

Use of Photographs/Digital Media Procedure & Permission Form

Knox Early Years Services

Purpose

Photographs and digital media are classified as 'Personal Information' under the Privacy and Data Protection Act 2014.

The purpose of this procedure and permission form is to:

- Comply with the privacy legislation in relation to photographs/digital media taken by Knox City Council (KCC) Early Years Service Educators;
- Enable staff at KCC Early Years Service to take photographs/digital media of children as part of the educational program;
- Enable families to take photographs/digital media of their children enrolled in a KCC Early Years' Service as they participate in the educational program;
- Notify families as to the procedure of how KCC Early Years' Service takes photographs/digital media, and how they will be used.

Procedure

In relation to photographs/digital media, the Responsible Person, Nominated Supervisor, Person In Day-to-Day Charge of a Service and Educators will:

- Only take photographs/digital media within the Early Years Service for enrolled children whose parent has provided consent via the consent form at the end of this document.
- Gain consent, on each occasion for any photograph/digital media that is used for external publications such as print media, brochures, newsletters and websites or any other external publications.
- Utilise Council multimedia equipment for the purpose of gathering, accessing and storing information. **Employees, Casual and Agency Staff are not permitted to use their personal phones, laptops, cameras or memory sticks or any personal digital media devices.**
- Follow Governance and Management Including Confidentiality of Records procedure.
- Not share any photos/digital media with other persons, agencies, professionals and/or visitors without a parent's permission.
- Securely store digital and hard copy photographs as legislatively required at the service and in accordance with the Privacy and Data Protection Act 2014 and Education and Care Service National Regulations 2017.
- Destroy photographs/digital media if requested and/or once it is no longer required in accordance with Knox City Council Data Management Procedures.
- Not put any photos/digital media of children, or any other information that may identify children or families on any social media websites e.g. Facebook.
- Inform families that they must only take photographs of their own child/ren as they participate in the educational program e.g. kinder duty.
- Display signs informing families of celebrations such as but not limited to 'Special Persons Day', acknowledging that people attending may take photographs/digital media at the event.

Please Note: Additional assistants and volunteers working at the service are not permitted to take photographs/digital media of children enrolled in any KCC Early Years service.

In relation to photographs/digital media, parents will:

- Provide or refuse consent for the use of photographs and digital media via the consent form
- Take photographs/digital media of only their children as they participate in the program
- If families do not want their child/ren's photograph taken at an event please advise a staff member before entering the event and;
 - Families partaking in any event must take responsibility to exclude their child/ren from any photographs when they have refused consent.

Definitions

Approved Provider: someone with management or control that will operate the education and care service; this can be an individual, an organisation or a company.

Early Years' Service: Refers to Long Day Care, Occasional Care and Preschools unless otherwise specified.

Educator: These are staff employed to care and educate children enrolled in the Early Years' Service. This may include but is not exclusive to an Approved Provider, Responsible Person, Nominated Supervisor and or Educational Leader.

Educational Program: means a program referred to in section 168 of the National Law.

Person in Day-to-Day Charge of the Service – In relation to an education and care service, means a person who is placed in day-to-day charge of the service in accordance with the national regulations.

Parent: the term 'parent' includes a child's legal guardian. It does not include a parent/guardian who is prohibited by a court order from having contact with the child.

Print Media: Broadly, any written or pictorial form of communication produced mechanically or electronically using printing, photocopying, or digital methods from which multiple copies can be made through automated processes.

Nominated Supervisor: this is a person designated by the service as the Nominated Supervisor.

Responsible Person: must be present at all times at a centre based service who is educating and caring for children. A responsible person can be one of the following (section 162):

- The approved provider or a person with management or control
- The nominated supervisor of the service
- A person who has been placed in day-to-day charge of service.

Legislation and Standards

Child Safe Standards

Education and Care Services National Regulations 2017

National Quality Standards, Quality Area 5: Relationships with Children

Standards 5.1: Respectful and equitable relationships are developed and maintained with each child.

Standards 5.2: Each child is supported to build and maintain sensitive and responsive relationships with other children and adults.

National Quality Standards, Quality Area 6: Collaborative partnerships with families and communities

Standards 6.1: Respectful and supportive relationships with families are developed and maintained.

Standard 6.2: Families are supported in their parenting role and their values and beliefs about childrearing are respected.

Standard 6.3: The service collaborates with other organisations and service providers to enhance children's learning and wellbeing.

References and Sources

Early Childhood Australia (ECA) (2016) Code of Ethics. Retrieved 6 October, 2017 from

<http://www.earlychildhoodaustralia.org.au/wp-content/uploads/2016/07/ECA-COE-Brochure-2016.pdf>

Oxford Reference; University Press 2017 retrieved from

<http://www.oxfordreference.com/view/10.1093/oi/authority.20110803100346392#>

Privacy and Data Protection Act 2014

National Quality Standard and Operational Requirements 2017

Related Policy and Procedures

Governance and Management Including Confidentiality of Records

Enrolment and Orientation Procedure