

Livingstone Primary School



Guidance on Pupil Use of Mobile Phones

Policy written March 2017

This policy will be reviewed annually

Signed :-

Headteacher

Signed :-

Chairman of Governors

Guidance on Pupil use of Mobile Phones.

Introduction

For many young people today the ownership of a mobile phone is considered a necessary and vital part of their social life. There are a growing number of primary pupils who now have personal ownership of a mobile phone, including smart phones with internet capability, an integrated camera and video recording capability. When used creatively and responsibly this type of phone has great potential to support pupils' learning experiences and schools are beginning to incorporate such devices, along with other mobile devices such as the ipad or tablet computers, into their curriculum.

It is important that primary schools, with their governors, take a clear decision on their response to pupils bringing mobile phones into school and that this policy is made clear to both pupils and parents.

Having the correct policies and agreements in place is equally important if your school encourages pupils to use mobile devices. This document is to help governors and the senior leadership team in school be aware of the risks and types of incidents of misuse of mobile phones in school in order to support the development of relevant policies. *n.b. There are a number of safeguarding concerns which may be raised by pupil ownership of a mobile which schools should be aware of. (See Appendix 6)*

Examples of misuse of mobile phones include:

- Online bullying by text, image and email messaging
- taking and sharing inappropriate pictures
- access to inappropriate websites bypassing the school filtering system
- general disruption to learning caused by pupils accessing phones in lessons
- making disrespectful comments, misrepresenting events or making defamatory remarks about teachers or other pupils
- pupils phoning parents immediately following an incident so that the ability of staff to deal with an incident is compromised
- pupils posting material on social network sites with no thought to the risks to their personal reputation and sometimes with the deliberate intention of causing harm to others
- 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
- publishing photographs of vulnerable pupils, who may be on a child protection plan, where this may put them at additional risk
- the use of a mobile phone for 'sexting' (the deliberate taking and sending of provocative images or text messages)

School rules for the acceptable use of a mobile phone in school by primary pupils

Reception to Year 4 pupils are forbidden from bringing a personal mobile phone to school. If a child in these year groups brings a phone to school the agreed procedure is that this will be handed over to a member of staff who will send it to the office for safe keeping during the day. This can then be collected at the end of the day from the office by a parent.

Parents will be informed on the website by this policy that the school will not be held responsible for the security of a mobile phone brought into school unless they are handed to staff for safekeeping.

Acceptable use of a mobile phone statement

Pupils in Year 5 and 6 are permitted to bring a mobile phone to school, to support safety issues if they come to school independently. All mobile phones should be named and handed into the adult in charge of phone collection in Elizabeth Building at the beginning of the day and collected at the end of the day.

If parents want their child to bring a phone it is on the understanding that they agree with the following limitations on use, namely:

- mobile phones must be switched off at all times during the school day, including break and lunchtimes, and remain off whilst pupils are on the school premises.
- It is not permitted to film, photograph anyone on school grounds.
- the phone will be kept in a locked locker in Elizabeth Building during the day.
- the school will not be held responsible for the security of a mobile phone brought into school unless they are handed in to the adult in charge of collecting phones for safekeeping.
- content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher when requested.

Misuse of phones

Parents are notified that appropriate action will be taken against those who are in breach of the acceptable use guidelines following the schools discipline and behaviour policy. The Guidance on Pupil use of Mobile Phones is available on the Livingstone Primary School Website.

In the case of repeated 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.

Serious misuse may lead to the confiscation of the mobile phone, communication with parents and the imposition of other sanctions, up to and including exclusion from school. In some instances an offence may have to be reported to the Police.

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 and parents will be involved.

I agree to follow these limitations on use and consequences of misuse.

Name.....

Signed (parent)..... Signed (pupil).....

Date

Dealing with misuse of a mobile phone

It is expected that most incidents of misuse of the mobile phone will be dealt with using the same principles set out in the school discipline and behaviour policy, with the response being proportionate to the severity of the misuse.

However school needs to be aware that there are some more serious incidents of misuse of the mobile phone which may have to be addressed (see below) and that they should agree with the governing body the sanctions which will apply in this situation.

The school will consider any of the following unacceptable use of the mobile phone and a serious breach of the school's behaviour policy resulting in sanctions being taken:

- photographing or filming staff or other pupils during the school day and on organised school events
- photographing or filming in toilets, swimming pools, changing rooms and similar areas
- bullying, harassing or intimidating staff or pupils by the use of text, email or multimedia messaging, sending inappropriate messages or posts to social networking or blogging sites
- refusing to switch a phone off or hand over the phone at the request of a member of staff*
- using the mobile phone outside school hours to intimidate or upset staff and pupils will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time

**Where it is deemed necessary to examine the contents of a mobile phone this will be done by a designated member of staff, usually a member of the senior leadership team. The action will be properly recorded including the time, who was present and what was found see Appendix 8.*

Pupils and parents should be made aware that serious misuse may lead to the confiscation of the mobile phone, communication with parents and the imposition of other sanctions, up to and including exclusion from school. In some instances an offence may have to be reported to the Police¹.

School will ensure all staff know the correct procedure to follow where a mobile phone has been confiscated. This will ensure that the confiscation is correctly recorded and that the phone is kept securely.²

¹ Police Officers have been issued with specific guidance on working with schools where a crime is suspected. See notes in Appendix.

² Guidance on confiscation of property has been provided to schools by DfE. See notes in Appendix

Should an incident occur then school will also need to ensure that support is provided for the victim.

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 schools behaviour policy. In addition

- pupils and their parents should be very clear that the school is within its rights to confiscate³ the phone where the guidelines have been breached. If a phone 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 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 and parents will be involved.

Confiscation procedure

If it becomes necessary to confiscate a mobile phone then :

- the pupil or their parent will be informed that the phone can be collected at the end of school day *from the designated person*.
- the confiscation will be recorded by the school for monitoring purposes (See Appendix 9)
- schools will ensure that confiscated equipment is stored in a named bag so that it is returned to the correct person
- in the case of repeated 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
- where a pupil persistently breaches the guidelines, following a clear warning, the Head Teacher may impose an outright ban from bringing a mobile phone to school. This may be a fixed period or permanent ban.

Where the phone has been used for an unacceptable purpose

- the Headteacher or a member of the senior leadership team will have the right to view files stored in confiscated equipment and will seek the cooperation of

³ See Appendix for Power to Confiscate guidance

parents in deleting any files which are in clear breach of these guidelines unless these are being preserved as evidence.

- if required evidence of the offence will be preserved, preferably by confiscation of the device and keeping it secure or by taking photographs of the screen
- advice can be sought from the Local Authority and/or the police (general response number 0845 606 0606 or use the local Police Community Constable)
- school should consider whether an incident should be reported to the school safeguarding officer
- the designated staff member will monitor repeat offences to see if there is any pattern in the perpetrator or the victim which needs further investigation.

Support for the Victim

Where an incident has involved the victimisation, harassment, alarm or distress of another pupil or member of staff, the school will provide support for the victim. This should be discussed with the victim's family or where the incident involves a member of staff, appropriate support should be obtained. This might be the designated staff welfare person or the victim's union.

To support the rehabilitation of a victim the following support may be offered in consultation with the victim and their family or support person. The school may:

- follow up with the victim and family and agree a suitable way forward to facilitate an effective closure for the victim to the incident.
- implement the institution's 'restorative practice' procedures. Where the perpetrator agrees, participation in this process will be included as part of their reintegration programme following the incident.
- where 'restorative practice' does not take place then other avenues to support the victim should be tried e.g. Cybermentors, Childline
- school will also ensure that the perpetrator, and any others involved, are educated about the impact of their actions on the victim
- school will ensure a fully documented case history of the incident is recorded and secured in the relevant area of the institution's Management Information System (SIMS / CPOMS)
- senior staff should consider if an education programme should be implemented as part of PSHE or eSafety lessons

- where material has been posted online about a victim, school will provide support in getting the material removed either through discussion with the poster of the material or contact with the service provider. Help for this can be provided through the LA.

This statement of guidelines will be subject to regular review and updating in order to ensure that the personal safety of pupils and school staff is protected and that the learning environment is not disturbed by current or emerging technology.

Appendix 1 - Guidance on Confiscation

DfE guide on screening and searching - What the law allows

“School staff can search a pupil for any item banned under the school rules, if the pupil agrees “

“School staff can seize any banned or prohibited item found as a result of a search or which they consider harmful or detrimental to school discipline”

See below for full document

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

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) 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 phones 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 phones, nuisance calls or texts, happy slapping, or any other issues. Further information is available from

<http://www.o2.co.uk/help/everything-else/unwanted-calls-and-messages#qs>

- **Mobile phone guide for parents from Orange**

http://www.qpcs.brent.sch.uk/files/esafety/guide_for_parents.pdf

- **OFCOM**

Parental Controls for mobile phones

<http://consumers.ofcom.org.uk/internet/online-safety-and-security/parental-controls-for-mobile-phones/>

- **T-Mobile**

<http://www.growingwireless.com/docs/default-document-library/140512-cs-mobile-guide-full-version-english.pdf>

- **For Pupils**

NSPCC – report a concern

<http://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/bullying-and-cyberbullying/>

Childnet – how to make a report

<http://www.childnet.com/resources/how-to-make-a-report>

- **Childline**

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

- **Child Exploitation and Online Protection Centre**

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

Appendix 5

Benefits of using a smart phone in the classroom

<http://www.guardian.co.uk/education/2011/may/10/mobile-phones-teaching-device>

Appendix 6

Safeguarding concerns which may be raised by pupil mobile phone ownership 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 to providing a mobile phone for free is often used to draw children into selling drugs.

Appendix 7

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If parents want their child to bring a phone it is on the understanding that they agree with the following limitations on use, namely:

- mobile phones must be switched off at all times during the school day, including break and lunchtimes, and remain off whilst pupils are on the school premises.
- It is not permitted to film, photograph anyone on school grounds.
- the phone will be kept in the main office during the day.
- the school will not be held responsible for the security of a mobile phone brought into school unless they are handed/ sent to the office for safekeeping.
- content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher when requested.

Misuse of phones

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I agree to follow these limitations on use and consequences of misuse.

Name.....

Signed (parent)..... Signed (pupil).....

Date

