



Image Policy

All staff employed by the Department of Education and Child Development (DECD) have a duty of care to provide privacy for children. This includes images of children that may appear in, or be converted into, digital format, such as photographs and video footage. The following policy outlines the practice at Kirton Point Children's Centre with regard to children's images, particularly in relation to digital technology.

At Kirton Point Children's Centre, only staff members are to take images (including photographs and video footage) of children and families.

NATIONAL QUALITY STANDARDS:

Quality Area 2: Children's Health & Safety - Standard 2.3: Each child is protected

Quality Area 7: Leadership & Service Management – Element 7.3.3 Records and information are stored appropriately to ensure confidentiality, are available from the service and are maintained in accordance with legislative requirements

Managed by:	Director: Pam Stanley
Review Date:	Term 2, 2017
Presented to Staff:	Whole Centre Staff Meeting 4/4/17
Presented to Gov. Council	Governing Council Meeting 18/5/17
Next Review Date:	Term 2, 2018

REVISION RECORD

Date	Revision description
Term 2 2017	Changed format, added children under 18 in Scope, and inclusion of visitors and volunteers in 5.9.4.

1. TITLE

Image Policy

2. PURPOSE

The Purpose of the Image Policy is to protect the privacy and safety of children and families while they are accessing services at the Kirton Point Children's Centre.

3. SCOPE

The Image Policy applies to all staff and programs within the Kirton Point Children's Centre, even if the program is facilitated or funded by an external organisation.

An "image" refers to a child's photograph taken with any photographic device, including a camera, mobile phone or other device. This policy is also applicable to children's artistic works and intellectual property and applies to all children and young people under the age of 18. This includes children enrolled at Kirton Point Children's Centre and young children from other sites including High School and work experience.

4. OBJECTIVES

The Objective of this Policy is to maintain a level of privacy for all children and families who access services at the Kirton Point Children's Centre.

The Policy will provide protection for children and families against the misuse of digital images.

The Policy will protect the images of children and families from being modified, used inappropriately or for purposes not originally intended.

5. POLICY DETAIL

- 5.1 An image of a child is regarded as personal information (as per Government of SA Information Privacy Principles see 9.1), therefore all staff working within the Kirton Point Children's Centre must take reasonable steps to ensure that families are aware of why a child's image has been collected and how it will be used. Family consent is included on a specific consent form completed as part of enrolment or program registration. It is the staff members responsibility to ensure that the family member signing the form is informed about what they are consenting to. Families should also be aware that their child's image may be used in the Learning Folder of other students where appropriate (eg group activities).
- 5.2 Images should only include children who have signed consent as per 5.1, including children that may be in the background of a photograph. Staff are responsible for ensuring that images have a clear and specific purpose, and that this purpose can be identified and articulated clearly. (see **6.0 Staff Responsibilities**).

- 5.3 If identification is required on a particular image, the parent/carer should provide specific consent for this to occur (eg photographs printed in the local newspaper, used on Woolworths display etc).
- 5.4 When planning an excursion, or off-site activity, staff will complete a risk assessment template as per Excursion procedures. As part of the risk assessment, staff should determine whether there is a likelihood that photographs will be taken by anyone other than Kirton Point Children's Centre staff. This is documented in the risk assessment and included on the Activities Sheet. Parents will receive a copy of the Activities Sheet with the excursion consent form, so that they are informed of any potential privacy issues. Refer to Excursion Procedures for further information.
- 5.5 Where a child's image or artwork is required for a specific project, including student observations, a Specific Project Image Consent form will be used (see appendix). The parent/guardian will be informed how the images will be used and who they will be shared with, as well as what will happen to them after the project is completed.
- 5.6 Staff may provide hard copies of photographs to parents on request, providing that the photograph does not include other children. If other children are present in the photograph, consent will need to be sought from each parent to distribute the photograph.
- 5.7 If during the enrolment or registration process, a parent/guardian does not consent to photographs or images being taken, this information will be recorded and be available as a hard copy at the front desk for staff access. The Director will monitor all non-consents across the Centre.
- 5.8 This policy applies to all Kirton Point Children's Centre programs and includes programs offered as an off-site excursion/programs.

5.9 Exemptions

- 5.9.1 During a Department of Child Protection (DCP) supervised access visit, in which family members may photograph the child, under the supervision of a DCP staff member. Explicit consent should be sought from the Director by DCP prior to the visit. DCP will be responsible for ensuring only the child in question is being photographed and no images of other children are taken including displays or children in other areas of the Centre.
- 5.9.2 If an outside service provider requires images taken on site, as part of their provision of service (eg Novita), they may take the images under supervision of a Kirton Point Children's Centre staff member, and with the explicit consent of the Director. The service provider is also responsible for ensuring that appropriate written, informed consent has been sought for their specific service.
- 5.9.3 Commercial photographers may be utilised by the Kirton Point Children's Centre for the purpose of professional quality photographs. Ordering of an individual photograph will be considered implied consent for that photograph to be taken. Consent will be sought via the enrolment form for group photographs.

- 5.9.4 Visiting professionals may take photographs of the learning spaces as a way of sharing practice. This can only be done under the supervision of a staff member to ensure children's privacy is not impacted (including photographing images or artistic work). The explicit consent of the Director should be sought prior to photographs being taken. Efforts should be made to ensure that children are not included in any photographs taken.

Visitors and volunteers of the preschool are informed of our Image policy and are to adhere to it. They may take photos during their visit when explicit consent from the Director is gained prior to the photographs being taken. They are not to include Kirton Point Children's Centre children. If KPCC staff wish to take photographs of the visitors/volunteers they will gain verbal permission before taking any photos.

- 5.9.5 Additional exemptions may be granted at the discretion of the Director.

6. STAFF RESPONSIBILITIES

- 6.1 All images are to be taken and stored only on devices owned by the Kirton Point Children's Centre, including cameras and memory cards, USB devices and computers, as per DECD Code of Conduct. No images are to be stored on personal computers or memory devices.
- 6.2 Emails, power-point presentations and promotional materials may include images of children where written, informed specific consent has been sought.
- 6.3 Care should be exercised when taking media or considering the distribution of media of children. It is the responsibility of the staff member taking the photograph (or other media) to ensure that the image is not excessively personal (eg partially or completely unclothed). If staff members are unsure what constitutes *excessively personal* (particularly with very young children), they should consult the Director.
- 6.4 Staff are responsible for safe and secure storage of all images as outlined in the staff guidelines and the Code of Conduct for DECD employees.
- 6.5 Staff are responsible for ensuring that the child being photographed have signed consent forms completed by a parent/guardian. This includes where a child is enrolled in another program (eg Occasional Care or crèche). If children are enrolled at another educational institution, KPCC staff will verbally clarify with appropriate staff that each child has signed parental consent to be photographed.
- 6.6 If a staff member observes a person, who is not a member of Kirton Point Children's Centre staff, taking images, it is the staff member's responsibility to inform the person of this policy and direct them to a written copy if necessary. The person will be asked to remove the image from their device.
- 6.7 Images will only be used for the following purposes:
- Demonstration of learning activity, as per children's Learning Folders
 - Evidence of program outcomes
 - Promotion – including newsletters, displays and media (explicit consent to be sought for media use)
 - As part of a learning activity

- Sharing ideas and resources with other early childhood professionals (eg outdoor learning space)
- Any other use as approved by the Director Each staff member is responsible for ensuring all parents, visiting service providers and community members are aware of this policy via enrolment, induction or during a site tour.

7. MONITORING, EVALUATION AND REVIEW

The Director will monitor the implementation of the policy and be responsible for ensuring all staff are aware of their responsibilities.

The Director and relevant program staff, will also be responsible for ensuring families are aware of and adhere to the policy at all times.

8. SUPPORTING DOCUMENTS

- 9.1 Cabinet Administrative Instruction No.1 of 1989 (Government of South Australia) Information Privacy Principles Instruction
<http://www.premcab.sa.gov.au/pdf/circulars/Privacy.pdf>
 - 9.2 Cyber-Safety – Keeping Children Safe in a Connected World: Guidelines for Schools and Preschools (Department of Education and Children’s Services, Government of South Australia, 2009) www.decd.sa.gov.au/speced2/pages/cybersafety/
 - 9.3 Acceptable Use Policies for Schools, Preschools and Children’s Services Sites
www.decd.sa.gov.au/docs/documents/1/DecsStandardAcceptableUse.pdf
 - 9.4 Duty of Care
www.decd.sa.gov.au/docs/documents/1/DutyofCare.pdf
 - 9.5 DECS ICT Security Policy
www.decd.sa.gov.au/docs/documents/1/DecsPolicyIctSecurity.pdf
 - 9.6 Commercial Photographers (policy relating to consent)
http://www.decd.sa.gov.au/policy/pages/OSPP/policy_index
 - 9.7 Code of Ethics for the South Australian Public Sector (2015)
<http://publicsector.sa.gov.au/policies-standards/code-of-ethics/>
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