

# PHOTOGRAPH POLICY

Our 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 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 PARTNERSHIPS WITH FAMILIES AND COMMUNITIES		
6.1.2	Parent views are respected	The expertise, culture, values and beliefs of families are respected, and families share in decision-making about their child's learning and wellbeing.

EDUCATION AND CARE SERVICES NATIONAL REGULATIONS	
160	Child enrolment records to be kept by approved provider and family day care educator
181	Confidentiality of records kept by approved provider
181-184	Confidentiality and storage of records

## RELATED POLICIES

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

## 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, management, approved provider, nominated supervisor, students, volunteers and visitors of the 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 WILL ENSURE:

- the Service maintains children's safety and respects their right to privacy
- staff are not permitted to bring in a camera/electronic device from home or use their personal mobile phone to take photographs, videos, or audio recordings of children whilst being educated and cared for
- families provide written permission/consent for photographing or recording video of their child by the 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 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
- photographs recorded at the Service as part of a normal day are taken using a digital camera or service owned electronic device and are only taken by members of the staff team, or by practicum students with written parental permission
- that the 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/guardian will be included in any photography
- that the 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*
- parents are aware that photographs or images may be taken of their children by other parents at various times of the year (e.g., during an end-of-year production or other event). Should parents **not** want their child photographed at any time, they must provide written notification to the approved provider or nominated supervisor at time of enrolment or if their decision for consent changes
- 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*)
- 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 complete the Service's enrolment form at time of enrolment and provide written notification (Yes/No) to the nominated supervisor/responsible person if they do **NOT** want their child to be

photographed or their photo published in any form. The nominated supervisor/responsible person keep a record of children who are not to be photographed and notify relevant educators/staff

- 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 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 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
- will provide written notification ~~is required~~ if parents/families do **NOT** want their child included in photography opportunities which may include:
  - photographs taken to be used in each child's portfolios as these may contain other children
  - 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/families are provided with a photo of their child to take home- these may include images of other children in the photo
  - 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.
- 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.

## CONTINUOUS IMPROVEMENT/REFLECTION

Our *Photograph Policy* will be reviewed on an annual basis in consultation with children, families, staff, educators and management.

## SOURCES

Australian Children’s Education & Care Quality Authority. (2023). [Guide to the National Quality Framework](#).  
 Byrnes, J., & Wasik, B. (2009). Picture this: Using photography as a learning tool in early childhood classrooms. Education and Care Services National Regulations. (Amended 2023).  
 NSW Government. Children and Young Persons Act. NSW Government. (2023). [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	TRACEY DAVEY	OPERATIONS MANAGER	FEBRUARY 2024
POLICY REVIEWED	SEPTEMBER 2023/FEBRUARY 2024	NEXT REVIEW DATE	SEPTEMBER 2024
VERSION NUMBER	V11.2.24		
MODIFICATIONS	<p><b>February 2024</b></p> <ul style="list-style-type: none"> <li>added information regarding families not to share images on social media obtained via Service app or at events</li> </ul> <p><b>September</b></p> <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>		
POLICY REVIEWED	PREVIOUS MODIFICATIONS	NEXT REVIEW DATE	
SEPTEMBER 2022	<ul style="list-style-type: none"> <li>regular policy maintenance</li> <li>link to Western Australian Education and Care Services National Regulations added in ‘Sources’</li> <li>minor formatting edits within text</li> <li>hyperlinks checked and repaired as required</li> </ul>	SEPTEMBER 2023	

SEPTEMBER 2021	<ul style="list-style-type: none"> <li>• inclusion of considerations for Child Safe Standards- translation of policies/dealing with complaints processes</li> <li>• added information about enrolment form-providing written authorisation (YES/NO) regarding photography and video</li> <li>• sources checked for currency</li> </ul>	SEPTEMBER 2022
OCTOBER 2020	<ul style="list-style-type: none"> <li>• re-write of policy to ensure inclusion of Child Safe Standards/written consent for photography and video of children</li> <li>• Management/educator responsibility section added</li> <li>• family (parent/carers) section added detailing requirement to notify service if they do not want their child photographed</li> </ul>	OCTOBER 2020
OCTOBER 2019	<ul style="list-style-type: none"> <li>• Related policies added</li> <li>• Minor punctuation edits</li> <li>• Sources edited</li> </ul>	OCTOBER 2020
OCTOBER 2018	<ul style="list-style-type: none"> <li>• References corrected, added &amp;/or updated</li> <li>• Links checked</li> <li>• Extra source added</li> <li>• Sources/references alphabetised</li> <li>• Additional information added to points</li> <li>• Rearranged the order of points for better flow</li> </ul>	OCTOBER 2019
OCTOBER 2017	<ul style="list-style-type: none"> <li>• Updated references to comply with revised National Quality Standard</li> </ul>	OCTOBER 2018
AUGUST 2017	Changes made to ensure children's privacy is upheld	OCTOBER 2018