

# Child safety and personal electronic devices

## Staff factsheet: centre-based services

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*Understand important changes to how personal electronic devices are used in Victorian centre-based early childhood education and care services, including long day care, kindergarten, outside hours school care, occasional care and limited hours services*

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Children are entitled to a safe environment for learning and care, including when it comes to how digital images and videos are taken and stored. It's essential we are prioritising children's safety and wellbeing in all education and care programs.

The Victorian Government has announced important measures to improve child safety in early childhood education and care (ECEC) services. This includes restricting the use of personal electronic devices for anyone providing early childhood education and care or working with children in ECEC settings.

## Key changes

All approved providers of centre-based education and care services must have policies and procedures that align with the [National Model Code for Taking Images or Videos of Children while Providing Early Childhood Education and Care](#). This includes implementing restrictions on personal electronic devices.

This means you:

- can only use service-issued devices to take images or videos of children
- cannot carry or use your own personal devices (like phones, tablets or USBs) that take or store photos or videos when working directly with children, unless it's for an essential purpose and approved in writing
- must follow strict rules for how photos and videos of children are stored and how long they are kept.
- All staff should know what the restrictions in the National Model Code are and follow the policies and procedures in place at their service.

## Restricted devices

The restrictions include all personal electronic devices that can take images or videos and storage or file transfer media, for example:

- phones
- tablets
- digital cameras
- smart watches with camera/recording functionality
- wearables, such as camera glasses
- SD cards
- USB drive
- hard drives.

## Reason for changes

All Victorian children and families deserve access to safe and secure early childhood education and care. It is critical to prioritise children's safety and wellbeing when it comes to any images and videos taken in services.

Managing and monitoring any images or videos of children, and controlling how these are shared, is difficult when personal devices are used.

## Who the restrictions apply to

These restrictions apply to anyone working directly with children, including:

- teachers and educators, including casual and agency staff
- students and representatives of tertiary providers attending the service as part of a practicum
- volunteers, including parent volunteers, providing education and care or working directly with children
- third-party contractors delivering programs or incursion activities to children in a service
- allied health or inclusion professionals attending a service to observe, assess or work with a child at the service
- mentors or coaches attending the service to support teachers or educators working with children or providing education and care
- preschool field officers
- primary school teachers attending a service as part of a school transition program.

If a third-party professional attending a service and working directly with children (such as an allied health or inclusion professional) needs to use a device (for example, to undertake an assessment or take notes) they can use a device that is:

- issued by their business or institution; and

- used only for work purposes (and not personal use).

Broader child safe policies and procedures, including for the safe use of digital technologies and online environments at the service, will continue to apply in these examples.

## When restrictions do not apply

The restrictions on the possession of personal devices do not apply to people who are not working directly with children.

Examples include:

- parents and carers doing drop-off or pick-up
- Victorian Regulatory Authority Authorised Officers, police and officers of other regulators, such as environmental health officers
- third-party contractors who are attending the service but not working with children or providing education or care (for example, maintenance contractors).

Broader child safe policies and procedures and supervision requirements continue to apply in these examples.

Teachers, educators and other staff can access personal electronic devices while taking a scheduled break from work, such as a lunch break, or during planning time, when they are not providing education and care or working directly with children.

## Exceptions to the restrictions

Approved providers can authorise exceptions to these restrictions only for limited essential purposes. These purposes must be authorised by the approved provider, documented in writing in advance (where possible) and not impact the supervision of children.

Talk to your provider about the process for seeking an exception at your service.

Examples where use and/or possession of a personal electronic device may be authorised include:

- emergency communication during excursions and regular outings (for example, for when groups of children and educators get split up)
- emergency communication when children are transported or travel on transport arranged by the service
- communication in an emergency situation 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 (for example, heart or blood sugar level monitoring)
- disability (for example, where a personal electronic device is an essential means of communication for an educator or other staff member)

- family necessity (for example, a worker with an ill family member)
- technology failure (for example, when a temporary outage of service-issued electronic devices has occurred)
- a local emergency event occurring, to receive emergency notifications through government warning systems (for example, bushfire evacuation text notification).

Approved providers cannot authorise the use of a personal device to take images or videos of children.

## Consequences of failing to comply

Approved providers that fail to put appropriate mechanisms in place to establish child safe practices for the use of electronic devices in education and care services, resulting in children being at increased risk of harm, may be failing to comply with the conditions of service approval.

Penalties for any approved provider found to have failed to comply with the conditions of their service approval include fines of up to \$57,400 for long day care, kindergarten and outside school hours care services or up to \$61,053 for occasional care and limited hours services, as well as a suspension or cancellation of their service approval.

## More information

For more information, including the Victorian Regulatory Authority's Statement of Regulatory Expectations – National Model Code and guidance for approved providers and services, refer to: [www.vic.gov.au/child-safe-practices-digital-technologies-and-personal-electronic-devices](http://www.vic.gov.au/child-safe-practices-digital-technologies-and-personal-electronic-devices)