



# Student Mobile Phone Policy

## Strive for Education

<b>Approved by:</b>	S Brown	<b>Original Creation Date:</b>	August 2021
<b>Last reviewed on:</b>	February 2024	<b>Next review date:</b>	February 2025

Last School Bus update: 1 December 2023

## Contents:

### Statement of intent

1. **[Updated]** Legal framework
2. Roles and responsibilities
3. Ownership and responsibility
4. Acceptable use
5. Unacceptable use
6. Cyberbullying
7. **[Updated]** Searching students
8. Accessing and storing data
9. Sanctions
10. Monitoring and review

## Statement of intent

Mobile phones, tablets and other personal electronic devices have become widely available and accessible to students.

Strive for Education (Strive) accepts that personal mobile phones and tablets are often given to students by their parents to ensure their safety and personal security, but understands that such devices pose inherent risks and may jeopardise the learning environment.

As a school, we must strike a balance between personal safety and a suitable educational setting. We understand that parents may wish for their child to carry a mobile phone for their personal safety, whilst students may wish to bring additional devices to school for other reasons. This policy establishes how personal electronic devices should be used by students in school to ensure both personal safety and an appropriate learning environment.

Personal electronic devices include, but are not limited to the following items:

- Mobile phones
- Personal digital assistants (PDAs)
- Handheld entertainment systems, e.g. video game consoles, iPods
- Portable internet devices, e.g. tablets, laptops
- Wireless handheld technologies or portable information technology systems, e.g. devices used for word processing, wireless internet access, image capture and/or recording, sound recording, and information transmitting, receiving and/or storing

## 1. **[Updated]** Legal framework

**[Updated]** This policy has due regard to all relevant legislation and statutory and good practice guidance including, but not limited to, the following:

- **[Updated]** DfE (2023) 'Keeping children safe in education 2023'
- **[Updated]** DfE (2023) 'Searching, screening and confiscation at school'
- Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR)
- Voyeurism (Offences) Act 2019
- Protection of Children Act 1978
- Sexual Offences Act 2003
- DfE (2014) 'Cyberbullying: Advice for Headteachers and school staff'

This policy operates in conjunction with the following school policies:

- Anti-bullying Policy
- Online Safety Policy
- Data Protection Policy
- Searching, Screening and Confiscation Policy
- Child Protection and Safeguarding Policy
- Complaints Procedures Policy
- ICT and Social Media Acceptable Policy
- Child-on-child Abuse Policy
- Behaviour and Positive Relationships Policy
- Staff Behaviour and Positive Relationships Policy
- Records Management Policy

## 2. **Roles and responsibilities**

The proprietors will be responsible for:

- The implementation of the policy and procedures.
- Evaluating the effectiveness of the policy and procedures.
- Ensuring that the policy, as written, does not discriminate on any grounds.
- Reviewing the policy annually.
- Handling complaints regarding this policy as outlined in the school's Complaints Procedures Policy.
- The day-to-day implementation and management of the policy.
- Informing parents and students of the Personal Electronic Devices Agreement.
- Communicating this policy to the relevant staff members and the wider school community.

Staff members will be responsible for:

- Negotiating incidents of cyberbullying in conjunction with the Headteacher, in line with the Anti-bullying Policy and the Behaviour and Positive Relationships Policy.

The DSL will be responsible for:

- Initiating and managing responses to incidents of upskirting with relevant staff members and in line with the Child Protection and Safeguarding Policy.
- Liaising with and reporting the relevant information to children's social care and/or the police, when it is necessary to do so.

Students are responsible for adhering to the provisions outlined in this policy.

### **3. Ownership and responsibility**

Students are responsible for their own belongings. The school accepts no responsibility for replacing property that is lost, stolen or damaged either on school premises or travelling to and from school, and at school events.

Students are responsible for replacing school property they lose, damage or steal, including electronic devices.

Students and staff should enable a personal PIN or passcode on all the devices they bring to school to protect their personal data, images and videos in the event that the device is lost, stolen or accessed by an unauthorised person.

### **4. Acceptable use**

Students bringing personal electronic devices into school must make their parents aware of this.

Personal electronic devices will be handed in upon 'check-in' at Strive, these are then locked away. At social times mobile phones are handed back to students should they wish to have them, if they do not, they will remain locked away. Social times include breaks and lunchtime.

Mobile phones will only be used for voice calls in emergency situations and with the express permission of a member of staff.

### **5. Unacceptable use**

Personal electronic devices will not be used in any manner or place that is disruptive to the normal routine of the school.

Staff and students will adhere to the Social Media Policy at all times.

Files will not be sent between mobile devices, and Bluetooth and Wi-Fi functions will be disabled while on school premises.

Under no circumstances will personal electronic devices be taken into examinations. Devices will be kept in bags or lockers, or handed to a member of staff for safekeeping during the examination. Under no circumstances will mobile devices be used in changing rooms or toilets.

Personal electronic devices will not be plugged into outlets on the school premises without the express permission of the Headteacher, and they will have an up-to-date portable appliance test (PAT).

Staff will not give out their personal contact details to students. If correspondence is needed between staff members and students for homework or exams, staff should provide their school contact details.

Under the Voyeurism (Offences) Act 2019, the act known as “upskirting” is an offence. Any incidents will not be tolerated by the school. Despite the name, anyone (including both students and teachers) of any gender, can be a victim of upskirting.

A “specified purpose” is namely:

- Obtaining sexual gratification (either for themselves or for the person they are enabling to view the victim’s genitals, buttocks or underwear)
- To humiliate, distress or alarm the victim

Any incidents of upskirting will be reported to the DSL and handled in accordance with the school’s Child Protection and Safeguarding Policy.

## 6. Cyberbullying

All personal electronic devices will be used in line with our Online Safety Policy.

Incidents of cyberbullying will be dealt with and reported in line with the Anti-bullying Policy and the Behaviour and Positive Relationships Policy.

As part of the school’s ongoing commitment to the prevention of cyberbullying, regular teaching and discussion about online safety will take place as part of PSHE lessons.

## 7. **[Updated]** Searching students

School students have a right for their private life to be respected under article 8 of the European Convention on Human Rights (ECHR). This right is not absolute, and the school can interfere with this right as long as it is justified, proportionate, and aligns with the powers to search in the Education Act 1996.

**[Updated]** A search will be considered if a member of staff has reasonable grounds for suspecting that the student is in possession of a prohibited item, or any item identified in the school rules for which a search can be made. All searches will be conducted in line with the school’s Searching, Screening and Confiscation Policy.

**[New]** Under common law, school staff have the power to search a student for any item if the student agrees. Only the Headteacher, or a member of staff authorised by the Headteacher, will carry out a search. Where it is felt appropriate the Headteacher will authorise individual members of staff to search for specific items, or all items set out in the school's Behaviour and Positive Relationships Policy.

**[New]** In all cases the authorised member of staff will always:

- Seek the co-operation of the student before conducting a search.
- Ensure the student understands the reason for the search and how it will be conducted.
- Give the student the opportunity to ask any questions so that their agreement is informed.

**[Updated]** Staff may search a student's outer clothing, pockets, possessions, desks or lockers. Staff conducting a search must not require the student to remove any clothing other than outer clothing - outer clothing means any item of clothing that is not worn wholly next to the skin or immediately over a garment that is being worn as underwear and includes hats, shoes, boots or scarves. Possessions means any goods over which the student has or appears to have control - this includes desks, lockers and bags.

A staff member may ask a student to show them what they are doing on their mobile phone or tablet if they reasonably believe that the student is using the device to cause harm. If it is judged reasonable, the staff member may inspect the files or data on a student's electronic device and delete them if necessary.

Staff members will ensure they have a good reason to examine and delete data on a student's electronic device. When determining a good reason to examine data, staff members will ensure they reasonably suspect that the data has been, or could be, used to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

When determining a good reason to delete data, staff members will consider whether the material found may constitute evidence relating to a suspected offence and if so, choose not to delete the data. The data may be deleted if it is found likely to cause harm to any person, and the student and/or parent refuses to delete the data themselves.

If a search uncovers a device that is being used to cause harm, or which contains prohibited material such as pornography, a staff member can confiscate the device. If a staff member finds child pornography, it must be given to the police as soon as reasonably practicable. Where staff find stolen items like mobile devices, they must be given to the police as soon as reasonably practicable.

The staff member conducting the search must be the same sex as the student being searched. A witness to the search must be present; this should also be a staff member of the same sex as the student being searched.

Students are required to comply with any request to check their electronic device.

Students are required to comply with any request to disable the screen lock function of their electronic device and show any staff member what they are doing. Any student who refuses to comply with these requests will be disciplined in line with the Behaviour and Positive Relationships Policy.

## **8. Accessing and storing data**

Downloading and accessing inappropriate websites and data on school-owned electronic devices is strictly prohibited.

Storing and using the personal data of any student or member of staff for non-work-related activity is strictly prohibited.

All data access requests will be handled in line with the school's Data Protection Policy.

## **9. Sanctions**

Using a personal electronic device is a privilege which can be revoked at any time. Any student caught acting in a manner that contradicts this policy will have their personal electronic device confiscated until the end of the day.

Confiscated personal electronic devices will be locked away securely in the main office of 21. Confiscated personal electronic devices will be collected by the student's parent.

Bullying via personal electronic devices will be dealt with in line with the school's Anti-bullying Policy. Students caught taking mobile phones or tablets into examinations will be banned from bringing personal electronic devices into school and will be banned from bringing them in until the end of term. They may also risk being disqualified from additional examinations.

## **10. Monitoring and review**

This policy is reviewed annually by the Headteacher and DSL.

Any changes to this policy will be communicated to members of staff, parents and students by the Headteacher.

The scheduled review date for this policy is February 2025.