
 <b>YMCA</b> We build strong <b>PEOPLE</b> strong <b>FAMILIES</b> strong <b>COMMUNITIES</b>	Management Area: <b>CHILDREN'S SERVICES</b>	Pages: [04] Version No: [04] Date: [01/07/2012]
	Sub section (if applicable):	Signed: 
<b>Policy Title: PHOTOGRAPHY</b>		Author: CHILDREN'S SERVICES TASKFORCE

## 1. Scope

- 1.1. Educators, management, families and children.

## 2. Policy Statement

The YMCA believes taking photos/ videos and displaying them within the program areas are an essential part of the program as they provide an opportunity to assist the children in identifying themselves as an important part of the program and in developing a healthy self esteem. Taking photos / videos of children within our OSHC services takes place for a number of reasons, for example, to document daily routines, to create a centre celebration displays or to capture a service presentation / performance.

In Australia, generally speaking, there is no law restricting photography of people (including children) in public spaces as long as the images are not considered as:

- Indecent (such as "up skirts" etc, photographs taken covertly in change rooms, toilets or other invasions of privacy).
- Being used for voyeurism or made for the purpose of observing and visually recording the others persons genital area.
- Protected by a court order (e.g. child custody or witness protection).
- Defamatory.
- For commercial purposes (person's likeness is used to entice people to buy or it appears they are endorsing a product).
- Consensual photos of a child (including one's own child) also contravene criminal laws and censorship if the child is photographed in a provocative or sexual manner.



Where an event is held on private property, such as an OSHC service, other privately owned land, a school or council owned facility (but not, for example, a council road or park), the owners of private property or venues are able to restrict or ban photography (ie restricting the use of mobile phones or cameras in toilets or change rooms). There is nothing however, to prevent a person from photographing / videoing outside the property boundary unless it is taken for indecent or improper purposes, as listed above.

## 3. Related Policies and Procedures/Guidance Notes

- 3.1. Child Protection Policy
- 3.2. Duty of Care Policy

## 4. Responsibilities and Delegations

- 4.1. The Children's Services Taskforce is responsible for the review of this policy.
- 4.2. Educators and management are responsible for the implementation of this policy.
- 4.3. The families and children are responsible for the support of this policy.

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## 5. Considerations

- 5.1. National Regulation 160 "Child enrolment records to be kept by approved provider and family day care educator".
- 5.2. National Standards 1; Element 1.1.4 "The documentation about each child's program and progress is available to families".
- 5.3. National Standards 2; Element 1.2.1 "Each child's learning and development is assessed as part of an ongoing cycle of planning, documenting and evaluation"
- 5.4. My Time Our Place Outcome 5 "Children are effective communicators".
- 5.5. Safeguarding Children and Young People



## 6. Records Maintenance

This policy is to be reviewed biannually or as required based on operational or legislative change

## PROCEDURES

### Educators



- Educators and Management will ensure that provision is made within the Program Enrolment Form for parents to give signed consent for their children to have photographs / videos taken while in program.
- Educators to ensure that this area of the Enrolment Form is completed when accepting it as completed from parents.
- A clear list to be developed and stored in a confidential and secure areas of the centre of all children that have been given consent to have photos / videos taken.
- Photos / videos are to be taken by a YMCA issued cameras / video cameras. educators are not to use their personal electronic devices to photograph or record the children, this includes mobile phones (personal or service).
- Photos/ videos to be stored on a designated computer as directed by the Children's Services Manager / Children's Services Coordinator. Photos to be stored in a service folder on the computer that is clearly labeled and dated. Photos are to be deleted from the centre cameras once uploaded onto the computer.
- Educators must make the photos of individual children available to the parents upon request.
- Educators must make immediate arrangements to have consent withdrawn for photos / videos if requested by a parent.
- Educators and Management are to conduct a risk management assessment prior to a service display / presentation to ascertain if they wish for parents to have permission to take photos / videos. Clear indication must be given to parents both verbally and in written form if a decision is made to ban photos / videoing of an event. Provisions may be made to have a YMCA educator taking photos / videos that can then be distributed amongst families.

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- Where a decision has been made to allow families to use cameras / videos educators must provide adequate supervision to ensure that they are of an appropriate nature.
- While on excursion during Vacation Care educators must ensure that they are aware of their surroundings so as to limit members of the public having photography / video access to the children. In the event that a member of the public does take a photo / video of a child whilst in care, educators must request that they refrain, contact their direct Manager to inform them of the situation, remove the children from the location, and inform the Management of the excursion location and complete an incident report. Where the photo has been taken in inappropriate areas i.e. toilets, educators must contact the police directly to inform them of the situation and to ask for assistance. Management is to be informed of this and appropriate reporting completed. Management must inform the parents of the child involved and a Family and Community Services report made.
- Educators must ensure that any public areas of their building are clearly signed regarding the use of camera / videos. The adherence to these procedures must be monitored by educators at all times. In the event that a member of the public does take a photo / video of a child whilst in care, educators must request that they refrain, contact their direct Manager to inform them of the situation, remove the children from the location and complete an incident report. Where the photo has been taken in inappropriate areas i.e. toilets, educators must contact the police directly to inform them of the situation and to ask for assistance. Management is to be informed of this and appropriate reporting completed. Management must inform the parents of the child involved and a Family and Community Services report made.
- If at any time a team member feels that another YMCA worker has breached these procedures they have a duty to immediately inform their direct Manager who must investigate the allegation. Breaches of these procedures may result in disciplinary action being taken or possible termination of employment.

#### Parents

- Must ensure that they have clearly indicated their consent or lack of consent for photos / videos to be taken of their children on the Enrolment Forms.
- Where court orders exist forbidding photos to be taken of a child, parents must provide the centre with a copy.
- Parents can withdraw their consent at any time by informing an educator.
- Parents must adhere to service's signage regarding the use of electronic devices in restricted areas.
- Parents must adhere to verbal and written requests from educators regarding possible restrictions on photography and videoing at some or all service events.
- If at any time parents become concerned about a service's photography / videoing of the children they can report this to the Centre Coordinator.
- Parents can request that individual photos / or videos of their children be removed from display at any time.

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## 7. Version History

Version	Description of changes	Author	Effective Date
2	Review and update. New format	M. Rupnik	December 2009
3	New structure	AM. Nolan	January 2011
4	Reviewed for NQF Compliance	AM. Nolan	July 2012

I endorse the Photography Policy.

Name: Anne-Mary Nolan  
Children's Services Program Manager

Signature: 

Date: 9<sup>th</sup> July 2012

Name: Liam Whitley  
General Manager Children's Services

Signature: 

Date: 9<sup>th</sup> July 2012

Board Endorsement

Endorsed By: Phillip Hare 

Position: Chief Executive Officer

Date: 9<sup>th</sup> July 2012