



We build strong **PEOPLE**
strong **FAMILIES** strong **COMMUNITIES**

YMCA of Sydney

Photography / Videoing Children within Centres

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 childcare centres takes place for a number of reasons, for example, to document daily routines, to create a centre celebration displays or to capture a centre 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 a childcare centre, 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 (i.e. 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.

Procedure

Staff

- Staff 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.
- Staff to ensure that this area of the Enrolment Form is completed when accepting it as completed from parents.

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- 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. Staff are not to use their personal electronic devices to photograph or record the children, this includes mobile phones (personal or centre).
- 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 centre folder on the computer that is clearly labeled and dated. Photos are to be deleted from the centre cameras once uploaded onto the computer.
- Staff must make the photos of individual children available to the parents upon request.
- Staff must make immediate arrangements to have consent withdrawn for photos / videos if requested by a parent.
- Staff and Management are to conduct a risk management assessment prior to a centre 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 staff member taking photos / videos that can then be distributed amongst families.
- Where a decision has been made to allow families to use cameras / videos staff must provide adequate supervision to ensure that they are of an appropriate nature.
- While on excursion during Vacation Care staff 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, staff 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 and incident report. Where the photo has been taken in inappropriate areas i.e. toilets, staff 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 DoCS report made.
- Staff 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 staff at all times. In the event that a member of the public does take a photo / video of a child whilst in care, staff must request that they refrain, contact their direct Manager to inform them of the situation, remove the children from the location and complete incident report. Where the photo has been taken in inappropriate areas i.e. toilets, staff must contact the police directly to inform them of the situation and to

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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 DoCS 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 discipline 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 exists 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 a centre staff member
- Parents must adhere to Centre signage regarding the use of electronic devices in restricted areas.
- Parents must adhere to verbal and written requests from staff regarding possible restrictions on photography and videoing at some or all centre events.
- If at any time parents become concerned about a centres photography / videoing of the children they can report this to the Centre Manager.
- Parents can request that individual photos / or videos of their children be removed from display at any time.