded in our policies and procedures.

### THE APPROVED PROVIDER/ NOMINATED SUPERVISOR / EDUCATORS WILL ENSURE:

- that obligations under the Education and Care Services National Law and National Regulations are met
- educators, staff, students and volunteers have knowledge of and adhere to this policy
- the OSHC Service maintains children's safety and respecting their right to privacy
- the National Model Code guidelines are understood and adopted within the OSHC Service including:
  - only service-issued/approved devices are to be used when taking images or videos of children
  - personal electronic devices that can take images or videos (such as tablets, phones, digital cameras, smart watches) and personal storage and file transfer media (such as SD cards, USB drives, hard drives and cloud storage) should not be in the possession of any person while providing education and care and working directly with children
  - providing authorisation for a staff member or educator to use a personal electronic device for essential purposes only (personal health requirement, disability, family necessity, local emergency event, technology failure)
  - implementing strict protocols for appropriate storage and retention of images and videos of children

- ensuring families and visitors are clearly informed that they are not to take images or videos of children whilst visiting the Service
- ensuring students and other visitors do not have access to a personal electronic device whilst the Service is providing education and care
- embedding the National Principles for Child Safe Organisations and creating a child safe culture
- ensuring photos or videos of children are appropriate in nature
- families provide written permission/consent for photographing or recording video of their child by the OSHC Service (see: *Enrolment Form*)
- processes are in place to ensure families who speak languages other than English understand the requirements within this policy and the enrolment form
- every child in our care is protected from any exploitation of photographic and video images of themselves taken whilst they attend the OSHC Service
- children participate in decisions affecting them including permission to have photographs taken of them
- families are informed of the intended use for images and/or videos, including social media or other purposes
- personal information about the child's surname, age or any other information that reveals their identity is not published
- that photographs taken by educators support the children's learning and record children's individual progress
- that the OSHC Service seeks written permission from families for their child to be photographed when an outside photographer/agency is contracted to take photographs for marketing purposes or to take individual and group photos once a year. Only children who have written permission from their parent/carer will be included in any photography. [See: *Media Authorisation Form*]
- that the OSHC Service notifies parents of the purpose of taking photographs such as use on the Service's website, advertising flyers/brochure, parent handbook and *Social Media Policy*
- a record of all children who are NOT to be photographed will be developed, maintained and shared with educators and staff
- this record will remain private and confidential to staff only
- that the children of parents/carers who do not wish their child to be photographed or videoed are provided with other activities when an outside photographer/agency is engaged
- parents/carers have the choice to withdraw consent for their child to be photographed or filmed in certain circumstances

- photographs, video or other recordings of children are securely stored and disposed of when the child is no longer enrolled at the Service
- access to images and videos -both hard copy and digital files- is by authorised personnel only (See: *Privacy and Confidentiality Policy*)
- photos or videos of children must be appropriate in nature and must not show children in distress, in a position that may be perceived as sexualised or in a state of undress, including where genitalia may be exposed
- photographs/videos are taken to:
  - support the individual learning of each child for their formal record
  - record children's work and activities within the Service environment.

### FAMILIES (PARENTS/GUARDIANS)

- will comply with the OSHC Service's adoption of the National Model Code regarding taking images or recording videos of children whilst at the education and care service
- will complete the OSHC Service's enrolment form at time of enrolment and provide written notification to the nominated supervisor if they do **NOT** want their child to be photographed or their photo published in any form. The nominated supervisor will keep a record of children who are not to be photographed and notify relevant educators/staff.
- written notification is required if parents/families do **NOT** want their child included in photography opportunities which may include:
  - video of children taken for the children to be able to watch themselves at play. These videos may be made available to all families to view at various times
  - when children are invited to take photographs or video either with digital cameras or tablets with story-making apps to support language and literacy development. Hard copies of these may be printed and made into a book produced by children. These will remain within the Service but may be viewed by families and visitors
- will be invited to record their child's inclusion in group events and celebrations through the use of photographs or video on the understanding that they will not publish any material on the Internet, including on their personal social media, as the Service has no control over these images once they are in the public domain. (*See Social Media Policy*)
- are **not** to use images obtained via the OSHC Services app for learning and observation purposes or photos taken during special events by the Service or families for publishing on any social media or for sharing with others in any form



- will be requested to provide written permission/consent for staff/educators, students or volunteers to take photos of their child/ren for assignments as part of their children Services/university course
- will be requested to provide written permission/consent for individuals visiting the Service to take photographs of their child/ren (e.g., professional photography for marketing, school photos etc.)
- are aware they have the choice to withdraw consent for their child to be photographed or filmed in certain circumstances
- be provided with clear information about how to make a complaint and our complaints handling processes.

## BREACH OF POLICY

Staff members or educators who fail to adhere to this policy may be in breach of their terms of employment. Staff members who engage in unauthorised disclosure of confidential or sensitive personal information including sharing of photographs or videos may face disciplinary action. Visitors or volunteers who fail to comply to this policy may face termination of their engagement or asked to leave the premises.

## CONTINUOUS IMPROVEMENT

Our *Photograph Policy* will be updated and reviewed annually in consultation with families, staff, educators and management.

## CHILDCARE CENTRE DESKTOP- RELATED RESOURCES

Media Authorisation – Child	Media Authorisation – Staff
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## SOURCES

Australian Children’s Education & Care Quality Authority. (2024). [Guide to the National Quality Framework.](#)

Australian Children’s Education & Care Quality Authority. (2024). [Taking Images or Videos of Children While Providing Early Childhood Education and Care. Guidelines for the National Model Code.](#)

Byrnes, J., & Wasik, B. (2009). Picture this: Using photography as a learning tool in early childhood classrooms. *Childhood Education*, 85.

*Child Protection Act, 1998.*

Education and Care Services National Regulations. (Amended 2023).

NSW [Office of the Children’s Guardian](#)

*Privacy Act 1988*

Victoria State Government. (2023). [About Child Safe Standards.](#)

[Western Australian Education and Care Services National Regulations](#)

## REVIEW

POLICY REVIEWED BY	Libby Haines	Director	September 2024
POLICY REVIEWED	SEPTEMBER 2024	NEXT REVIEW DATE	SEPTEMBER 2025
VERSION NUMBER	V7.09.24		
MODIFICATIONS	<ul style="list-style-type: none"> <li>• policy maintenance</li> <li>• addition of National Model Code and Guidelines</li> <li>• hyperlinks checked and repaired as required</li> <li>• minor formatting edits within text</li> <li>• Childcare Centre Desktop related resources added</li> </ul>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
SEPTEMBER 2023	<ul style="list-style-type: none"> <li>• regular policy maintenance</li> <li>• no major edits/changes to policy</li> <li>• continuous improvement/reflection section added</li> <li>• sources updated</li> </ul>	SEPTEMBER 2024	