

CHILD SAFE PRACTICE

FOR THE USE OF
PERSONAL DEVICES IN
FAMILY DAY CARE

Part 1: Service Guidance Note



1. Introduction

SAFETY FIRST

The safety of children in any early education and care setting is, and will always be, the top priority for governments, policy makers, services providers and individual educators.

This has been reinforced over the past decade with significant reviews, reports and reform taking place to continuously improve the way in which those providing services to children can safeguard them from any type of institutional harm (e.g. harm that occurs within a school, centre, or family day care residence).

REVIEWS, REPORTS AND REFORM

The *Review of Child Safety Arrangements under the National Quality Framework in December 2023*, the *Royal Commission into Institutional Responses to Child Sexual Abuse (2013 – 2017)*, the introduction of the *National Principles for Child Safe Organisations* and the legislated *Child Safe Standards* for Victoria, New South Wales, Tasmania, the ACT, and Queensland (pending) demonstrate an ongoing national commitment to shifting child safety from a 'nice to have' to an explicit legal obligation.

In doing so, peak bodies across various sectors are working to update policies, guidelines and educational resources to assist their members in taking the necessary steps to improve their practices and achieve compliance with relevant regulatory standards.

FDCA COMMITMENT

Family Day Care Australia (FDCA) has a strong, ongoing commitment to supporting the family day care sector in providing quality services, managing and reducing risks and upholding safety responsibilities. FDCA recognises that the early education and care sector is continually evolving and improving, with changes across other settings (eg long day care, outside of school hours care) having the potential to influence the family day care sector.

Conversely, FDCA also understands that there may be regulatory changes made to those settings that do not or cannot apply to family day care, due to its unique structure. In these instances, FDCA is committed to

providing best practice guidance to its members to ensure educators and services providers can continue to keep children safe.

RECENT AMENDMENTS

In 2024, following the publication of the *Review of Child Safety Arrangements under the National Quality Framework*, ACECQA released a National Model Code for Early Childhood Education and Care titled: *Taking Images or Videos of Children while Providing Early Childhood Education and Care*. This code addresses child safe practices related to the use of electronic devices while providing early childhood education and care, with a specific focus on centre-based care.

FAMILY DAY CARE CONTEXT

FDCA has provided the following Service Guidance Note and Educator Resource to assist in applying child safe practices similar to those suggested in the National Model Code but contextualised to the family day care environment.

It is important to note that while the National Model Code suggests prohibiting personal devices on an educator's person while providing care in a centre-based setting, no such obligation currently applies to the family day care environment.

However, there are several risks that should be mitigated in family day care, and this guidance note and educator resource will address strategies to mitigate risks and better protect children.



This Service Guidance Note and the Educator Resource should be considered in conjunction with FDCA's *Safeguarding Children: Harmful Sexual Behaviours* Educators and Services resources.

USING THE SERVICE GUIDANCE NOTE

This Guidance Note is designed to support service providers, coordinators and educational leaders in developing, implementing and effectively communicating policies related to improving practices around device use and child safety in family day care.

2. Policy Development

Policies play a significant role in providing clear and concise guidance to prevent harm to children and hold individuals accountable when responding to incidents of harm. However, risks arise when policies are not regularly reviewed, clearly communicated, promoted or are inaccessible and convoluted.

This Service Guidance Note aims to provide examples of policy statements and considerations that can be used to update policies in relation to safe device use and child safety.

3. Implementation

As with any new policy or guidance, successful implementation requires a multifaceted approach. Implementation must be:

Informed – educators should receive accessible information regarding the changes in a range of formats – including written materials, online learning and face-to-face discussions (individually and in groups).

Repeated – when a new 'change' becomes a priority for an organisation, it should be discussed and addressed on numerous occasions. This could be in supervision, professional development days, reflections etc.

CONSULTATION

This Service Guidance Note and the accompanying Educator Resource have been developed in consultation with service providers who offered valuable insights into the challenges, suggestions, implications and strategies for addressing safe device use in a family day care environment. The author acknowledges the importance of the contributions of those who engaged in the consultation and FDCA's involvement in the facilitation of this process.

A table has been provided below to assist services in navigating the matters that should be addressed and the policies most suitable for addressing them. Please note this is guidance only, and a thorough review of service policies pertaining to child safety should be conducted on a regular basis.

See Table A in appendix.

Ongoing discussions and application to everyday practice, allows educators to understand where the change will impact them.

Timely – ensure adequate timeframes for implementation is provided. Allow time for information sharing, discussions, as well as time for feedback to be collated and embedded.

Flexible – it is important that educators know their voices matter and that there may be room for negotiation if the proposed policies are inadequate or unsuitable to the environment. Demonstrating flexibility will encourage the contributions of educators leading to better buy in.

4. Communication

The way in which the changes and policy updates relating to the safe use of personal devices in a family day care environment are communicated to educators can significantly influence how it will be received and adopted.

Already, service providers work hard to establish trusting relationships with educators, as they have limited oversight of day-to-day practice and rely on educators understanding and establishing clear processes, boundaries and protocols to reduce the risks to children.

It is important that communication with educators:

Is everyone's business – no parent wants to consider their own child is a risk to others, so singling out educators with teenage children or household members because of the increased associated risks is unlikely to elicit buy in and behaviour change. Communicate the same message to everyone.

Avoids shame and blame – if someone feels ashamed about certain practices and behaviours they have engaged in, such as lapses in supervision or loose rules around device use, they may hide these behaviours, rather than change them. Language that belittles or reprimands past behaviour rather than encouraging new behaviour can be counterproductive.

Is inclusive and accessible – always consider cultural and language barriers, as well as the risk of 'information overload' that educators may experience. Create a campaign with short, clear and catchy messages that can be shared on social media and via other communication methods. Consider also using videos.

5. Conclusion

For a long time, conversations about child abuse and risks of harm to children were rare because it made us uncomfortable. By avoiding these conversations, this potentially allowed harm to occur and continue.

We need to normalise these conversations if we want change to happen. Lead the discussion, educate and inform people in ways and methods that resonate with them. Give them time to process and prepare and encourage good practice, rather than shame poor practice.

There are many valuable resources available, check out the links below:

- [Child Safe Organisation National Principles](#)
- [eSafety Checklist for Early Learning Services](#)
- [ACECOA National Model Code - Taking Images in ECEC](#)
- [Active Supervision: Ensuring Safety and Promoting Learning](#)
- [Recognising When a Child is at Risk](#)
- [Identify Signs of Child Abuse](#)

Appendix

TABLE A: RECOMMENDATIONS FOR POLICY DEVELOPMENT

Recommendation	Description
Develop a Safe Use of Personal Devices Policy	<p>The development of a <i>Safe Use of Personal Devices Policy</i> allows for clear and concise communication of expectations regarding the use of personal devices within a family day care setting. This policy should be easily accessible and align with other communication and correspondence to ensure other important information is not overlooked. Key elements to include:</p> <p>1. Definition of a 'personal device' Clearly define what constitutes a personal device within the policy. Consider adopting the definition used in the National Model Code, which includes 'any device that can take images or videos, such as mobile phones, digital cameras, tablets, smart watches, and other new and emerging technologies, where those technologies have an image taking or video recording capability.¹</p> <p>2. Position on the use of devices by educators Educators in a family day care setting must have access to a personal device for emergencies, access to information, record keeping, documentation and communication with families. In most cases, this will be the educator's personal device.</p> <p>However, service providers may wish to explore options, including the use of a separate device or purpose-built platforms instead of generic social media platforms. There are pros and cons of each. It is essential to establish and clearly communicate an agreed-upon position on this matter.</p> <p>Tip: Services may wish to consult with educators using the educator resource to explore available options.</p> <p>If considered appropriate for educators to use their own personal device, they can be used in the following conditions:</p> <ul style="list-style-type: none"> • Purpose: Device use, particularly for taking photos or videos of children in their care, must be strictly for purposes related to their educator role and the delivery of education and care only. • Circumstances: Images and videos should only be taken when children are fully clothed, in open living spaces (e.g. lounge, kitchen, dining room or outdoors) and not when they are compromised or vulnerable (e.g. distressed / crying / hurt). • Storage: Images and videos of children must be stored with stringent protections to limit access exclusively to educators. This requirement extends to all personal storage media devices, includes phones, computers, SD cards, USB drives, hard drives and cloud-based applications that can store images and video recordings. Additionally, care must be taken during the transfer of media from one device to another to ensure security and confidentiality. • Sharing: Educators, with the guidance of service providers, must choose secure platforms that enable closed groups, and password protected access for sharing and communicating with families. • Education: Educators should be provided with appropriate resources, regular education and training opportunities (e.g. e-safety, child safe device use, secure storage options for photos and videos) and reflective practice guidance to ensure they understand what is expected of them, best practice strategies for minimising risk and how to respond to potential breaches of these expectations. <p style="text-align: right;">CONTINUED ►</p>

¹ ACECQA fact sheet: Guidelines for the National Model Code available at: <https://www.acecqa.gov.au/national-model-code-taking-images-early-childhood-education-and-care>

Recommendation	Description
<p>Develop a Safe Use of Personal Devices Policy (continued)</p>	<ul style="list-style-type: none"> • Compliance: Service providers will ensure policy compliance through supervision, reflective practice, education, training and audits. <p>3. Position on device use by coordinators, educational leaders and service staff Service providers should require that all service staff who interact with children in care, or who have access to images and videos of children, adhere to strictly controlled access policies. Photos or videos on service devices should only be accessible by authorised personnel. Coordinators, educational leaders and any other staff visiting educators' homes should exclusively use service issued devices for work related purposes, ensuring these devices are subject to stringent security protocols to protect the privacy and safety children.</p> <p>4. Position on device use by family members and visitors Acknowledging the challenges with enforcement, it is reasonable that the policy could state:</p> <ol style="list-style-type: none"> a) The taking of images or videos of children in care by family members or visitor is <i>strictly prohibited</i> at all times. Educators must take proactive steps to communicate this position to all family members, visitors, families and where possible, the children, in a way that is clear and accessible to them. b) The use of personal devices by family members or visitors in an educator's approved family day care space and private spaces where children may at times be present (bedrooms / bathrooms / toilets) is <i>strictly prohibited</i>. c) The use of personal devices by family members or visitors in an approved family day care space common or open space where children may be present (e.g. living room, kitchen, outside) is <i>prohibited</i> wherever reasonably practical. During hours of care provision, family members and visitors should limit personal device use to their own bedrooms or any space where children in care are not present. <ul style="list-style-type: none"> ▶ <i>Exceptions to this rule may include a family member using the family computer in an open space for the purpose of homework. It may be allowed if the educators can provide direct supervision of content. Such exceptions and associated risks must be discussed and documented with the service provider, with discretion applied by the provider when they are satisfied the risks are addressed and mitigated.</i> d) Educators should receive resources and training to support the implementation and compliance with these policy positions, fostering a culture of care where children's safety is prioritised. Explanations regarding these positions are provided in a way that is clear and accessible to the audience to ensure they understand what it is they are expected to comply with. e) The policy could reference FDCA's <i>Safeguarding Children: Harmful Sexual Behaviours</i> resource, with specific reference to the risks and scenarios that relate to device use, the broader reporting processes and consequences of breaches or non-compliance.
<p>Update your Child Safe Policy</p>	<p>A service provider's Child Safe Policy should incorporate reference to policies on the safe use of devices, taking images and videos of children and image retention. These references should align with the following Child Safe Standards / National Principles:</p> <ul style="list-style-type: none"> • Principle 2: Children are informed of their rights – include reference on seeking consent from children, even younger cohorts, for taking photos and videos. • Principle 3: Families are informed – emphasise reference to communication with families by clearly promoting the child safety practices implemented by educators. The Safe Use of Devices Policy can serve as an example of the standards families should expect when it comes to the protection of their children. • Principle 8: Physical and online environments – reference the Safe Use of Personal Devices Policy as an example of the service providers position on taking images and videos of children and sharing them in the online space.

Recommendation	Description
<p>Update your Social Media Policy</p>	<p>A service provider's Social Media Policy should address the following:</p> <ul style="list-style-type: none"> a) The service provider's position on the use of generic social media platforms for communication with families. Clearly state if a secure and customised app is preferred. Ensure that training and support for accessing the app are provided. b) The use of identifiable photos and video on generic social media (public and private) pages. c) The removal of families and/ or images and videos from social media platforms at the cessation of a care arrangement. d) A clear position on images and videos of children on personal social media platforms e) A clear position on connecting with families on personal social media platforms. You may want to encourage setting up a professional profile for interactions with families and provide guidance on maintaining professional boundaries. <p>Refer to the Educator Resource to review the pros and cons of using various communication platform options.</p>
<p>Other policies / documents to review / consider amendments</p>	<p>Information Sharing / Privacy Policies: Reference how and when personal information is stored, archived and destroyed. This extends beyond the storing of photos and videos and includes all personal information, files and records.</p> <p>Consent processes: Update consent processes to specify when and how parents and families provide consent for sharing and storing of personal information. Explicitly reference the purpose for taking photos and images, the device they will be taken on, storage methods and the platforms on which they are shared. Include a clause allowing parents / families to withdraw consent at any time.</p> <p>Welcome packs / induction for both educators and families: Ensure to include information regarding the use, purpose, storage and safety measures related to personal devices and images.</p> <p>Record Keeping policies: Review and update record keeping policies to include provisions for the secure retention of photos and videos. Ensure that these policies outline the methods for protecting images and videos from unauthorised access, as well as procedures for the secure transfer and eventual destruction of these records.</p> <p>Code of Practice for Educators: Update to reflect the updated policies regarding the safe use of personal devices, the secure handling of photos and videos and adherence to the service provider's expectations for safeguarding children's privacy and security. Ensure that the educators acknowledge these updates and understand their responsibilities in maintaining compliance.</p>
<p>Breaches</p>	<p>It is important that in any policy developed clearly outlines how a breach is determined and what the potential consequences may be. A breach of the above policies should also constitute a breach of a Code of Conduct, which should have been signed and acknowledged by the educator.</p> <p>Breaches may vary from a minor breach (e.g. a teenage resident forgets that they cannot use their phones in the shared space) to a significant breach (e.g. a family member secretly records a video of a naked toddler). Each breach should be investigated and the appropriate sanctions applied, including reporting to authorities such as child protection and the police where required.</p> <p>Tip: Supporting the educator to introduce a user-friendly agreement for household members is a great way to hold everyone to account. Refer to the Educator Resource for more guidance.</p>

Family Day Care Australia
PO Box 571 Gosford NSW 2250
Telephone: 1800 658 699
Website: www.fdca.com.au

