



# WILLOW TREE Academy



THE LEAF CENTRE



## Pupil's Personal Electronic Device Policy

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## **Statement of intent**

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

We accept that personal mobile phones and tablets are often given to pupils by their parents to ensure their safety and personal security, but understand that such devices pose inherent risks and may jeopardise the learning environment.

As an Academy, 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 pupils may wish to bring additional devices to school for other reasons. This policy establishes how personal electronic devices should be used by pupils in school and at home to ensure both personal safety and an appropriate learning environment.

## **1. Legal framework**

1.1. This policy has due regard to all relevant legislation and statutory guidance including,

but not limited to, the following:

- DfE (2018) 'Keeping children safe in education'
- DfE (2018) 'Searching, screening and confiscation'
- The Data Protection Act 2018
- The General Data Protection Regulation (GDPR)
- [New] The Voyeurism (Offences) Act 2019

1.2. This policy operates in conjunction with the following school policies:

- Anti-bullying Policy
- E-safety Policy
- Data Protection Policy
- Searching, Screening and Confiscation Policy
- Child Protection and Safeguarding Policy
- Complaints Procedures Policy
- Pupil Personal Electronic Devices Agreement

## **2. Key roles and responsibilities**

2.1. The governing board has overall responsibility for:

- The implementation of the policy and procedures.
- Ensuring that the policy, as written, does not discriminate on any grounds.
- Reviewing the policy annually.

2.2. The headteacher has responsibility for:

- Handling complaints regarding this policy as outlined in the school's Complaints Procedures Policy.
- The day-to-day implementation and management of the policy.

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

## **3. Ownership and responsibility**

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

3.2. Pupils are responsible for replacing lost or damaged school property, including electronic devices.

## **4. Personal electronic devices**

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

- Mobile phones
- Personal digital assistants (PDAs)
- Handheld entertainment systems, e.g. video games, CD players, compact DVD players, MP3 players
- Portable internet devices, e.g. tablets, iPads

- Smart Watches
- Wireless handheld technologies or portable information technology systems, e.g. devices used for word processing, wireless internet access, image capture/recording, sound recording, and information transmitting/receiving/storing

## **5. Acceptable use**

- 5.1. Parents must be aware if their child takes a mobile phone or tablet to school.
- 5.2. Personal electronic devices will be switched off and handed in at the start of every day. Devices will be collected before going home. All devices must be handed in.
- 5.3. Mobile phones will not be used in school. The school office will communicate with any parents.
- 5.4. Pupils will not use electronic devices to access or attempt to access and age restricted apps or materials online.
- 5.5. Pupils may not use any portable flash drives to transfer school work.
- 5.6. All pupils are expected to sign the Pupil Personal Electronic Devices Agreement and confirm they understand what is expected with regard to the use of personal devices.

## **6. Unacceptable use**

- 6.1. Personal electronic devices will not be used in any manner or place that is disruptive to the normal routine of the school.
- 6.2. Unless express permission is granted by the headteacher, mobile devices will not be used to perform any of the following activities whilst on school grounds:
  - Make phone calls or video calls
  - Send text messages, WhatsApp messages, iMessages or emails
  - Access social media
  - Play games
  - Take photographs
  - Use any other application during school time and other educational and pastoral activities such as after school clubs.
- 6.3. Files will not be sent between mobile devices, and Bluetooth and Wi-Fi functions will be disabled while on school premises.
- 6.4. If pupils fall ill during school hours, no mobile personal devices will be used to contact parents. The school office will contact parents.

6.5. Under no circumstances should personal electronic devices be taken into lessons. Phones will be handed to a member of staff for safekeeping during the day.

6.6. Under no circumstances will mobile devices be used in changing rooms or toilets.

6.8. Pupils will not attempt to befriend staff members on social media.

6.9. Under the Voyeurism (Offences) Act 2019, it is an offence to use devices to record an image beneath a person's clothing without consent and with the intention of observing, or enabling another person to observe, the victim's genitals or buttocks (whether exposed or covered with underwear), in circumstances where their genitals, buttocks or underwear would not otherwise be visible, for a specified purpose. This is known as upskirting and will not be tolerated by the school. Despite the name, anyone (including both pupils and staff), and any gender, can be a victim of upskirting.

6.10. 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.

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

## **7. Cyberbullying**

7.1. All personal electronic devices will be used in line with our E-safety Policy.

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

7.3. As part of our on-going commitment to the prevention of cyberbullying, regular teaching and discussion about e-safety will take place as part of PSHE lessons.

## **8. Sexting awareness**

8.1. For the purpose of this policy "sexting" is defined as the taking and sending, or receiving, of sexually explicit images or messages.

8.2. The school understands that sending an indecent image of an individual under the age of 18 is unlawful, even if the individual sends one of themselves. Similarly, the school understands that the sharing of an image of a child – even if it has been shared with consent – is a criminal offence. As such, the school takes its approach towards sexting very seriously and all cases will be fully investigated and reported to the Police.

8.3. Staff members will receive training about sexting on an annual basis – which will address various elements, including the following:

- What sexting is and how young people engage in this way
- The legalities surrounding sexting

- Their responsibility to be aware of sexting
- How to recognise instances of sexting
- How to respond to any concerns or disclosures of sexting
- The school's response to sexting

8.4. Pupils will be educated about sexting – which will address various elements, including the following:

- What sexting is and how young people engage in this way
- The legalities surrounding sexting
- Who they should speak to if they have concerns
- How to report explicit images and messages
- The school's response to sexting

8.5. Parents will also be provided with information on an annual basis regarding sexting and the school's response – a booklet of information will be distributed to parents at the beginning of each academic year.

## **9. Coordinating a response to incidents of sexting**

9.1. All sexting incidents will be handled in accordance with the school's Child Protection and Safeguarding Policy.

9.2. Where a sexting incident occurs, the school will initiate the following response:

- The incident will be referred to the DSL immediately.
- The DSL will hold an initial review meeting with the necessary school staff.
- The DSL, and other relevant staff members if appropriate, will conduct interviews with all pupils involved.
- Parents will be informed as soon as possible and involved in the school's response, unless doing so would put a pupil at further risk of harm.
- Where a pupil has been harmed, or is at risk of harm, the incident will be referred to children's social care and/or the police without delay.
- If the incident involves extreme child pornography, the police will be informed immediately after the incident has been referred to the DSL.

### **The initial review meeting**

9.3. During the initial review meeting, the DSL will meet with any staff members involved in the incident, as well as other relevant staff members, and aim to establish:

- Whether there is an immediate risk to a pupil.
- If a referral should be made to children's social care and/or the police.
- Whether it is necessary for the DSL to view the imagery/message or not (further information in section 10).
- What further information is needed to decide on the best course of action.
- Whether the imagery/message has been shared widely and via what services or platforms, e.g. on social media.
- Whether immediate action needs to be taken to delete or remove images/messages from devices or other platforms.

- If there are any relevant facts about the pupils involved that need to be considered when conducting assessment of risk (further information at point 9.4)
- If any other schools, colleges, settings or individuals need to be contacted.
- How parents will be informed and involved in the school's response.

### **Assessment of risk**

9.4. The following will be considered when assessing risk:

- Why the image/message was shared, and whether the pupil was coerced or put under pressure to produce it
- Who has shared the image/message, where, and whether it has been shared and received with the knowledge of the pupil who sent it
- The impact on the pupils involved in the incident and whether they have any additional vulnerabilities, e.g. SEND
- Whether the pupil had provided consent – and if they understand what this is
- Whether the pupil has taken part in this kind of activity before

9.5. The DSL will make an immediate referral to children's social care and/or police if, at the initial review stage, it is determined that:

- The incident involves an adult.
- A pupil has been coerced, blackmailed or groomed, or if there are concerns about their ability to provide consent.
- What the school knows about the incident suggests the content depicts sexual activity – particularly images.
- The image involves sexual acts and the pupil in the imagery is below the age of 13.
- The image shows violence.
- The school has reason to believe that a pupil is at immediate risk of harm as a result of the image/message being shared.

9.6. Where none of the criteria in 9.5 apply, the DSL, in conjunction with the headteacher, will determine the appropriate response and may choose not to involve children's social care or the police; however, if further information comes to light, the DSL may decide to escalate the incident at any stage.

9.7. The DSL will only decide not to refer the case to children's social care and/or the police if they are confident that the risks can be managed effectively by the school. The best interests of the pupils involved, and their welfare, will be central to the DSL's decision.

9.8. If a pupil has shared an image/message consensually, and there is no intended malice, the school will resolve the incident directly, without involvement from other stakeholders.

9.9. Any incidents caused by an aggravated factor or where consent has not been provided will involve children's social care and/or police.

## **10. Resolving sexting incidents**

10.1. If an incident involves children's social care and/or the police, the DSL will resolve the response in line with their investigation.

10.2. The DSL will not usually view any imagery involved in an incident unless they are satisfied that doing so is:

- The only way to make a decision about whether to involve other agencies.
- Necessary to report the image to a website, app or other reporting agency to have it removed.
- Unavoidable because a pupil has presented the image directly to a staff member or it has been found on a school device/network.

10.3. Where it is necessary to view the image in line with 10.2, the DSL will first discuss the decision with the headteacher, and will:

- Not copy, print or share the imagery.
- Ensure viewing is undertaken by themselves or another member of the safeguarding team with permission from the headteacher.
- Ensure the viewing takes place with another member of staff in the room – usually the headteacher.
- Ensure viewing takes place on the school premises, wherever possible.
- Ensure that images are viewed by an individual of the same sex as the pupil in the image, wherever possible.
- Record the viewing of the imagery in the school's safeguarding records, which includes the following:
  - Who was present
  - Why the image was viewed
  - Any actions taken as a result of the image being viewed
  - A date and signature of the staff members who have viewed the image

10.4. Once it has been determined that a pupil is not at immediate risk, the DSL and any other relevant staff members will conduct interviews with all those involved to determine the best course of action. The purpose of these interviews is to:

- Identify what the image contains and whether anyone else has been involved.
- Find out who has seen or shared the content and how further distribution can be prevented.
- The pupil's feelings towards the incident.
- What device the content is on and which device it has been shared from.
- Whether any adults were involved.

10.5. If the DSL has decided no other stakeholders should be involved, consideration will be given to deleting the imagery/message from devices and any other services.

10.6. The DSL will not search through devices to delete any content unless there is a clear, good reason to do so.

10.7. In most cases, the pupil will be advised to delete the image and will be asked to confirm when they have done so. They will be given a deadline for deletion across all devices, online storage or social media sites.

10.8. All pupils involved will be informed that possession of this content is illegal and if they refuse to delete the content, or it is later discovered that it has not been deleted, they are committing an offence.

10.9. Parents of pupils involved in the incident will be informed without delay, unless doing so would put a pupil at risk of harm.

10.10. Details of the full incident, including dates, times and persons responsible, will be held by the school – this includes the following:

- Outcomes of the initial review meeting
- The assessment of risk
- The response actioned
- Outcomes of the interviews held with pupils involved
- Any further action taken

## **11. Spot checks**

11.1. A staff member may ask a pupil to show them what they are doing on their mobile phone or tablet if they reasonably believe that the pupil is using the device to cause harm.

11.2. A staff member may ask a pupil to give them any electronic devices at any time including personal storage and flash drives.

11.3. Pupils are required to comply with any request to check their mobile phone, tablet or flash drive.

11.4. Pupils are required to comply with any request to disable the screen lock function of their phone and show any staff member what they are doing.

11.5. All spot checks will be conducted in line with the school's Searching, Screening and Confiscation Policy.

## **12. Accessing and storing data**

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

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

12.3. More information about accessing data can be found in our Data Protection Policy.

### **13. Sanctions**

13.1. Using a personal electronic device is a privilege which can be revoked at any time.

13.2. Any pupil caught acting in a manner that contradicts the policy will have their personal electronic device confiscated until the end of the day.

13.3. Confiscated personal electronic devices will be locked away securely in the headteacher's office.

13.4. Confiscated personal electronic devices must be collected by the pupil's parents.

13.5. Bullying via personal electronic devices will be dealt with in line with our Anti-bullying Policy.

13.6. Pupils caught taking mobile phones or tablets into examinations will be banned from bringing personal electronic devices into school and will have their devices confiscated until the end of term. They may also risk being disqualified from additional examinations.

### **14. Policy review**

14.1. This policy is reviewed every year by the headteacher and DSL.

14.2. Any changes to this policy will be communicated to members of staff by the headteacher.