



**Trinity is a Catholic learning community devoted to the common good, which calls all by name to knowledge of the Father, love of the Son, enriched by the gifts of the Holy Spirit.**

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## 1. Context and Philosophy

Trinity Catholic School considers the personal privacy of members of its community of real importance. This policy should be read with that philosophy at the forefront – that smart devices are for personal, private use, and should not be used ever at the expense of others or to undermine the education of others in any way.

This policy applies to all members of the Trinity community, even when not on the school site and outside of traditional school hours. This policy does not conflict with the BEYOND policy, nor any other relevant policy.

Mobile phones and, in particular, smart phones, 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.

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 pupil's learning experiences. Counter to this however is the challenge that smart phones bring to children's education and to their lives. For example, many schools have had incidents of poor conduct where mobile phone use has been a feature. This has been particularly difficult to address if it is an element in bullying. Bullying, intimidation and harassment are not new in society; however bullying using a mobile phone represents a new challenge for schools to manage.

Further, smart phones compete significantly for the intellectual space that teachers are trying to fill with the curriculum. Terminal exams are getting harder as a result of central reforms, and schools have to silence social media and wider technology to get students in a position where they are prepared for them.

Perhaps the greatest context relates to safeguarding:

### **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. Even without this concern, experience has shown that mobile phone contact, particularly using multi-media, has been used to ensnare and trap vulnerable students.

### **Drugs**

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

### **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. This is currently Joanne Price (SENDSCO)

### **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.

Therefore, this policy seeks to develop a process through which the Trinity community:

- Understands and commits to the importance of meaningful education regarding digital technology that promotes a positive culture regarding the use of devices
- Is fully aware of the implications of excessive mobile phone use on the educational outcomes and inclusion of young people
- Makes young people aware of the safeguarding advantages and risks of smart technology

### 2. 'Misuse'

The following are examples of misuse but are not exclusive. 'Misuse' will be at the discretion of the Principal:

- the engineering of situations where people's reactions are recorded in any way or photographed in order to humiliate, embarrass and intimidate via any onward sharing.
- 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)
- 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
- making disrespectful comments, misrepresenting events or making defamatory remarks about any member of the school community
- general disruption to learning caused by pupils accessing phones or other devices in lessons
- 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.

### 3. Dealing with breaches

Misuse of the mobile phone will be dealt with using the same principles set out in the school behaviour policy, with the response being proportionate to the severity of the misuse. Pupils are aware that failure to adhere to the terms as set out in this policy will lead to the confiscation of their mobile phone, communication with parents and the imposition of other sanctions up to and including exclusion from school. If the offence is serious it will be reported to the Police and the Multi Agency Safeguarding Hub (MASH) where appropriate

The correct procedure to follow where a mobile phone has been confiscated is that it is not returned to the pupil at the end of a lesson. 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 Safeguarding Lead (DSL). The action will be properly recorded in case it later becomes evidence of criminal activity. The record will include the time, who was present and what is found.

#### 4. Rules for the Acceptable Use of a Smart Device/mobile phone in school by pupils

Pupils are discouraged from bringing Smart Devices/ mobile phones into school. If they choose to do so it is on the understanding that parents/carers and the student agree with the following limitations on its use, namely:

- Mobile phones must be switched off when on the site. It is not acceptable for phones merely to be put on silent or pager mode.
- The phone must be kept out of sight at all times whilst at school, whether it is off or on.
- This applies to headphones linked to the phone
- No pupil may take a mobile phone into a room or other area where examinations are being held.
- The security of any phone will remain the pupil's responsibility in all lessons including PE lessons
- If asked to do so, relevant content on the phone (e.g. messages, emails, pictures, videos, sound files) will be screened by a Designated Safeguarding Lead (DSL)

#### 5. Unacceptable use

**The school will consider any of the following to be unacceptable use of the device and a serious breach of the school's behaviour policy resulting in sanctions being taken.**

- Photographing or filming staff or other pupils without their knowledge or permission
- Photographing or filming in toilets, changing rooms and similar areas
- Using the device of any other pupil via any means, which includes using another pupil's school account
- 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 not handing over the phone immediately 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

- Using a mobile phone outside school hours in such a way that it undermines the stability of the school and compromises its ability to fulfil the stated aim of achieving the common good

## 6. 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 confiscate the phone where the guidelines have been breached. ***Further information can be found in Searching, Screening and Confiscation Guidance (2018)***
- If a phone is confiscated, it will be delivered to reception where it will be securely stored until collected by the pupils parent.
- Pupils should be aware that the police and/or the Multi Agency Safeguarding Hub (MASH) 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.

## 7. Confiscation procedure

If a mobile phone is confiscated then:

- The phone can be collected between 3:30 and 4:30pm by the parent/carer only
- the confiscation will be recorded in the school behaviour log for monitoring purposes
- school will ensure that confiscated equipment is stored in such a way that it is returned to the correct person
- 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 Principal the phone 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 Principal may impose an outright ban from bringing a mobile phone to school. This may be a fixed period or permanent ban.

8. Where it is suspected the phone has been used for an unacceptable purpose

- The Principal or a designated staff member will have the right to view relevant 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 the Multi Agency Safeguarding Hub.
- 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.

9. Staff use of devices

All policy statements regarding the maintenance of the school's character and ensuring that the school is not brought into disrepute that apply to students apply as well to staff.

Staff use of devices during their working school day should be:

- Outside of their contracted hours
- Discreet and appropriate e.g. not in the presence of pupils

Devices should be switched off and stored in a safe place not accessible by staff or children during lesson times. The school will not take responsibility for any items that are lost or stolen.

- Staff should never give their mobile number to pupils or parents.
- Staff should never send to, or accept from, colleagues or pupils, text or images that could be viewed as inappropriate.
- This guidance should be seen as a safeguard for members of staff and the school.
- Staff should understand that failure to comply with this policy is likely to result in the enforcement of our whistleblowing policy and associated procedures.

School Excursions/residential – staff are required to take a school mobile phone to ensure they have full contact with school in case of an emergency. In such cases staff are expected to carry the phone upon themselves and if appropriate ensure it is not on silent. Staff are reminded of policy to not use for any other reason other than in communication with school or in an emergency.

**Appendix 1 - Guidance on Confiscation****Searching, Screening and Confiscation Guidance (January, 2018)**

*“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.”*

**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) 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 Principal 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://protectourchildren.o2.co.uk/AdviceForSchools.jsp>

### Mobile phone guide for parents from Orange

[http://www1.orange.co.uk/safety/images/guide\\_for\\_parents.pdf](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 [http://www1.orange.co.uk/about/corporateresponsibility/quicklinks/educational\\_resources.html](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](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 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](http://www1.orange.co.uk/documents/regulatory_affairs/guide_for_parents.pdf)

### 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>