

POLICY/PROCEDURE NAME & REVIEW PROCESS	<p>NATIONAL MODEL CODE POLICY</p> <p>This policy and procedure have been created to provide our stakeholders with clear guidelines and transparency to our practices.</p> <p>We welcome feedback and input from all our stakeholders at any time, and this policy is subject to review based on feedback or due date of annual review.</p>
NATIONAL QUALITY STANDARD	<p>QUALITY AREA 2- CHILDREN’S HEALTH AND SAFETY</p> <p>2.2 Safety</p> <p>2.2.1 – Supervision</p> <p>2.2.3 – Child protection</p>
NATIONAL LAW AND REGULATIONS	<p>155- Interactions with children</p> <p>170-Policies and procedures to be followed</p> <p>171-Policies and procedures to be kept available</p> <p>172- Notification of change to policies or procedures</p>
RELATED POLICIES and RECORDS	<ul style="list-style-type: none"> ▪ Enrolment record ▪ Media alert record ▪ National model code authorisation record. ▪ National model code clearance record ▪ Risk assessment record. ▪ Service Technology Register ▪ Technology and children policy ▪ Technology log record. ▪ Technology user agreement record
SCOPE OF POLICY	<p>This policy applies to approved provider, management, educators, staff, families, students, volunteers, and visitors at our service.</p>
AIM OF POLICY	<p>To ensure that our service has strong guidelines, procedures, and practices in place regarding the National Model Code and guidelines for all children who attend our service in order to support their safety, wellbeing, and protection. Our aim is to provide a clear policy, implement the policy, support practices relating to the policy, train staff regarding the policy and maintain and update the compliance of the policy for all our stakeholders.</p> <p>Through the implementation of our policies and procedures, we aim to meet National Law & National Regulations, National Quality Standards, Child Safe Standards and National Principles. We will promote cultural safety for Aboriginal and Torres Strait Islander children, safety for children with disability, and inclusion for children from culturally and linguistically diverse backgrounds.</p>
SERVICE IMPLEMENTATION	<p><i>“Children’s dignity, privacy and safety are paramount, and all use of technology within the service must protect and uphold these rights at all times.”</i></p> <p>Implementation</p> <p>What is the National Model Code</p> <p>The National Model Code was developed in response to a review of child safety arrangements under the National Quality Framework undertaken by ACECQA in 2023.</p> <p>Most services capture a child’s time at the service via digital recording such as photos and videos which are now the primary tools for documenting children's learning and engagement.</p> <p>Service educators and staff usually share this documentation with families via social media apps such as Facebook and Instagram and on other online service apps allowing families to view their child's participation throughout the day via regular posts and updates.</p> <p>Aim</p> <p>The aim of the National Model Code is to provide support to providers and services to implement child safe practices regarding the use of electronic devices for taking images or videos of children whilst in the service.</p> <p>It is aimed to increase awareness for staff, volunteers, and families regarding child safety. risks and considerations in using electronic devices for taking images or videos of children.</p> <p>It is designed to ensure and encourage approved providers of services to commit to adopting and implementing these child safe practices regarding use of electronic devices whilst providing best practice advice and information.</p>

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Owner	Fishbowl Service Support Pty Ltd				
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Practice

By adopting the National Model Code for taking images or videos of children it allows us to further address child safe practices within the service.

Therefore, the use of electronic devices in conjunction with the education of all children within the service will now be guided by the National Model Code and our expectation is that all staff, students, visitors professional support staff and families will adhere to and respect the guidelines outlined in this policy in order to allow us to further implement a child safe culture within the service.

The National Model Code Consists of 4 Guidelines
NATIONAL MODEL CODE GUIDELINES
1. We use service issued devices
2. We only carry or use personal devices for authorised essential purposes
3. Authorised essential purposes include emergencies, health, and family needs.
4. We have strict controls for storage and retention of images of children.

National Model Code guidelines in practice

- 1. We use service issued devices.**
 - Educators at the service will be issued with electronic devices for the sole use of recording documentation for programming, and or taking images or videos of children for the purpose of documenting children’s progress and involvement within the program.
 - A **service technology record** will be completed by approved provider/ or nominated supervisor regarding all technology that is issued to all employees.
 - Staff will sign service assigned electronic devices out and in from a locked area within the service on the **technology log record** daily.
 - Electronic devices must not be left in rooms unattended for anyone to access, staff must not share electronic devices from room to room and in the event that their device is broken or unable to be used must seek permission from approved provider/ nominated supervisor for an alternative measure.
 - Staff will respect electronic device equipment that is issued to them and will complete a **technology user agreement record** prior to being issued any service devices.
 - Staff will only upload images of children that have had a social media consent approval by parent/guardians completed on the **enrolment record** and will check the **media alert record** prior to posting any images of children online.
 - Staff will only post images on platforms that are approved by the service.
 - Approved provider/ nominated supervisor will monitor electronic devices on a regular basis to ensure that staff are not breaching the policy.
 - Staff must be aware that the taking of images of children is restricted from the following areas and situations- all bathrooms, cot rooms, situations when a staff member is isolated as in a room by themselves, away from the group or out of vision of other team members. Children must be appropriately dressed, not in their underwear or without clothing, they must not be seen to be in a position that may be misconstrued as sexual, they must not be in any compromised situation that causes a child to display signs of anxiousness or distress.
 - Staff must not take any service issued electronic device that contains any images of children or take any printed images of children out of the service to their home. All service-related programming is to be completed at the service within designated programming time.
 - In the event of an excursion approved provider/ nominated supervisor will designate one staff member to take a service approved device, if required, only for the purpose of taking photos of children on the excursion. The **technology log record** must be completed prior to taking digital equipment out of service and **media alert record** must be reviewed and revised and handed to staff member taking photos prior to the event. The designated digital equipment must be clear of any photos of children on the device prior to leaving the service. The photos taken on the digital device must be viewed by approved provider/ nominated supervisor on return to the service prior to uploading to digital app.
 - Group photos of children must be limited to in service display, therefore refrain from uploading group photos to social media and service apps.

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- Students/ casual staff /visitors/support professionals/contractors must not take any photos of children whilst in the service. If a digital image or video is required to support study, training or for a child’s progress, then they must seek permission from the approved provider/ nominated supervisor who in turn must seek permission from parent/ guardian of child. Student/ visitor/ support professional must complete a ***national model code clearance record*** and once completed presented to parent/guardian to sign their approval. Once all parties have signed off then the student visitor, support professional may proceed. Approved provider /nominated supervisor has the right to refuse permission and can seek to view digital documentation and may exercise the right to delete digital documentation if not satisfied with meeting criteria.
- Service photographers who attend annually, will also be asked to complete the ***national model code clearance record*** on arrival at service and may only take photos when a parent/guardian permission record accompanies each child. Approved provider/ nominated supervisor will ensure that a staff member remains in the room whilst children are having service photos taken.
- Families will refrain from taking photos in the service whilst an event is in process. A delegated staff member will take photos of all events in the service and then submit photos to approved provider/ nominated supervisor for approval and cross reference to ***media alert record*** prior to uploading to social media and or service software app.
- Families visiting the service on a service tour must not take photos or videos of their own children whilst at the service, this will be advised to family on arrival at service prior to tour.
- Incursion providers who attend the service are not permitted to take photos of children whilst conducting their event. A designated staff member will be assigned the task of photo taking and will submit photos to approved provider/ nominated supervisor for approval and cross reference to ***media alert record*** prior to uploading to social media and or service software app. Incursion providers are not permitted to use any images for their own websites or for their own marketing. Failure to adhere to this may result in litigation.
- Approved provider / nominated supervisor will have a risk assessment in place relating to digital documentation within the service. It will be reviewed and updated at least annually or earlier if a need arises.
- In the event that an image of a child must be taken regarding an injury or illness, staff must bring child to management in order to take photo.
- Compilation of photos and videos placed on USB sticks or media CDs collated throughout the year and gifted to families must only contain images of the child for each family – no group photos or other children outside of the family can be in these gifted compilations.
- Any breach of these guidelines will result in performance management and may lead to termination of position.
- Consideration to children and supervision of children will be prioritised within the service and usage of other content on social media should be a factor to consider- such as utilising social media to be informative and as a tool for guidance for families- such as posting - recipes, fact sheets, recommended websites for parenting, social events, community events. Planning for a technology free day on a regular basis.

2. We only carry or use personal devices for authorised essential purposes.

In certain circumstances an approved provider/ nominated supervisor may grant permission for a staff member to have a personal electronic device in their possession.

Approved provider/ nominated supervisor must authorise any non-service electronic devices brought into the service by staff.

- Staff must inform approved provider/ nominated supervisor if they wish to bring in a personal electronic device and the reason must fall under the correct guidelines outlined in point three.
- Staff must supply a valid reason for an exception to this guideline, and they will complete a ***national model code authorisation record*** for approval prior to bringing personal device into the service.
- Electronic devices authorised as essential purposes must not impede the active supervision of children and in the event that this is occurring authorisation will be revoked by approved provider / nominated supervisor.
- These devices must not be used for the purpose of taking images of children or recording videos of children in the service.

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- Staff must not bring in their own electronic devices to the service for the purpose of taking images or videos this includes iPad, laptops, digital cameras, iPhone, smart watches, and any other form of recording device not listed here.
- Staff electronic equipment such as iPhone must be kept in designated lockers areas away from children’s rooms and may only be accessed in breaks throughout the day. If staff are waiting for urgent calls etc approved provider/ nominated supervisor will allow calls to be made to the service.
- Staff will not bring into the service any unapproved technology devices used for the purpose of storing digital images such as USB, SD cards, hard drives or implement any cloud-based apps on service technology.
- Staff will keep their passwords confidential and will not share with other team members.
- Any breach of these guidelines will result in performance management and may lead to termination of position.

3. Authorised essential purposes include emergencies, health, and family needs.

In circumstances where an approved provider/ nominated supervisor is requested to grant permission for a staff member to have a personal electronic device in their possession other than for the purpose of taking images or videos of children it must meet the following criteria as listed below:

- Communication in an emergency involving a lost child, injury to child or staff member, or other serious incident, or in the case of a lockdown or evacuation of the service premises.
- Personal health requirements, e.g. heart or blood sugar level monitoring
- Disability, e.g. where a personal electronic device is an essential means of communication for an educator or other staff member.
- Family necessity, e.g. a worker with an ill or dying family member.
- Technology failure, e.g. when a temporary outage of service-issued electronic devices has occurred.
- Local emergency event occurring, to receive emergency notifications through government warning systems, for example, bushfire evacuation text notification.

4. We have strict controls for storage and retention of images of children.

- Approved provider and nominated supervisor will implement regular deletion of all non-required images of children from all service devices. They will check that electronic devices are cleared at least monthly. At the end of each year all electronic devices will be cleared and any images previously stored that are no longer required will be deleted.
- Any breaches of policy in relation to the National Model Code policy will result in revocation of service issued technology.
- Any images required to be kept will be stored on a service approved hard drive/ or cloud based secure storage system that is password protected and on a computer that is not accessed by general staff preferably on the approved provider/ nominated supervisor desktop/ laptop. Approved provider/nominated supervisor will be responsible for uploading images to this approved storage system.

Privacy and Data Protection

- All images and digital records of children are managed in accordance with the Privacy Act 1988 (Cth) and the Australian Privacy Principles.

In the event of a data breach (including loss, unauthorised access, or disclosure of images), the Approved Provider/Nominated Supervisor will:

- Immediately secure or disable access to the device or platform.
- Assess the risk to affected individuals.
- Notify affected families where required.
- Report to relevant authorities if applicable.
- Review practices to prevent recurrence.

Each member of the team plays an important role in the implementation of each policies guidelines, and they are outlined as below but not limited to the following:

The Approved Provider

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- Will ensure compliance with the National Quality Standards (NQS) and the Education and Care Services National Law Act 2010 and Education and Care Services National Regulations 2011.
- Will ensure they take reasonable steps to ensure that the nominated supervisor, educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the nominated supervisor, educators, staff and volunteers the documentation to perform their role, follow policy, procedure, and document according to regulatory and service requirements.
- Will ensure that adequate induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the nominated supervisor and staff are equipped with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders regarding the policy’s effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.

The Nominated Supervisor

- Will ensure all staff receive training on safe and appropriate use of technology, including child protection, privacy obligations, and the risks associated with digital documentation. Ongoing refresher training will be provided.
- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they take reasonable steps to ensure that the educators, staff, and volunteers follow the policy and procedures.
- Will ensure they provide the educators, staff and volunteers the documentation to perform their role, follow policy and procedure and ensure they are checking the documentation according to regulatory and service requirements.
- Will ensure that a rigorous recruitment process is completed, and a thorough induction process is provided to all staff to ensure they have time to read and understand policies and procedures and seek further information if unsure.
- Will ensure that the staff are supported with ongoing professional development and training they require to comply with this policy.
- Will encourage feedback from stakeholders and staff regarding the policy’s effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will ensure the policy is kept up to date with current legislation, research, and best practice.
- Will conduct regular staff meetings to address policy compliance with legislation, policy implementation, changes to policy and or collect feedback for annual review of policy.

Educators

- Will ensure that the use of electronic devices will not interfere with active supervision of children. Educators must remain vigilant and responsive at all times, ensuring that technology use does not compromise child safety.
- Will adhere to and implement the obligations under the Education and Care Services National Law and National Regulations.
- Will ensure they take reasonable steps to follow the service policy and procedures and seek advice or further support if unsure.
- Will ensure they complete and document any related records regarding the implementation of this policy and practice requirements of the service.
- Will attend any ongoing professional development, staff meetings and training they require to comply with this policy and practice requirements of the service.
- Will provide feedback to the nominated supervisor or approved provider regarding the policy’s effectiveness, particularly in relation to identifying and responding to child safety concerns.
- Will provide feedback regarding policy review when required.

Families

- Will understand that the service is not responsible for photos taken outside of the service for example on an excursion, swimming lessons etc.
- Will adhere to all guidelines in this policy and will understand that there may be time when service staff do not take photos or videos. This may be due to supervision or due to a technology free day.

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	<ul style="list-style-type: none"> Will refrain from taking photos within the service and at special events as the service will provide a designated staff member to record these moments. If there are no staff member available families will approach approved provider/ nominated supervisor for an alternative.
REGULATION IMPLEMENTATION	The following procedures outline and support all stakeholders to understand and implement the regulatory guidelines of this policy.
In regard to Regulation 155- Interactions with children.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that staff provide an environment that encourages children to be free to express their opinions through active listening and open-ended questions when engaging with children. Ensure staff will engage in experiences that build self-esteem through gentle encouragement and guidance. Staff will encourage children to become self-sufficient through teaching skills and offering assistance to achieve skills when asked. Ensure staff will encourage positive behaviour through guidance and focussing on the behaviour and not the child. They will show patience and support at all times. Ensure that staff will feel confident to seek support from nominated supervisor when faced with adverse behaviour that they feel is out of their control and is placing children and staff in an unsafe situation. Ensure that all children are treated with respect at all times and ensure that staff are taking into account the abilities of each child based on their age, their family background, their culture, the child's limitations regarding physical and intellectual development. They will treat all children equally and ensure their dignity and rights always. Ensure that staff are providing opportunities for all children to interact with other children from different age groups and develop relationships with staff members from other rooms. Educators will when appropriate, support children to understand how images are taken and used, and their preferences will be respected in accordance with their age and developmental capacity.
In regard to regulation 170- Policies and procedures to be followed.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that all staff and volunteers are made aware of Regulatory policies and procedures by ensuring that this forms a part of the induction process. Ensure probationary reviews will be conducted once new staff are appointed at the 3- month and 6-month mark to ensure that they are following policy and procedure and to review and revise regulatory policies. Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure and further training and revision of procedural practices in relation to policy and procedure. Ensure annual review and revision of policies and procedures will be conducted, and all educators will be given the opportunity for input.
In regard to Regulation 171- Policies and procedures to be kept available.	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure that policies and procedures are available to all staff and the location and availability will form a part of the induction process. Ensure policies will be available on request for all staff members to have access when required. Ensure policies will be available when required for staff members to download copies and/or print out if required in order to complete assignments or to form part of their research and/ or update their knowledge. Ensure policies will be available for all stakeholders when requested and when updating.
In regard to Regulation 172- Notification of change to policies or procedures	<p>Approved Provider will</p> <ul style="list-style-type: none"> Ensure staff meetings will be conducted on a regular basis to allow for review of policy and procedure, provide further training and allow for input if required in relation to policy and procedure. Ensure stakeholders will be invited to provide feedback for policies and procedures at any time, not just on annual review but will also be invited to add feedback at review time or after an event that may require change to policy or procedure. Policies and procedures will be emailed or put on display in the foyer for stakeholders to have the ability to provide feedback. Feedback will be considered from stakeholders and educators and may result in a change in policy.

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	<ul style="list-style-type: none"> Policy and procedure may be changed at any time if there has been an incident in the service that has required a change to be implemented for the safety and health of children and or educators. In the event of a change to a policy after feedback or a situation that occurs, we will provide 14 days' notice to all stakeholders before the change takes effect.
CONTINUOUS IMPROVEMENT	<p>We are dedicated to the ongoing improvement of our practices and procedures through the following actions:</p> <ul style="list-style-type: none"> Conducting regular reviews and updates of this policy with all stakeholders. Actively seeking feedback from children, families, and staff members. Providing targeted skill development and training for staff when areas for improvement are identified or when gaps in policy and procedure implementation are observed.
IN THE EVENT of a BREACH of POLICY and/or PROCEDURE	<ul style="list-style-type: none"> All employees are required to comply with this policy and all associated procedures. Any alleged breach of a policy or procedure will be documented and further investigated by management. If an employee is deemed to be breaching policy and or procedure, disciplinary action will be taken, if the breach is deemed to be serious this could result in immediate termination. Breaches involving child safety or harm to a child will result in immediate suspension whilst management undergo an investigation. This could also result in immediate termination. All breaches and investigations will be documented and may be reported to the Regulatory Authority and/ or law enforcement.
KEY TERMS	<ul style="list-style-type: none"> ACECQA – Australian Children’s Education and Care Quality Authority. The independent national authority that works with all regulatory authorities to administer the National Quality Framework, including the provision of guidance, resources, and services to support the sector to improve outcomes for children. National Model Code- A model code describes recommended practices that organisations can choose to follow or adopt, in the interest of promoting or achieving a positive outcome in a particular area. Model codes can be used when regulatory changes are being planned for, or are in the process of occurring, and may be voluntarily adopted by organisations ahead of such changes being implemented. Stakeholder - a person or group of people who have an interest in a business, a person such as an employee or customer. They have a sense of responsibility toward it and an interest in its success.
WE GRATEFULLY ACKNOWLEDGE THE FOLLOWING SOURCES	<ul style="list-style-type: none"> ACECQA National Model Code – Images in ECEC Australian Children’s Education & Care Quality Authority. ACECQA Code of Ethics Education and Care Services National Law Act 2010. Education and Care Services National Regulations. eSafety Commissioner including eSafety checklist for early learning services. Guide to the Education and Care Services National Law and the Education and Care Services National Regulations. Guide to the National Quality Framework. National Principles for Child Safe Organisations National Privacy Principles National Quality Standard. NSW Child Safety Standards Privacy Act 1988 (Cth) SNAICC- Keeping Our Kids Safe United Nations Convention on the Rights of the Child Victoria’s Child Safety Standards

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