



FERNDOWN UPPER SCHOOL

Mobile Device Policy

Policy first adopted: November 2013

To be reviewed annually

Reviewed December 2014

Reviewed October 2015

Reviewed February 2017

Reviewed May 2018

Reviewed

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1. Introduction

Mobile phones and, in particular, the new generation of 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 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 student's learning experiences. However, a rise in the number of incidents of misuse of mobile phones in school has created a situation where schools, in conjunction with their Governing Bodies, are implementing a specific set of policy guidelines covering mobile phone use in school.

Bullying, intimidation and harassment are not new in society; however, bullying using a mobile phone represents a new challenge for schools to manage.

Examples of misuse include:

- 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 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 teachers or other students
- general disruption to learning caused by students accessing phones 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 students, who may be on a child protection plan, where this may put them at additional risk

- 1.1 This policy is intended to help Ferndown Upper School make explicit the expectations of the school on student use of mobile phones and the restrictions which are placed on their use in school and on school grounds. This Policy sits alongside the Acceptable Use Policy for Internet Use which all students sign and is shared with parents and carers. They also give clear guidance to staff, students and parents about the consequences for breaches of the Guidelines. The policy should also be read in conjunction with the Keeping Children Safe in Education 2016 and Prevent Duty Guidance 2015.

2. Dealing with breaches of the Guidelines

FUS, in agreement with the Governing Body, will agree the sanctions which will apply to the misuse of a mobile phone in school. It is expected that 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.

Serious incidents of misuse, particularly where there has been a victim of Cyberbullying will be dealt with by the Heads of House.

Students should be aware that serious misuse may 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 Police¹.

FUS will ensure all staff know the correct procedure to follow where a mobile phone has been confiscated and is not returned to the student at the end of a lesson. This will ensure that the confiscation is correctly recorded and that the phone is kept securely.²

Where it is deemed necessary to examine the contents of a mobile phone this will be done by a senior member of staff. 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.

3. Rules for the Acceptable Use of a mobile phone in school by students

Students are allowed to carry their personal mobile phones in school and to use them responsibly in accordance with the following principles:

- Use of the mobile phone during lesson time, including changeover, will only be allowed with the agreement of the teacher and for the explicit purpose of supporting learning. Misuse of this privilege (using the phone for a non-curriculum purpose or any unacceptable use) will result in the confiscation of the phone. The student will be able to collect the phone from the pastoral office at the end of the day.
- If the phone has been confiscated for serious misuse (see below) the phone will have to be collected by the parent or guardian of the student.
- If a phone goes off in class the student is to be instructed to turn it off. If it goes off again it will be confiscated and sent to Pastoral to be collected at the end of the day.
- If a phone goes off during a test and the teacher has warned the class to turn their phones off, the phone will be confiscated for that lesson.
- Students are not to use the school's ICT facilities or sockets to charge their phones.

¹ Police Officers have been issued with specific guidance on working with schools where a crime is suspected. See notes in Appendix 3.

² Guidance on confiscation of property has been provided to schools by DfE. See notes in Appendix 1.

- At all other times the mobile phone will be switched off or put on silent.
- Students are permitted to use their mobile phone in designated areas in the school building before and after school, during break and lunchtime, unless in an area where its use is specifically forbidden, such as the library or quiet study areas.
- No student may take a mobile phone into a room or other area where examinations are being held.
- The security of phone will remain the student's responsibility in all lessons including PE lessons.
- If asked to do so, content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher.

Unacceptable use

The school will consider any of the following to be 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 students without their knowledge or permission
- Photographing or filming in toilets, swimming pools and changing rooms and similar areas
- Using their phone to access inappropriate or offensive sites.
- Bullying, harassing or intimidating staff or students 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 handing over the phone at the request of a member of staff
- Using the mobile phone outside school hours to intimidate or upset staff and students will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time.

Sanctions

Students 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;

- students and their parents should be very clear that FUS is within its rights to confiscate³ the phone where the guidelines have been breached.
- if a phone is confiscated FUS will make it clear for how long this will be and the procedure to be followed for its return.
- 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. FUS will consider the impact on the victim of the act in deciding the sanction and parents will be involved.

4. 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 from the Pastoral Centre.
- FUS will ensure that confiscated equipment is stored in such a way 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 student 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 Head Teacher or a designated staff member will have the right to view files stored in confiscated equipment and will delete any files which are in clear breach of these Guidelines unless these are being preserved as evidence.
- If evidence of the offence is required, this evidence will be preserved by confiscation of the device and keeping it secure or by taking photographs of the screen.

³ See Appendix for Power to Confiscate guidance

- FUS will consider whether an incident should be reported to the school safeguarding officer.
- 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.

5. Support for the Victim and Perpetrator

Where an incident has involved the victimisation, harassment, alarm or distress of another student or member of staff, FUS 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 HR Manager or the victim's Union. For a student this will be accessed via the school's DSL.

To support the rehabilitation of a victim the following support may be offered in consultation with the victim and their family or support person. FUS 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 our 'restorative practice' procedures. Where the perpetrator agrees, participation in this process will be included as part of their reintegration programme following the incident.
- investigate other avenues to support the victim e.g. Cybermentors or Childline
- ensure that the perpetrator, and any others involved, are educated about the impact of their actions on the victim
- ensure a fully documented case history of the incident is recorded
- provide support in getting any material that may have been posted, 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.

6. Education

In accepting that mobile phones and other similar devices such as iPads, iPods etc. are a fundamental part of life today for most of our young people, we also accept that there is an obligation for us to provide teaching and training on how to use these devices creatively and responsibly. There is also a need for us to raise awareness amongst parents, carers and families of the issues that can prevail when such responsible behaviour does not occur. With this in mind, Ferndown Upper School will deliver cyber-bullying and e-safety training as part of the PSHE and IT curriculum. Additional seminars will be provided by the police and other outside agencies as appropriate.

Appendix 1 - Guidance on Confiscation

“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.”

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) 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;
- (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 in following document: 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 students 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
- **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
- **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 students

- Newsround article on happy slapping including advice for students 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 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
- **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>