



CUMBERLAND  
CITY COUNCIL

# Safe Use of Digital Technologies and Online Environments Guiding Principle

## 1 AUTHORISATION & VERSION CONTROL

<b>Authorisation</b>	Manager, Education and Care
<b>Version No</b>	3
<b>Implementation Date</b>	14 May 2026
<b>Review Date</b>	14 May 2029

## 2 INTRODUCTION

In always ensuring the paramountcy of children, Cumberland City Council is committed to ensuring the safe, respectful, and responsible use of digital technologies and engagement with online environments in all Council education and care settings. This Guiding Principle provides guidance for educators, staff, families, contractors, volunteers and visitors in relation to the use of digital devices, online platforms, and the capturing, storage, and sharing of images and videos of children.

The Guiding Principle supports compliance with the:

- Education and Care Services National Law (2010)
- Education and Care Services National Law (including Part 6A – Devices in Education and Care Services, effective nationally from 27 February 2026)
- Education and Care Services (Supply, Authorisation and Use of Devices) Order 2026 (NSW) (“the Order”)
- Education and Care Services National Regulations (2011)
- [National Quality Framework \(NQF\) Online Safety Guide](#)
- National Model Code for Early Childhood Education and Care: Taking Images or Videos of Children
- NSW Child Safe Standards

## 3 PURPOSE

Cumberland Council Education and Care Services acknowledges that digital technologies are an integral part of modern learning and communication. The rights, dignity, safety, and privacy and safety and wellbeing of children are **paramount** in all decisions.

- prioritises children’s safety, wellbeing and privacy<sub>1</sub>
- protect children’s identity and personal information<sub>1</sub>
- comply with relevant laws and regulations<sub>1</sub>
- respect family wishes and cultural sensitivities<sub>1</sub>
- prevent misuse, exploitation, or unsafe exposure to digital environments<sub>1</sub>

## 4 DEFINITIONS

<b>APPROVED PROVIDER</b>	Cumberland City Council or authorised representative with delegation
<b>AUTHORISATION</b>	Formal, documented process by which the approved provider grants permission for a specific device to be used by a relevant person for capturing, storing or transmitting images of children being educated and cared for.
<b>DEVICE</b>	Any electronic equipment that is supplied or authorised by the approved provider and used by a relevant person for the purpose of capturing, storing or transmitting images or information related to children being educated and cared for the by the service such as smart phones, digital cameras, laptops or tablets, or desktop computers with imaging capabilities, that has been configured to operate in accordance with Council's policies and procedures.
<b>DIGITAL IMAGE</b>	A visual representation of a child that is stored and displayed using digital technology, typically a photo or video frame of a child captured by a relevant person
<b>PERSONAL DEVICE</b>	Any privately owned device (including smart watches with imaging capability) capable of taking, storing or transmitting images or videos. Personal devices must not be in a relevant person's possession or control while working directly with children unless prior written authorisation is granted in strictly limited circumstances.
<b>SERVICE APPROVED DEVICE</b>	A designated device with authorisation from the approved provider for use by a relevant person in a Family Day Care service
<b>SERVICE SUPPLIED DEVICE</b>	An electronic device supplied and issued by Cumberland Council for use in the Council's centre-based education and care services—including Family Day Care (FDC)—must be used only by an authorised person. The device must be configured in accordance with the service's child-safety and device-security policies and procedures and used exclusively for the direct provision of education and care, not for any other purpose, including personal use.
<b>RELEVANT PERSON(S)</b>	Any individual engaged in the provision of education and care of children who has been formally recognised and authorised by the approved provider to use an approved device for capturing or transmitting images of children
<b>REVOCAION</b>	The formal withdrawal or cancellation by the approved provider of a previously granted authorisation or supply of a specific device

## **5 SCOPE**

This Guiding Principle applies to all relevant persons involved in the provision of Council's approved education and care services including the approved provider, nominated supervisors, educators, family day care educators, contractors, volunteers, students or any person in any other capacity engaging with Cumberland City Council Education and Care Services. It always applies to all locations children are in attendance, including excursions, regular outings and transportation.

## **6 STATEMENT OF PRINCIPLES**

This Guiding Principle is underpinned by:

- Paramourncy of children's rights and best interests
- Child Safety and Wellbeing (NSW Child Safe Standards)
- Safe and Ethical Use of Digital Tools (NQF Online Safety Guide)
- Professionalism and Accountability (National Model Code for ECEC)

## **7 RESPONSIBILITIES**

### **7.1 Approved Provider (Cumberland Council)**

- 7.1.1 Always ensuring the paramourncy of children
- 7.1.2 Ensure policies and procedures align with the National Law and the NSW Devices Order 2026 and reflect the NSW Child Safe Standards and the National Model Code.
- 7.1.3 Ensure only service-supplied (centre-based) or service-authorized (FDC) devices are used to take, store or transmit images/videos of children, and that such devices are configured to the service's child-safety and security standards.
- 7.1.4 Implement procedures to ensure personal devices are only accessed when the person is not working directly with children unless a time-bound written authorisation is in place under the permitted grounds.
- 7.1.5 Assign delegations to designated staff identified as relevant persons for the purposes of taking images and videos of children being educated and cared for in Cumberland Council Education and Care Services.
- 7.1.6 Review and approve a designated device for family day care educators to ensure service authorised devices are only used whilst children are being educated and cared for.
- 7.1.7 Ensure safe storage of all digital images of children and store images for a maximum period of 90 days.
- 7.1.8 Provide regular training on child safety (including device restrictions), child protection and online safety to all staff, volunteers and students.
- 7.1.9 Develop procedures for safe use of digital technologies. Maintain accurate records of device supply, configuration, authorisations and revocations for at least 3 years.

## **7.2 Coordinator, Education and Care**

- 7.2.1 Always ensuring the paramountcy of children
- 7.2.2 Regularly monitor and review the use of digital technologies within services, including the configuration of the device, to ensure they are being used appropriately and in accordance with Council policies and procedures
- 7.2.3 Reviewing service documentation to ensure ongoing legislative compliance
- 7.2.4 Review and assess requests for exemptions to the use of personal devices in centre-based services by a relevant person in the absence of the Nominated Supervisor
- 7.2.5 Approving requests for exemptions that strictly comply with s.175(j) of the National Law

## **7.3 Nominated Supervisor**

- 7.3.1 Always ensuring the paramountcy of children
- 7.3.2 Ensure only service supplied devices are used in the education and care service for the purposes of capturing or transmitting an image of any child being educated and cared for.
- 7.3.3 Review and assess exemptions applied for by relevant persons to ensure they are in line with the exemptions specified in s.175(j) of the National Law, and *8.4 Authorisation for Possession or Control of a Personal Device* of this Guiding Principle
- 7.3.4 Ensure visitors to the service, including contractors, do not use personal devices to take images of children enrolled at the service unless an exemption has been provided for a relevant person
- 7.3.5 Maintain accurate records of device supply, configuration, authorisations and revocations for at least 3 years
- 7.3.6 Regularly monitor and review the use of digital technologies within services, including the configuration of the device, to ensure they are being used appropriately and in accordance with Council policies and procedures
- 7.3.7 Ensure access to any digital images taken of children is restricted only to designated relevant persons involved in the provision of the education and care service.
- 7.3.8 Ensure written consent has been provided by families prior to any digital images being taken of children and this consent is communicated to staff.
- 7.3.9 Ensure staff and educators are following the processes in place for the use of images/videos.
- 7.3.10 Ensure devices are stored securely when not in use and locked away during closure periods; keep a daily Device Use Log
- 7.3.11 Maintain and securely store accurate records of authorisations and revocations of designated devices for a minimum period of three years from the date on which the record was made.
- 7.3.12 Ensure compliance during excursions/outings/transport (no personal devices in possession while working directly with children unless authorised).

## 7.4 Educators and Staff

- 7.4.1 Always ensuring the paramountcy of children
- 7.4.2 Ensure personal electronic devices are not in their possession and stored securely while providing education and care and working directly with children, unless for an essential purpose as approved by management on a case-by-case basis, and done so in accordance with *8.4 Authorisation for Possession or Control of a Personal Device* of this Guiding Principle
- 7.4.3 Ensure that no child can have access to any Council issued mobile phones, tablets or laptops.
- 7.4.4 any technology use by children as part of the program is done under strict supervision of staff and in a designated area of the learning space.
- 7.4.5 Use Council-issued digital devices only for operational purposes and service communication in line with Council's [IT Acceptable Use Standard](#)
- 7.4.6 Sign the daily log to record times when Council issued devices are in use and store the device safely and securely after use.
- 7.4.7 Ensure digital images/videos are only taken of children with prior written consent from families and that images are not stored beyond 30 days.
- 7.4.8 Store and share digital media securely in line with Council's privacy protocols.
- 7.4.9 Role model safe, respectful, and balanced use of technology.
- 7.4.10 Support and guide children to use age-appropriate technologies safely in a designated area of the learning space, in a manner that is complimentary to the Centre program.
- 7.4.11 Encourage children to develop digital literacy and an understanding of personal privacy. Role-model safe, respectful, and balanced use of technology, and support children's digital literacy in age-appropriate ways.

## **7.5 Family Day Care Educators**

- 7.5.1 Always ensuring the paramountcy of children
- 7.5.2 Purchase service specific devices for use at the family day care service to be used exclusively for the purposes of the direct provision of education and care to children, and is not to be used for any other purpose including personal use unless an approved exemption has been granted
- 7.5.3 Ensure that any digital device capable of taking, transmitting or storing images of children is to only be taken with a service specific device and must always ensure, personal devices are not to be used.
- 7.5.4 Educators who meet the criteria for an exemption as specified in the Education and Care Services (Supply, Authorisation and Use of Devices) Order 2026 are to request the exemption in writing to Council to assess
- 7.5.5 Ensuring families are aware of their responsibilities in this Guiding Principle
- 7.5.6 In permitted circumstances as defined by s175(j) of the National Law, and in *8.4 Authorisation for Possession or Control of a Personal Device* of this Guiding Principle, submit a request in writing to the Nominated Supervisor (or in their absence, the Coordinator Education and Care) of the service seeking an exemption.

## **7.6 Families**

- 7.6.1 Provide or withhold consent for digital images to be taken of their child by relevant persons at the education and care service at enrolment, or if their preferences change throughout the year.
- 7.6.2 Ensure personal devices are not used when in attendance at Council's Education and Care premises and must not photograph or film any child in attendance at the Education and Care Service, including their own child.
- 7.6.3 Ensure any images shared securely with families on Council's third-party software are not to be shared with any other persons or to be used with personal social media accounts

## **7.7 Other relevant persons**

- 7.7.1 Ensure personal electronic devices are not in their possession and stored securely whilst in attendance at an education and care and/or working directly with children, unless for an essential purpose as approved by management on a case-by-case basis
- 7.7.2 In permitted circumstances as defined by s175(j) of the National Law, and in *8.4 Authorisation for Possession or Control of a Personal Device* of this Guiding Principle, submit a request in writing to the Nominated Supervisor (or in their absence, the Coordinator Education and Care) of the service seeking an exemption.

## **8 PROCEDURES**

### **8.1 Supply of devices for use in centre-based education and care services**

- 8.1.1 Only Council-issued and owned devices are to be used for capturing digital images of children. Any request for a new device must first be discussed with, and approved by, Management and purchased through Council's IT processes to ensure the device is included in Council's register.
- 8.1.2 All service-supplied devices are to be configured in a way which ensures operation in accordance with this guiding principle and the Order, including (at a minimum): restricted apps; disabled auto-upload/sharing to personal clouds; enforced passcodes; encrypted storage; and default prohibition on external messaging/sharing apps.
- 8.1.3 Each approved service-supplied device will have the device details and authorisation for use by relevant persons recorded on the Service Device Record Form and must only be in use whilst authorisation is in effect.
- 8.1.4 When not in use all devices will be locked away and stored securely out of reach from children and visitors to the service.
- 8.1.5 A daily log of device use will be maintained at the service.

### **8.2 Service-Authorised Devices for use in Family Day Care Services**

- 8.2.1 Family Day Care Educators and the Council staff are the only relevant persons permitted to capture or transmit images of children being educated and cared for at the service.
- 8.2.2 Family Day Care Educators must only use a Service-Authorised Device to capture or transmit images of children whilst the approval for this device is in effect on Service Supplied Device Record Form.
- 8.2.3 The nominated supervisor of the service will regularly review approved devices to determine whether the devices are being used appropriately for the purposes of, or in connection with, the provision of education and care to children being educated and cared for by the family day care service.
- 8.2.4 Personal devices are not to be in the possession or control of relevant persons while present with enrolled children in FDC, except under a permitted, prior written authorisation.

### **8.3 Taking images and videos of children**

- 8.3.1 Children's dignity and safety must always be respected – where age-appropriate staff will seek consent from children before taking any digital images of them and will ensure that images taken will only be taken within the learning environment.
- 8.3.2 Written parental/guardian consent must be obtained before capturing or using images/videos.
- 8.3.3 Educators at the service must only take digital images of children for the following approved purposes:
  - 8.3.3.1 *documenting children's learning as part of the programming cycle,*
  - 8.3.3.2 *sharing securely with families via Council approved platforms,*
  - 8.3.3.3 *internal training with consent*
- 8.3.4 Images and videos of children's faces will never be posted to public websites, social media, or shared externally without specific written family consent and Council approval.
- 8.3.5 Images/videos must reflect inclusivity, cultural sensitivity, and non-discriminatory.

### **8.4 Authorisation for Possession or Control of Personal Devices**

- 8.4.1 Council may authorise a relevant person to have a personal device in the person's possession or under the person's control while the person is working directly with children as part of the service if Council is satisfied the Exemption for the possession complies with "the Order" and is necessary for the purposes of:
  - 8.4.1.1 *providing support or assistance with the relevant person's disability or health needs; or*
  - 8.4.1.2 *communication with the relevant person's family member; or*
  - 8.4.1.3 *safety or the provision of education and care to the children if the service-approved device ceases working; or*
  - 8.4.1.4 *for use in an emergency; or*
  - 8.4.1.5 *work health and safety*
- 8.4.2 Any authorisation for a personal device to be use whilst providing education and care to children will be recorded on Personal Device Authorisation Form. Record any such authorisation on the Personal Device Authorisation Form and review at least every 3 months or sooner if circumstances change.
- 8.4.3 Possession or control of a personal device without authorisation while working directly with children may constitute an offence under current NSW requirements.

## **8.5 Online safety and security**

- 8.5.1 All online communication with families and transmission of images of children will occur only through Council-approved platforms.
- 8.5.2 Staff must not connect or engage with families or children via personal social media accounts.
- 8.5.3 Children will not be provided with unsupervised internet access.
- 8.5.4 Any child access to Council issued devices must be approved by the Nominated Supervisor and only done in a designated area of the learning space under strict supervision of an educator.
- 8.5.5 Cyber safety education will be embedded in age-appropriate ways.

## **8.6 Data Storage and Retention**

- 8.6.1 Digital records will be stored securely in line with Cumberland Council's record management procedures.
- 8.6.2 Access to images/videos is restricted to authorised staff and families.
- 8.6.3 Images/videos will be retained for a maximum of 90 days for their intended purpose, then deleted securely.
- 8.6.4 Storing or sharing of images and/or video of children via personal cloud services or messaging apps is strictly forbidden

## **8.7 Excursions, regular outings and transportation**

- 8.7.1 The same device restrictions apply when off-site; only service-supplied/authorised devices may be used in accordance with this Guiding Principle
- 8.7.2 No personal devices in possession while working directly with children unless authorised.

# **9 ENGAGEMENT WITH FAMILIES**

- 9.1 Families will be supported to remain informed and involved and will be provided with information on safe digital practices and online safety resources to guide families to support their children's safe engagement with digital technology and the online environment.
- 9.2 Children are not permitted to bring any personal devices into the service.

## 10 TRAINING AND PROFESSIONAL DEVELOPMENT OF STAFF

- 10.1 Staff who have delegation to take digital images of children will receive ongoing training to support skills and understanding on responsibilities as a relevant person and to support their compliance with legislation
- 10.2 Support their knowledge acquisition in relation to The National Model Code for ECEC (Taking Images and Videos of Children) and child safety in the digital environment

## 11 REVIEW

This Guiding Principle will be reviewed every **three years**, or earlier if changes occur to legislative requirements, or critical reflection highlights a need to strengthen Council's procedures prior to the Review date.

## 12 RELATED DOCUMENTS AND LEGISLATIVE INSTRUMENTS

- Education and Care National Law and Regulations
- Education and Care Services National Law (including **Part 6A – Devices in ECEC**, effective 27 Feb 2026)
- [National Quality Framework Online Safety Guide](#)
- [Child Safety NQF Online Safety: Self-Assessment and Risk Assessment Tool](#)
- [National Model Code for ECEC \(Taking Images and Videos of Children\)](#)
- [NSW Child Safe Standards](#)
- [Education and Care Services \(Supply, Authorisation and Use of Devices\) Order 2026](#)
- [Service Supplied Device Record Form](#)
- [Service Supplied Device Log](#)
- [Service-Authorised Device form for Family Day Care](#)
- Personal Device Authorisation Form
- [Parental consent for digital imaging of children](#)
- Cumberland Council Privacy and Confidentiality Policy
- Cumberland Council Child Protection Policy

**Version updates**

<b>Version Number</b>	<b>Commentary</b>
1	New document in accordance with new legislation introduced September 2025
2	Updated to include legislative changes which came into effect 5 November 2025
3	Updated to include legislative changes which came into effect 28 February 2026; addition of responsibilities of Other Relevant Persons