

Mobile Phone/digital device Policy

For many young people today the ownership of a mobile phone is considered a necessary and vital part of their social life. However, the need for a mobile phone as a learning tool has been replaced by the requirement for all pupils at Giggleswick to own a device for learning.

What we are trying to achieve at Giggleswick is a culture of respect for each other's privacy as well as promoting face-to-face interaction at all times across the school. With this in mind, there are restrictions in place for the use of mobile phones around the campus.

Rules for the Acceptable Use of a mobile phone/digital device in school by pupils

Pupils are allowed to bring mobile phone/digital devices into school. If they choose to do so it is on the understanding that they agree with the following limitations on its use, namely:

- Mobile phones should not be used by pupils or be visible anywhere around the school between the hours of 0820 and 1800 Monday-Friday and from 0820-1145 on Saturdays (except defined areas within Houses), or in public areas at all other times. There is no requirement for mobile phones to be used in lessons.
- Disrupting the learning of others through use of the phone will not be tolerated.
- No pupil may take a mobile phone into a room or other area where examinations are being held.
- The security of a phone/digital device will remain the pupil's responsibility.
- If asked to do so, content on the phone/digital device (e.g. messages, emails, pictures, videos, sound files) will be shown to the designated members of staff.
- Mobile phone/digital devices should be handed in to the duty staff overnight in Y7-10, as per the school rules.

In addition to the restrictions mentioned above, there are also accepted parameters within to which pupils should adhere. Parents and pupils should be clear that misuse of mobile phone/digital devices will not be tolerated.

Unacceptable use

The school will consider any of the following to be unacceptable use of the mobile phone/digital device and a serious breach of the school's behaviour policy, resulting in sanctions being taken (also applicable to other digital devices).

- Photographing or filming other pupils or members of staff without their knowledge or permission.
- Photographing or filming in toilets, changing rooms and similar areas.
- Bullying, harassing or intimidating pupils or staff by the use of text, email or multimedia messaging, sending inappropriate messages or posts.
- Refusing to switch a phone off or handing over the phone/digital device at the request of a member of staff.
- Using the mobile phone outside school hours to intimidate or upset pupils and staff will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time.

- the use of a mobile phone/digital device for 'sexting' (the deliberate taking and sending of provocative images or text messages). In cases of 'sexting' we follow guidance given to schools and colleges by the UK Council for Child Internet Safety (UKCCIS) published in 2017: 'Sexting in schools and colleges, responding to incidents, and safeguarding young people'.
- pupils phoning parents immediately following an incident so that the ability of staff to deal with an incident is compromised.
- publishing photographs of vulnerable pupils, who may be on a child protection plan, where this may put them at additional risk.

Sanctions

Pupils and parents are notified that appropriate action will be taken against those who are in breach of the acceptable use guidelines, following the school's behaviour policy. In addition:

- pupils and their parents should be very clear that the school is within its rights to confiscate the phone/digital device where the guidelines have been breached.

Using the mobile phone/digital device outside school hours to intimidate or upset pupils and staff or undermine the stability of the school in any way will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time.

- If a phone/digital device is confiscated, school will make it clear for how long this will be and the procedure to be followed for its return.
- Pupils should be aware that the police will be informed if there is a serious misuse of the mobile phone/digital device where criminal activity is suspected.
- If a pupil commits an act which causes serious harassment, alarm or distress to another pupil or member of staff the ultimate sanction may be permanent exclusion. School will consider the impact on the victim of the act in deciding the sanction.

Confiscation procedure

If a mobile phone/digital device is confiscated then:

- The pupil will be informed that the phone/digital device can be collected from the appropriate Housemaster/Housemistress or the Deputy Head/Senior Master.

For the use of a phone between restricted hours:

1st offence – returned that evening at 1800

2nd offence – returned the following evening at 1800 (parents/guardians informed)

3rd offence – returned after three days at 1800 (parents/guardians informed)

4th offence – parents/guardians invited into school and phone ban imposed.

- The confiscation will be recorded in iSAMS for monitoring purposes.
- The school will ensure that confiscated equipment is stored in such a way that it is returned to the correct person, and the person confiscating it will ensure that the pupil has turned off their phone when they hand it in.
- In the case of repeated or serious misuse the phone/digital device will only be returned to a parent/guardian who will be required to visit the school by appointment to collect the phone/digital device.
- This may be at the end of a week, a half term or longer. At the discretion of the Headmaster the phone/digital device may be returned to the pupil at the end of the confiscation period.

- Where a pupil persistently breaches the expectations, following a clear warning, the Headmaster may impose an outright ban from bringing a mobile phone/digital device to school. This may be a fixed period or permanent ban.

Where the phone/digital device has been used for an unacceptable purpose

- The Headmaster or a designated staff member (Designated Safeguarding Lead) will have the right to view files stored in confiscated equipment and if necessary seek the cooperation of parents in deleting any files which are in clear breach of these guidelines unless they are being preserved as evidence.
- If required, evidence of the offence or suspected offence will be preserved, preferably by confiscation of the device and keeping it secure or by taking photographs of the screen.
- School will consider whether an incident should be reported to Social Care or the Police.
- The designated staff member should monitor repeat offences to see if there is any pattern in the perpetrator or the victim which needs further investigation.

Reviewed by: JLJ Stott IT Network Manager & A Simpson, Deputy Head
Updated: July 2018
Review Date: July 2019

Appendix 1 - Guidance on Confiscation

DfE guide on screening and searching - What the law allows

"Schools' general power to discipline, as set out in Section 91 of the Education and Inspections Act 2006, enables a member of staff to confiscate, retain or dispose of a pupil's property as a disciplinary penalty, where reasonable to do so."

See below for full document

<http://www.education.gov.uk/schools/pupilsupport/behaviour/f0076897/screening>

DfE Behaviour and discipline guidance for school staff

<http://media.education.gov.uk/assets/files/pdf/b/behaviour%20and%20discipline%20in%20schools%20%20%20guidance%20for%20teachers%20and%20school%20staff.pdf>

Appendix 2 - Legal context

Common Offences Related to the Misuse of Mobile Telephone/digital devices

The key to both offences below is that the message/picture/video is actually **SENT**
· (If it is only stored on a device the offence is not complete.)

1. Malicious Communications Act 1988

It is an offence to send an indecent, grossly offensive or threatening letter, electronic communication or other article to another person with the intention that it should cause them distress or anxiety.

2. Communications Act 2003

Section 127 covers all forms of public communications

127(1) a person is guilty of an offence if they-

- (a) send by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or
- (b) causes any such message or matter to be so sent.

127(2) A person is guilty of an offence if, for the purpose of causing annoyance, inconvenience or needless anxiety to another, they –

- (a) send by means of a **public** electronic communications network, a message that they know to be false,
- (b) causes such a message to be sent; or
- (c) persistently makes use of a public electronic communications network.

Appendix 3 - Police response to an incident in school

Extract from the Home Office guidance on the action police should take if a crime may have occurred in school.

In order to sustain the disciplinary authority of schools, this guidance clarifies the general principles of NCRS as they apply specifically to incidents on school premises. When police have reported to them an incident which took place on school premises, including those

witnessed by, or reported directly to, officers working in the school, which they would normally record as a notifiable offence will, in the first instance, invite the victim or the person acting on their behalf to report the matter to the head teacher to be dealt with under normal school discipline procedures. Such reports should be recorded as an incident only, until or unless:-

- (a) they judge it to be a serious incident as defined below; [see full document]
- (b) having brought the matter to the attention of the school in line with good practice (see references to guidance papers below), they receive a formal request from the school to create a crime record; or
- (c) the child, parent or guardian or the child's representative asks the police to create a crime record.

For full description see Annex E : Crime Recording by Police Officers working in Schools

<http://www.homeoffice.gov.uk/publications/science-research-statistics/research-statistics/crime-research/counting-rules/count-recstan?view=Binary>

Appendix 4 – sources of help

Resources

Resources are available to support teachers, parents and pupils to promote the safe use of mobile phone/digital devices and other technologies both in school and at home. Below is a note of the resources available and a short description of what each one contains. These resources have been drawn from a variety of sources, including the Mobile Network Organisations.

- The **O2 Nuisance Call Bureau** provide practical help and advice to schools – whether they're having serious problems relating to bullying on mobile phone/digital devices, nuisance calls or texts, happy slapping, or any other issues. Further information is available from <http://protectourchildren.o2.co.uk/AdviceForSchools.jsp>
- **Mobile phone/digital device guide for parents from Orange**
http://www1.orange.co.uk/safety/images/guide_for_parents.pdf
- **Orange Educational resources** on the safe and secure uses of mobile phone/digital devices, and access to the "Incoming message" video and support material
http://www1.orange.co.uk/about/corporateresponsibility/quicklinks/educational_resources.html
- **Orange** <http://www.orange.co.uk/communicate/safety/>
- **Mobile Network Operators and Regulators**
<http://protectourchildren.o2.co.uk/PreventBullying.jsp>
- **T-Mobile** <http://www.t-mobile.co.uk/personal/pages.do/corpinfo/about-tmobile/corporate-responsibility/landing>

For pupils

Newsround article on happy slapping including advice for pupils on what to do if it happens to them

http://news.bbc.co.uk/cbbcnews/hi/newsid_4490000/newsid_4498700/4498719.stm

- respectme 's cyberbullying resource page:
<http://www.respectme.org.uk/What-is-Cyberbullying.html>
- **Cybermentors** <http://cybermentors.org.uk/>

- **Childline**

<http://www.childline.org.uk/>

For parents/carers

Mobile phone/digital devices: What parents need to know provides help and advice about modern mobile phone/digital devices for families and carers.
http://www1.orange.co.uk/documents/regulatory_affairs/guide_for_parents.pdf

- **Child Exploitation and Online Protection Centre** <http://www.ceop.police.uk/>

Appendix 6

Safeguarding concerns which may be raised by mobile phone/digital device use in school

Looked after pupils

There may be a safeguarding concern if a LAC, who has limited contact, or supervised only contact with a parent, suddenly acquires a mobile phone/digital device as this could have been provided by the parent to maintain contact. This should be discussed with the designated teacher for LAC in school.

Young carers

Some young carers only feel able to attend school because their mobile phone/digital device enables easy access with the person they care for and may react strongly to a ban on phone/digital devices or restrictions on their use. This will need to be treated sensitively by the school.

Child sexual exploitation (CSE)

A feature of some of the recent cases where teenage girls have been groomed for sex has been giving them expensive phone/digital devices as a gift. The unexpected acquisition of an expensive mobile phone/digital device by girls who are unlikely to be able to afford one themselves should trigger a safeguarding concern.

The same approach is often used to draw children into selling drugs.