

## **Mobile Phone Acceptable Use Policy**



### **Mission Statement**

Newchurch will give every child a flying start by working in partnership with parents, staff and the community to develop well-rounded citizens who will contribute in a positive way to society.

### **Statement of intent**

Technology has become embedded throughout society and has transformed the way we expect to engage with services and consume content. This is especially true for young people, where, according to an Ofcom survey in 2017, 46% of 5-15-year olds have their own smartphone, and 49% have their own tablet. At Newchurch, we embrace the use of technology and we will help and support our students to navigate and make sense of the digital world around them.

At Newchurch, we believe our number one priority is the safety and happiness of every child. We have a legal obligation to keep children safe from harm and ensure we exercise our duty of care to teach students how to keep themselves safe. In September 2023 the updated statutory guidance for schools, Keeping Children Safe in Education, puts legal responsibility on schools to ensure we are actively supervising and monitoring what students are accessing online. This legal duty upon schools does not just relate to what students access in lessons on school computers, but also includes any content they might access on the way to school when wearing school uniform on their phones via 3G and 4G.

Mobile phones and, in particular, the new generation of smartphones, 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 e.g. Facebook, twitter and blogging sites. There has been an increase in the number of issues to do with online abuse via mobile phone technology and social media. As a result, students' wellbeing and mental health is being affected by this abuse of mobile phone technology.

We appreciate that there is a positive side to mobile phone technology and students often carry mobile phones so that they can contact parents before and after school. Pupils should only switch on their mobile phones when they have left the school gates.

## **Responsibility**

It is the responsibility of pupils who bring mobile phones to school to abide by the guidelines outlined in this document.

The decision to provide a mobile phone to their children should be made by parents or carers. It is incumbent upon parents to understand the capabilities of the phone and the potential use/misuse of those capabilities.

Parents/carers should be aware if their child takes a mobile phone to school it is assumed household insurance will provide the required cover in the event of loss or damage. The school cannot accept responsibility for any loss, damage or costs incurred due to its use.

Parents/carers are reminded that in cases of emergency, the school office remains a vital and appropriate point of contact and can ensure your child is reached quickly and assisted in any relevant way.

## **Exemptions**

Exemptions of this policy can only be approved by the Head Teacher and then only in exceptional circumstances.

## **Disclaimer**

Pupils are not required to have a mobile phone (or smart watch) and we support parents who make the decision that this is not necessary by ensuring that pupils are able to use the school landlines to contact parents in an emergency. Parents can, of course, contact school via the landline. This policy does, however, recognise that a number of pupils own a mobile phone and smart watches. Any pupil who brings a mobile phone or smart watch into school does so at their own risk and school will not be held responsible for any loss or damage.

## **Guidance on Pupil use of Mobile Phones**

This document is to provide information and guidance on some of the issues around children's use and misuse of mobile phones and has been adapted from Kirklees Guidance June 2012.

## **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 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 1)

Examples of misuse of mobile phones include:

- Online bullying by text, audio, 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 5 pupils are forbidden from bringing a personal mobile phone to school. The only exception to this will be unless parents have written to the school clearly stating that they wish for their child to walk home unsupervised and require a mobile phone for safety purposes. Once this letter has been received parents will then be issued with a mobile phone acceptable use statement (Appendix 2) to be returned to school. Only on receipt of this statement will pupils be allowed to bring their mobile phone to school in other year groups.

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 school office for safe keeping during the day. This can be collected at the end of the day from the class teacher by a parent.

Mobile phones will not be switched on until the child has left the school gates.

Parents will be informed by the school website and this policy that the school will not be held responsible for the security of a mobile phone brought into school.

### **Acceptable use of a mobile phone statement**

Pupils in Year 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 class teacher 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.
- Mobile phones should be clearly marked with the pupil's name.
- It is not permitted to film, photograph anyone on school grounds.
- The phone will be kept in the school 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 school office for safekeeping.
- Content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher when requested if used within school time.
- Parents will complete a mobile phone acceptable use statement.
- The school accepts no responsibility for the use, damage or loss of phones travelling to and from school.

### **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.

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 3.*

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 Police. (Police Officers have been issued with specific guidance on working with schools where a crime is suspected. See notes in Appendix 4 & 5.)

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. Guidance on confiscation of property has been provided to schools by DfE. See notes in Appendix 6.

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 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 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.
- 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 parents in deleting any files which are in clear breach of these guidelines unless these are being preserve 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 111 or use the local Police Community Constable)
- school should consider whether an incident should be reported to the school's designated safeguarding lead
- 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 pastoral staff or a member of the safeguarding team.

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 (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.

### **Monitoring and Review**

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.

Any comments or to discuss the contents of this document please contact:

Mrs Jayne Narraway  
Headteacher and Designated Safeguarding Lead  
01925 763427

## **Appendix 1**

Safeguarding concerns which may be raised by pupil mobile phone ownership in school.

### **Looked after pupils (LAC)**

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. However, it must be acknowledged that such cases are not gender specific.

The same approach to providing a mobile phone for free is often used to draw children into selling drugs.

## **Appendix 2**

### **Acceptable use of a mobile phone statement**

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- 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.
- Mobile phones should be clearly marked with the pupil's name.
- It is not permitted to film, photograph anyone on school grounds.
- The phone will be kept in the school 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 school office for safekeeping.

- Content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher when requested if made within the school hours.
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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



### Appendix 3

#### Record of contents of mobile phone examination

Pupil/Class	Date	Time	Examined by	Witnessed by	Phone content

### Appendix 4 - 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 Communication 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 5 - 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-researchstatistics/researchstatistics/crime-research/counting-rules/count-recstan?view=Binary>

## **Appendix 6 - 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 7 Record of Phone Confiscation**

Pupil/Class	Date	Time	Removed by	Returned to	Returned by

## **Appendix 8 – 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](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-controlsformobile-phones/>
- T-Mobile <http://www.growingwireless.com/docs/default-document-library/140512-cs-mobileguide-fullversion-english.pdf>

#### **For Pupils**

- NSPCC – report a concern <http://www.nspcc.org.uk/preventing-abuse/child-abuse-and-neglect/bullyingand-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/>
- Benefits of using a smart phone in the classroom - <http://www.guardian.co.uk/education/2011/may/10/mobile-phones-teaching-device>

#### **Mobile Phone Protocol**

- Phones must be handed in each day, in the morning upon entering school to: the class teacher or teaching assistant and then sent to the school office
- The phone must be named
- The phone must be switched off.
- A dedicated teaching assistant will bring the collected phones to the school office for safekeeping.
- At the end of the school day a dedicated teaching assistant will collect the phones and return them to classes for class teachers.