

**QUESTIONS RE USE OF PERSONAL DEVICES FROM 1 SEPTEMBER 2025 ONWARDS
INCLUDING AS PER NSW EDUCATION AND CARE SERVICES (SUPPLY, AUTHORISATION AND USE OF DEVICES) ORDER 2025**

Q#	Questions	NSW RA's answer/response
01	For clarity, desktop computers and laptop computers, (whether they include a camera or not) and wearable devices with cameras, can they be also regarded as <i>Personal Devices</i> ?	
02	For clarity, can smartwatches without cameras (but can receive or transmit images) be also regarded as <i>Personal Devices</i> ?	
03	If the device was legally owned by the service, but issued to a particular individual to use it exclusively for the purposes of providing education and care to children as part of that (particular) service as well as for personal use, is that device regarded as a personal device or a service-supplied device by the NSW Regulatory Authority?	
04	If a parent has previously been formally recognised as a volunteer at the service (and as such under the <i>NSW Education and Care Service (Supply, Authorisation and Use of Devices) Order 2025</i> is a <i>Relevant Person</i> , then does that parent have to formally declare they are not a volunteer and does not have any volunteer duties/responsibilities so that s/he can have use of her/his own personal devices while involved in activities of the service?	
05	If the device was legally owned by the service, but issued to a particular individual to use it exclusively for the purposes of providing education and care to children as part of that (particular) service, does that mean that device cannot be used for another service even though it is issued by the same Approved Provider?	
06	If an Approved Provider has multiple services, can the record of the supply of the Service-Issued Devices be replicated across all services even though some of those services may not be there at the time?	
07	Due to the <i>NSW Education and Care Service (Supply, Authorisation and Use of Devices) Order 2025</i> definition of <i>Personal Device</i> , and that "contractor" is a <i>Relevant Person</i> , does that mean that photographers' and videographers' cameras cannot be used unless it complies with the definition of <i>Service-Supplied Device</i> ?	

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08	If the Approved Provider wishes to continue the Written Authorisation beyond 3 months, how must the Approved Provider demonstrate that s/he has complied with the Order's section 10(4)?	
09	In anticipation of emergencies, can staff's personal devices be securely stored inside the room or area that those staff are working at, or must it be centrally stored?	
10	If a parent has previously been formally recognised as a volunteer at the service (and as such under the NSW <i>Education and Care Service (Supply, Authorisation and Use of Devices) Order 2025</i> is a <i>Relevant Person</i> , then does that parent have to formally declare they are not a volunteer and does not have any volunteer duties/responsibilities so that s/he can have use of her/his own personal devices while involved in activities of the service?	
11	Outside of the service's operational hours, are those persons as defined as a <i>Relevant Person</i> under the NSW <i>Education and Care Service (Supply, Authorisation and Use of Devices) Order 2025</i> still legally recognised as a <i>Relevant Person</i> ?	
12	Are cleaners, security personnel, plumbers, renovators (for example) regarded as contractors as defined in <i>Relevant Person</i> involved in the provision of an approved education and care under by the NSW <i>Education and Care Service (Supply, Authorisation and Use of Devices) Order 2025</i> ? If they are, how does the NSW Regulatory Authority want such individuals to be in compliance at the service, including while out-of-operational hours?	
13	Does the NSW Education and Care Services (Supply, Authorisation and Use of Devices) Order 2025's definition for "Working directly with children" about short breaks consistent with the NSW Department of Education's website about unplanned breaks (see https://education.nsw.gov.au/early-childhood-education/regulation-and-compliance/regulation-assessment-and-rating/regulatory-framework/staff-ratios-and-adequate-supervision under Regulation 122).	
14	Are there any other Australian legislation, regulations and/or standards that the NSW Regulatory Authority recommend for services to comply with?	

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References:

1. NSW Education and Care Services (Supply, Authorisation and Use of Devices) Order 2025 (dated 5 November 2025) - [https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/regulation-and-compliance/Education and Care Services Supply Authorisation and Use of Devices Order 2025.pdf](https://education.nsw.gov.au/content/dam/main-education/early-childhood-education/regulation-and-compliance/Education_and_Care_Services_Supply_Authorisation_and_Use_of_Devices_Order_2025.pdf)
2. ACA NSW's template on Safe Use of Digital Technologies and Online Environments Policy and Procedure (dated September 2025) to comply with [Regulation 168\(2\)\(ha\)](#) - <https://nsw.childcarealliance.org.au/members-2/policies-required-under-regulation-168> (NOTE: ACA NSW issued username and password required).
3. ACECQA's National Model Code for Early Childhood Education and Care – Taking Images or Videos of Children While Providing Early Childhood Education and Care (dated July 2024) - <https://www.cecqa.gov.au/sites/default/files/2024-07/National%20Model%20Code%20Taking%20Images%20and%20Videos.pdf>