

International School of Creative Arts

# Mobile Phone Policy

**Need a large print copy?**

**Please ask in the School Office.**

## Control Page

<b>Document Title</b>	Mobile Phone Policy	
<b>Document Reference</b>	ISCA 18	
<b>Version</b>	5.1	20/07/2023
<b>Author</b>	Executive Director	
<b>Location</b>	J:\9. POLICIES AND PROCEDURES\Approved	
<b>Controller</b>	Head of School	
<b>Approved by</b>	Senior Management Team	
<b>Date of Adoption</b>	September 2023	
<b>Date of Next Review</b>	September 2024	

## Contents

Introduction .....	1
Dealing with breaches .....	1
Rules for the acceptable use of a mobile phone in school by students.....	1
Unacceptable use .....	2
Sanctions .....	2
Confiscation procedure .....	2
Where the phone has been used for an unacceptable purpose.....	3

Appendix 1 - Guidance on confiscation

Appendix 2 - Legal context

Appendix 3 - Mobile Phone Acceptable Use Contract for Students

## 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 student's learning experiences.

## Dealing with breaches

Misuse of the mobile phone will be dealt with using the same principles set out in the Student Behaviour policy, with the response being proportionate to the severity of the misuse.

Students 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 students

Students 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 8:00am and 5:30pm 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, also during break and intervals between classes
  - 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 student 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 student's responsibility.
- If asked to do so, content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to the Head of School or designated member of staff. This will only be done if there is good reason to suspect unacceptable use of the phone.

## 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, filming or making audio recordings of staff or other students without their knowledge or permission.
- Photographing, filming or making audio recordings of staff or other students in toilets, changing rooms and similar areas, unless for an approved art project.
- 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 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 students 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

Appropriate action will be taken by the School against those who are in breach of the acceptable use guidelines, in line with the Student Behaviour policy.

In addition:

- Staff may confiscate a student's phone where the guidelines have been breached. If a phone is confiscated, the member of staff 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 and 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. The 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 student 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.
- the 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 (not the student) 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 of School, the phone may be returned to the student at the end of the confiscation period.

- where a student persistently breaches the expectations, following a clear warning, the Head of School 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 of School 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.
- The Head of School will decide whether an incident should be reported to police.

## **Appendix 1 - Guidance on confiscation**

DfE guide on screening and searching (Section 12)- 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>

## Appendix 2 - Legal context

### Common Offences Related to the Misuse of Mobile Telephones

The key to both offences below is that the message/picture/audio/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



## Mobile Phone Acceptable Use Contract for Students

Students 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 8:00am and 5:30pm 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, if required by the tutor
  - May only be used with the express permission of the tutor
  - May only be used for study purposes, when dealing with school matters or in emergencies
- In the rest of the School and outside of school hours and tutorial hours mobile phones may be used for personal reasons.
- No student 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 student's responsibility.
- If asked to do so, content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to the Head of School or designated member of staff. This will only be done if there is good reason to suspect unacceptable use of the phone.

### Unacceptable use

Although not exhaustive, the following is a list of examples unacceptable use of the mobile phone, which constitute a serious breach of the school's behaviour policy and may result in sanctions being taken.

- Photographing, filming or making audio recordings of staff or other students without their knowledge or permission
- Photographing, filming or making audio recordings of staff or other students in toilets, changing rooms and similar areas, unless for an approved art project
- 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 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 students will be considered a breach of guidelines in the same way as unacceptable use taking 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

Appropriate action will be taken by the School against those who are in breach of the acceptable use guidelines, following the School's Behaviour policy.

In addition:

- The School may confiscate the phone where guidelines have been breached. 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.
- The police will be informed if there is a serious misuse of the phone and 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.

### Agreement and Understanding

*By signing this document, the school assumes you have read, understood and agree to all of the above.*

Student name & signature:

Date: