

Everest Community Academy

Mobile Phones and Electronic Devices Policy

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Context

The new generation of electronic devices and smart phones, such as the iPhone, now include many additional functions such as an integrated camera, video recording capability, instant messaging, mobile office applications and mobile access to the Internet. These allow immediate access to email, searching for information on the Internet and other functions such as access to social networking sites such as Facebook, Twitter, Instagram, Snapchat and others. For many young people today the ownership of a mobile phone is considered a necessary and vital part of their social life. When used creatively and responsibly the smart phone has great potential to support a student's learning experiences.

However, the unacceptable use of a mobile phone represents a new challenge for schools to manage. Parents and students should be clear that the misuse of mobile phones will not be tolerated. The following are examples of misuse but are not an exhaustive list:

- The deliberate engineering of situations where people's reactions are filmed or photographed in order to humiliate, embarrass and intimidate by publishing to a wider audience such as on Facebook or YouTube
- Bullying by text, image and email messaging
- The use of a mobile phone for 'sexting' (the deliberate taking and sending of provocative images or text messages)
- Students posting material on social network sites with no thought of the risks to their personal reputation and sometimes with the deliberate intention of causing harm to others
- Making disrespectful comments, misrepresenting events or making defamatory remarks about teachers or other students
- General disruption to learning caused by students accessing phones in lessons
- Students phoning parents or others immediately following an incident so that the ability of staff to deal with an incident is compromised
- Publishing photographs of vulnerable students who may be on a child protection plan, where this may put them at additional risk.

Definitions

For the purposes of this policy, the term 'mobile phone' is understood to include all other electronic devices such as such as electronic watches, iPads and Kindles which have access to the Internet. References to 'the School' are understood to refer to Everest Community Academy.

Rules for the acceptable use of a mobile phone in school by students

- The School operates a 'gate-to-gate' policy. This means that students are allowed to bring mobile phones into school but that they may not be used, seen or heard at any time while students are on the school site. This includes before school, at breaks and lunchtimes, evenings and weekends, even if they are supporting an after-school match, taking part in

extended day sessions or an extra-curricular activity, or using the Sports Centre as a private member.

- No student may take a mobile phone into a room or other area where examinations are being held. Phones will be collected from students prior to their warm-ups or going into examinations and returned at the end of the school day. This policy will apply to mock examinations as well as external examinations.
- If a student is seen with a phone, a phone is heard, or we have evidence that a phone has been used, we will confiscate the phone for 3 working/school days. It will be kept in a school safe and given back at a pre-arranged time by a member of the senior team/member of staff. If this period covers a weekend or school holiday, the phone will be returned on Friday and taken in the following Monday morning. If students fail to hand in their phones on Monday morning the device will be collected by a member of the senior team/member of staff and an extra day, or days, added to the confiscation, as appropriate.
- If students are asked to hand over a phone or other electronic device, we expect them to do so immediately and without argument, whatever the circumstances and whoever is asking them to do so.
- The security of all devices will remain the students' responsibility in all lessons including PE/dance/drama lessons.
- If necessary, content on the phone (eg messages, emails, pictures, videos, sound files) will be shown to the designated safeguarding lead or nominated deputy and may be recorded. In this case, a designated member of the safeguarding team will make a log of what was recorded, by whom and when. Data will be kept on a secure area of the school's hard drive and made available to the police if necessary.

Further unacceptable use

In addition to the ban on the normal use of mobile phones, the school will consider any of the following to be a serious breach of the school's behaviour policy resulting in additional sanctions being taken. Please refer to the School's Behaviour Policy and Exclusion policy on the website.

- Photographing or filming staff or other students without their knowledge or permission.
- Photographing or filming in toilets, changing rooms and similar areas.
- Bullying, harassing or intimidating staff or students by the use of text, email or multimedia messaging, including sending inappropriate messages or posts to social networking or blogging sites.
- Refusing to hand over a phone at the request of a member of staff.
- Using a mobile phone within or outside school hours to intimidate or upset staff and students.
- Using a mobile phone within or outside school hours in such a way that it undermines the stability of the school.

Sanctions

Students and parents are notified that appropriate action will be taken against those who are in breach of our policy, following the school's behaviour policy, with the response being proportionate to the severity of the misuse. Students are aware that any use, sight or hearing of their mobile

phone will lead to the confiscation of their mobile phone and possible communication with parents and the imposition of other sanctions up to and including exclusion from school. In addition:

1. Students and their parents should be very clear that the school is within its rights to confiscate the phone where the guidelines have been breached. Using the mobile phone or other electronic device outside school hours to intimidate or upset staff and students or undermine the stability of the school in any way will be considered a breach of these guidelines in the same way as any use which takes place in school time.
2. If a phone is confiscated, the school will make it clear for how long this will be and the procedure to be followed for its return. The normal period of confiscation is 3 days, as outlined in the [rules](#) above and [confiscation procedures](#) below.
3. Students should be aware that the police will be informed if there is a serious misuse of the mobile phone where criminal activity is suspected.

If a student commits an act which causes serious harassment, alarm or distress to another student or member of staff the ultimate sanction may be permanent exclusion. The school will consider the impact on the victim of the act in deciding the sanction.

Confiscation procedure

If a mobile phone is confiscated then:

- The student will be informed that the phone can be collected at the end of school day in 3 days' time from the Head or nominated senior member of staff or from Reception. The confiscation will be recorded and the school will ensure that confiscated equipment is stored in such a way that it is returned to the correct person and in the same condition as when it was confiscated.
- In the case of repeated or serious misuse the phone will only be returned to a parent/carer who will be required to visit the school by appointment to collect the phone. This may be at the end of a week, a half term or longer.
- At the discretion of the Head the phone will be returned to the student at the end of the confiscation period.
- Where a student persistently breaches the expectations, and following a clear warning, the Head may impose an outright ban on a student from bringing a mobile phone to school. This may be a fixed period or permanent ban.

Confiscation procedure for safeguarding purposes

Where a member of staff has reason to believe a mobile phone or other electronic device has been used to cause a breach in safeguarding, the phone and any other devices thought to be involved will be confiscated. They will be taken immediately to the designated safeguarding lead or deputies. If this is not possible, they will be stored securely in one of the school's safes. This will ensure that the confiscation is correctly recorded and that the phone is kept securely. Where it is deemed necessary to examine the contents of a mobile phone this will be done by a designated member of staff. The action will be properly recorded in case it later becomes evidence of criminal activity. The record will

include the time and date, who was present and what was found. Parents and carers of students whose phones are examined will be informed as soon as is practicable.

Alex Russell
Headteacher
March 2018

Ratified By:

Chair of the Governing Body

Date

Appendix 1 - Guidance on confiscation

DfE guide on screening and searching - what the law allows

(NB this guidance is currently under review)

“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.”

Please follow the link 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 Telephones

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) Cause 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) Cause such a message to be sent; or
- c) Persistently make use of a public electronic communications network.

Appendix 3 - Police response to an incident in school

The following is an 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 a full description see Annex E: Crime Recording by Police Officers working in Schools

<http://www.homeoffice.gov.uk/publications/science-research-statistics/researchstatistics/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 phones and other technologies 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. Please note that some of them will refer to the safe use of mobile phones in school. The School policy stands.

1. Mobile phone 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 phones, and access to the “Incoming message” video and support materials phones, and access to the “Incoming message” video and support materials

http://www1.orange.co.uk/about/corporateresponsibility/quicklinks/educational_resources.html

2. Orange

<http://www.orange.co.uk/communicate/safety/>

Mobile Network Operators and Regulators

<http://protectourchildren.o2.co.uk/PreventBullying.jsp>

3. T-Mobile

<http://www.t-mobile.co.uk/personal/pages.do/corpinfo/abouttmobile/corporate-responsibility/landing>

4. 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

5. respectme's cyberbullying resource page

<http://www.respectme.org.uk/What-is-Cyberbullying.html>

6. Cybermentors

<http://cybermentors.org.uk/>

7. Childline

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

8. For parents/carers

Mobile phones: What parents need to know provides help and advice about modern mobile phones for families and carers.

http://www1.orange.co.uk/documents/regulatory_affairs/guide_for_parents.pdf

9. Child Exploitation and Online Protection Centre

<http://www.ceop.police.uk/>

10. The O2 Nuisance Call Bureau provides

The bureau practical help and advice to schools – whether they're having serious problems relating to bullying on mobile phones, nuisance calls or texts, happy slapping, or any other issues. Further information is available from:

<http://protectourchildren.o2.co.uk/AdviceForSchools.jsp>

Appendix 5 - Safeguarding concerns which may be raised by mobile phone 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 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 enables easy access with the person they care for and may react strongly to a ban on phones 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 phones as a gift. The unexpected acquisition of an expensive mobile phone 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.