ISCA
INTERNATIONAL SCHOOL OF CREATIVE ARTS

International School of Creative Arts

Mobile Phone Policy

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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 responsibly the smart phone has great potential to support a pupil's learning experiences.

However, in recent years schools have increasingly witnessed 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.

Parents and pupils should be clear that misuse of mobile phones will not be tolerated.

Although not exhaustive, the following is a list of examples of misuse. 'Misuse' will be at the discretion of the Head:

- 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)
- pupils posting material on social network sites with no thought to the risks to the personal reputation of others and sometimes with the deliberate intention of causing harm
- making disrespectful comments, misrepresenting events or making defamatory remarks about teachers or other pupils
- general disruption to learning caused by inappropriate use of 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 pupils, who may be on a child protection plan, where this may put them at additional risk.

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 made 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 Police.

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

Rules for the Acceptable Use of a mobile phone in school by pupils

Pupils are allowed to bring mobile phones to school. If they choose to do so it is on the understanding that they agree with the following limitations on its use, namely:

- In the Studio Block, Admin. Block, School Offices and Classrooms, between 8:00 am and 5:30 pm during the week and during lessons and tutorials at the weekend, mobile phones:
    - Must be put on silent or pager mode
    - Must be handed in to teachers at the beginning of each lesson
    - May only be used with the express permission of a member of staff, even outside of lesson times
    - May only be used for study purposes, when dealing with school matters or in emergencies
    - May not be used for personal reasons – if urgent contact is required, it must be with the express permission of the teacher or supervising member of staff
- In the rest of the School and outside of school hours and tutorial hours mobile phones may be used for personal reasons.
- No pupil may take a mobile phone into a room or other area where examinations are being held, unless they have been given permission to do so by the Exams Officer.
- The security of phones will remain the pupil's responsibility.
- 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 pupils without their knowledge or permission
- Photographing or filming in toilets, 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 to 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
- Using a mobile phone outside school hours in such a way that it undermines the stability of the school and compromises its values and ethos.

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.

Using the mobile phone outside school hours to intimidate or upset staff and pupils or undermine the stability of the school in any way will be considered a breach of these guidelines in the same way as unacceptable use which takes place in school time.

- If a phone is confiscated, the 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.

Confiscation procedure

If a mobile phone is confiscated:

- at the discretion of the teacher the mobile phone will be returned at the end of the lesson
- or the pupil will be informed that the phone can be collected at the end of school day *from the Head of School or nominated senior member of staff.*
- the teacher confiscating the phone will open an Incident Report 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 Head 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 Head may impose an outright ban from having a mobile phone at school. This may be a fixed-period or permanent ban.

Where the phone has been used for an unacceptable purpose

- The Head or a designated staff member will have the right to view 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
- The Designated Safeguarding Lead will monitor repeat offences to see if there is any pattern in the perpetrator or the victim which needs further investigation.
- Head of School will decide whether an incident should be reported to police.

Appendix 1 - Guidance on confiscation

DfE guide on screening and searching - What the law allows (n.b. this guidance is currently under review)

> *"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."*

See below 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

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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

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Appendix 4 – Mobile phones and safeguarding

Safeguarding concerns which may be raised by mobile phone use in school:

1. **Looked After Children (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. Concerns of this nature should be reported the Designated Safeguarding Lead.

2. **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.

3. **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 is often used to draw children into selling drugs. Concerns of this nature should be reported the Designated Safeguarding Lead.