

Closed Circuit Television (CCTV) and Surveillance Monitoring Devices Procedure

1. Purpose

In accordance with the Education and Care Services National Regulations, an Approved Provider must ensure that policies and procedures are implemented for the safe use of digital technologies and online environments within the service.

My Place Family Day Care (FDC) is committed to maintaining a child safe environment that upholds the principles of the National Model Code for Taking Images or Videos of Children while Providing Early Childhood Education and Care and meets the requirements of the Queensland Child Safe Standards. This procedure applies to all aspects of the service's digital presence and practices. It provides clear guidance for the service and its Educators in relation to:

- The taking, use, storage and destruction of images and videos of children attending the Service
- Obtaining authorisation from parents to take, use and store images and videos of children attending the service
- The use of any optical surveillance devices at the service (e.g. CCTV)
- The use of digital devices by children attending the service.

2. Scope

This procedure applies to the Approved Provider, Nominated Supervisors, Coordinators, Staff, Educators, Educator Assistants, Parents and Children in care.

3. Definitions

Approved Provider: Inala Community House (ICH) has approval from the Federal Government to operate an approved FDC service.

Service: My Place Family Day Care, whose Approved Provider is Inala Community House.

Parent/Guardian: The person responsible for the payment of fees and who is paid the Child Care Subsidy. Referred to as the Parent/s. PLEASE NOTE: this does not include a parent who is prohibited by a court order from having contact with the child
Educator: A suitably qualified person who is registered with the service.

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ICT: Information and Communication Technology.

Closed Circuit Television (CCTV): Is visual surveillance technology that uses video cameras to transmit a signal to a specific, limited set of monitors. The term "closed circuit" signifies that the footage is not publicly broadcast but is instead monitored privately.

Cyber Safety: Safe and responsible use of the internet and equipment/devices, including mobile phones and devices.

Cyber-bullying: Involves the deliberate, repeated, and hostile use of information and communication technologies by an individual or group that is intended to harm, intimidate, or distress others.

E-crime: Occurs when a computer or other electronic communication device (e.g. mobile phone) is used to commit an offence, is targeted in an offence, or acts as a storage device for evidence of an offence.

4. Procedure

4.1 Penalties for breaching regulatory requirements

Under the Education and Care Services National Law and Regulations, penalties may apply to Approved Providers and FDC Educators in relation to:

- Confidentiality of records kept by Approved Provider (Regulation 181)
- Confidentiality of records kept by family day care Educator (Regulation 182)

Penalties for breaching these regulatory requirements may be as high as \$2,200.

4.2 Installation and Maintenance

Individual FDC Educators have the responsibility for ensuring that CCTV installation is compliant with relevant Commonwealth, State and Local Government laws and regulations at all times.

All cameras are installed in clearly visible positions and are not concealed in any way. My Place FDC will maintain a database of Educator residences with CCTV surveillance and monitoring systems installed, which will include information relating to the area and positioning of devices.

Individual FDC Educators are responsible for the maintenance of cameras and devices installed to provide safety and security within their grounds. My Place FDC is not responsible for any cameras and devices that are installed within an approved FDC residence.

4.3 Communication of CCTV Presence

My Place FDC will ensure that Educators take reasonable steps to notify all persons entering and using their family day care service about the use of CCTV cameras and surveillance monitoring devices at their residence. This will be done through:

- Access to this CCTV and Monitoring Devices procedure as part of the enrolment process
- Signed acknowledgement about the use of CCTV and other monitoring devices at the FDC residence
- Ensuring clearly visible signage is installed at the entrance to the approved FDC residence to notify families and visitors about the use of CCTV surveillance and
- Ensuring cameras are in clear sight and not hidden in any way

4.4 Location of Cameras for Use

My Place FDC will liaise with Educators to ensure the location of any CCTV camera is such to maintain the dignity of those attending the approved FDC residence whilst still providing coverage to meet the purpose of the system. Cameras will be directed at areas rather than individuals. Some CCTV and monitoring systems may also capture sound, with all recordings date and time stamped.

Specific camera locations at each FDC residence will vary. The location of CCTV cameras will be identified on the approved FDC areas map, located next to each emergency exit.

CCTV cameras may be placed in the following general areas:

- Outside the front of the residence facing the front yard and driveway
- Outdoor areas including the side of the residence
- Front door (e.g. doorbell camera)
- Indoor play areas/sleep rooms

Cameras will not be placed in or be able to reach any of the following locations:

- Toilets and nappy change areas
- Bathrooms
- Areas where children may dress/change clothes

4.5 Retention of CCTV Data

Many CCTV cameras installed at FDC approved residences are motion sensor operated and will record when activated.

The Surveillance Legislation does not prescribe any specific minimum or maximum retention periods which apply to CCTV systems or footage. Rather, the Surveillance Legislation requires that records containing personal information be destroyed or permanently de-identified when no longer needed for any purpose for which the information may be used or disclosed under the Surveillance Legislation.

Each individual FDC Educator will make their own determination for how long they keep images or video necessary to meet their own purposes for recording them.

4.6 Storage of CCTV data

The Approved Provider will actively work with individual FDC Educators to ensure they are aware of and adhere to their regulatory requirements for:

- Storage devices used as part of their CCTV systems are kept in secure locations to protect against unauthorised access
- Devices or APPs able to access images are securely protected through password or biometric (facial or fingerprint recognition) security systems
- Access is only provided to authorised persons

Although individual FDC Educators may store recorded footage using a cloud based storage system, this is not recommended practice. The FDC Educator will have the responsibility to ensure all reasonable steps are taken to ensure any cloud based service provider maintains the security of such information.

4.7 Use of CCTV Data

CCTV recording systems used by individual FDC Educators operate in a variety of ways with some recording in real mode, monitoring the areas continuously 24 hours a day, while others have inbuilt sensors and record only when activated.

Where an incident has occurred at an approved FDC residence during FDC operating hours, or an allegation is made regarding an Educator, the Approved Provider will provide a written request to the FDC Educator to enable prompt access to review recorded CCTV (where available) to find out what happened and who was involved. This may include views before, during and after the incident with enough detail to recognise those present, and what happened, including events leading up to and immediately after the event.

CCTV recordings may be used to investigate alleged breaches of laws, regulations and standards, therefore My Place FDC will liaise with the individual FDC Educator for authorised access to recordings to ensure any such investigations can be carried out in accordance with the principles of natural justice and procedural fairness.

Access to CCTV footage of the care environment recorded during FDC hours will be limited to the Educator.

Educators must ensure that household members are informed that live or recorded footage of the care environment during care hours (e.g., via doorbell cameras, CCTV, mobile applications, or other means) is not to be accessed by unauthorised persons.

Disclosure of any recorded images to third parties can only be made in limited and prescribed circumstances and in accordance with the Surveillance Legislation and Inala Community House Privacy Policy.

5. Review

This procedure shall be reviewed at a minimum every two years in conjunction with relevant policies.

	Date	Details
V1.0	5/09/2015	Original procedure issued

6. Related Documents

Policies

ICH FDC Safe use of Digital Technology and Online Environments Policy

Forms

ICH FDC CCTV Acknowledgement Form