



## **THE CAVENDISH SCHOOL Mobile Phone Policy**

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## **POLICY TITLE: Use of Mobile Phones in School**

### **B RATIONALE**

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 pupil's learning experiences.

In recent years we have had 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.

The implementation of our mobile phone policy will not cause any problems for the vast majority of students at The Cavendish School, who use their mobile phones sensibly and within the school policy. For clarity, the school considers other devices such as smart watches and tablets as being covered by all aspects of this policy.

The policy exists at The Cavendish School to provide a framework for supporting an inclusive culture of learning where all students will be challenged in their thinking, to achieve to the best of their abilities and strive to become lifelong learners. We will empower our students to become respected citizens to enable them to make valuable contributions both locally, and globally, as well as to contribute to our world's sustainable future. This can be done most effectively when all staff, parents and students understand their responsibilities and work together towards the same goals.

This policy, which is in line with Government guidelines and is based on research from The London School of Economics, that suggests, restricting mobile phone use can be a low-cost policy to reduce educational inequalities and improve outcomes. The Cavendish School Policy, is to restrict the use of mobile phones in school. This has become necessary because we, in common with schools throughout Britain, have occasionally experienced problems caused by the inappropriate use of mobile phones. This usually means that a text, social media interaction or call distracts students' attention from their studies but it can include much more serious issues and misuse;

The following are examples of misuse but are not exclusive. '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 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 pupils.

General disruption to learning caused by pupils 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 pupils, who may be on a child protection plan, where this may put them at additional risk.

### **The Cavendish School Character Development: Commitment to Equality and Diversity**

This school believes and follows a set of fundamental values designed to enable all students and adults connected with our community to flourish and succeed, regardless of background or circumstances. We are determined to be open to people, places, methods and ideas—and as such, equality and diversity are at the heart of everything we do. Our continued dedication to social justice and equality of opportunity is embodied in everything we do.

We are creating an **inclusive** school community where:

- People are treated with dignity and respect
- Inequalities are challenged
- We anticipate, and respond positively to, different needs and circumstances so that everyone can achieve their potential
- We value diversity and we recognise that different people bring different perspectives, ideas, knowledge and culture, and that this difference brings great strength.
- We believe that discrimination or exclusion based on individual characteristics and circumstances, such as age; disability; caring or dependency responsibilities; gender or gender identity; marriage and civil partnership status; political opinion; pregnancy and maternity; race, colour, caste, nationality, ethnic or national origin; religion or belief; sexual orientation; socio-economic background; trade union membership status or other distinctions, represents a waste of talent and a denial of opportunity for self-fulfilment.
- We recognise that patterns of under achievement at any level and differences in outcomes can be challenged through positive intervention activities designed to bridge gaps.
- We respect the rights of individuals, including the right to hold different views and beliefs. We will not allow these differences to be manifested in a way that is hostile or degrading to others.
- We expect commitment and involvement from all our staff, students, partners and providers of goods and services in working towards the achievement of our vision.

After considering evidence from a range of sources (including government publications) and following discussions with senior colleagues and governors, we have decided to take a very firm stand on issues associated with inappropriate use of mobile phones in our school. The school is evangelistic about its moral structure and core values and we believe that we have a duty to draw clear boundaries that everyone understands. This role extends to include helping all students to understand the social and moral issues associated with the use of new technologies.

These new technological developments combined with the ever-changing world that our young people are growing up in present new and unprecedented challenges for schools.

Mobile Phone technology has seen unprecedented advances in recent years and it is apparent that many students have access to “smart phones” with immense capacity. Generally, problems associated with the inappropriate use of mobile phones fall into four categories: –

- **Image Capture** – students take and then circulate inappropriate images of students or members of staff using a variety of social media, including facebook, snapchat, youtube and Instagram. These images are often taken without an individual’s consent and without their knowledge. Circulation of such images can be designed to intimidate, denigrate or embarrass individuals. Similarly, students can access unacceptable images from the internet, including pornographic or violent images, and then “send them” on to others.
- **Bullying and intimidation** – mobile phone technology can be used to send images, text and videos with ease and unfortunately, some students use this capability to intimidate or bully other children. Such behaviour is clearly unacceptable and would be dealt with through the school’s behaviour and code of conduct procedures. “Sexting” and the sending of sexualised images would also be included in this category.<sup>1</sup>
- **Using a mobile phone in class** – including texting to friends or family, receiving calls or accessing social media sites in order to contact others. Such misuse of a mobile phone can be very distracting and disruptive for both the individual and others in the class.
- **Inappropriate contact with parents or others** – this usually occurs after an “incident”. A student might contact home complaining about an incident or event in school, without seeking the school’s permission and this can then trigger a sequence of upset and trauma which the school can do little to control.

The use of social media sites can be of considerable benefit and the school actively promotes such access via its properly controlled subject twitter accounts or other recommended sites which are deemed educationally and socially beneficial. Unfortunately, unregulated access to social media frequently leads to individuals placing themselves in vulnerable or dangerous situations or can result in the on-line intimidation or “bullying” of individuals or groups of people.

It is also apparent that individuals accessing a range of inappropriate or dangerous sites place themselves at risk of radicalisation or emotional and psychological damage which can be long term.

At the extreme end there are a number of aspects of law that may apply to the misuse of mobile phones and other digital devices. In the most serious cases there may be a crime involved – for example, an incident being filmed might be an assault or breach of the peace. The misuse of phones might be an offence under the Communications Act 2003, if it involves a message that is grossly offensive or is of an indecent, obscene or menacing character.

Our mobile phone policy aims to deal with these problems by banning the use of mobile phones in the school building during the school day without the explicit approval of a member of staff. Students can use their phones appropriately outside of the school building during break and lunch periods. If they are brought into school they should be switched off or on silent mode and kept out of sight. They should be kept in bags, lockers or internal pockets (they must not be stored in the external blazer breast pocket). We are not preventing students from carrying mobile phones but wish them to be used sensibly and with consideration. The school is not responsible for the loss, damage or theft of any personal mobile device

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<sup>1</sup> Staff should never attempt to view images where there is any evidence or suspicion that they are of an inappropriate or sexualised nature. In such cases, the student should be asked to turn off the phone and the phone then handed to the school’s designated DSP, who would almost certainly refer the matter to the police.

Students are not permitted to listen to music or access other media during lessons. However, there will be occasions when they are actively encouraged to use their phones by teaching or other staff. For example, they might be encouraged to download an image of set homework from a PowerPoint presentation.

It is expected that all staff will adhere to the same code of conduct concerning the use of mobile phones and only use their phones when in private. Similarly, sixth formers are restricted to using their phones within the Sixth Form building and only in their designated study areas.

If parents have an emergency and need to contact their child, then they should do this via the normal school channels on 01442 404333. They should not attempt to contact their child using their mobile phone.

### C Purpose

1. To clarify for staff, students, and parents that the inappropriate use of mobile phones in school or during school supervised activities can be damaging to the aims of our community and the well-being of members of that community.
2. To provide precise information and clarity regarding acceptable use of mobile phones.
3. To provide clear information as to the nature and imposition of appropriate sanctions, with due consideration to our behaviour and code of conduct policies.
4. To foster an environment within which individuals can flourish without fear or menace.

### D GUIDELINES

- i. On balance, we discourage students from bringing mobile phones to school. However, we accept that some students and parents see possession of mobile phones as an aid to personal security and safety and consequently, **mobile phones are not banned**.
- ii. Where a student does bring a mobile phone to school, the phone must remain switched off during the school day (or on silent mode), be kept out of sight and may not be used within the school building for any purpose or during approved off-site activities (such as sports fixtures or educational trips). The **only** exception to this would follow express approval by a member of school staff in designated situations or areas.
- iii. Students can use their mobile phones for personal use outside of the school building but must always adhere to the acceptable use boundaries outlined in this policy.
- iv. The school will not accept liability for the safe keeping of a mobile phone which will remain the responsibility of the student at all times. As is normal practice with all valuables, students would want to hand in their mobile phones for safe keeping when in the P.E. area. Only in exceptional circumstances (usually involving other breaches of our code of conduct) would the school investigate the theft or loss of a mobile phone.
- v. As is the case with all examples of unacceptable behaviour, inappropriate use of a mobile phone will lead to the application of proportionate sanctions, including temporary confiscation. All breaches of good conduct are considered on an individual basis taking into account the nature of the offence, its context and the prior behaviour history of the student concerned. The headteacher or other member of the senior team will retain discretion in the application of sanctions depending on the nature of the individual situation considered. The procedures section below outlines responses to many common situations of inappropriate use of mobile phones.

## Example PROCEDURES

Common Situations and Questions	Response – including sanctions
1. A student is caught in possession of a phone (that is, it is in view)	The student will receive a warning and the phone should be put away – any further breaches would move sanctions to the next level.
2. A student's phone rings during a lesson or he/she receives notification of a message	The teacher will confiscate the phone which will be kept in safe keeping in a labelled wallet in student services. The incident will be recorded in on SIMs and he/she will receive a C3 for disturbing learning. The student can collect the phone at the end of the day from student services.
3. A student uses a phone (to speak, text or access social media) in school.	The teacher will confiscate the phone and record the event on SIMs and a C4 issued. The phone can be collected at the end of school. A letter will be sent home and the student will be placed on a 1.5 hour detention after school. The student will be banned from bringing a phone to school for up to 2 weeks.
4. Without authorisation, a student uses the phone to communicate with a parent or other person in response to an incident at school	<p>Typically, this might involve a call to a parent to complain about an incident in school. This is wholly unacceptable as it circumvents the school's clear procedures for dealing with any behaviour or other incident in school. It would often mean that the parent is contacted by an upset child and provided with a distorted or inappropriate interpretation of what has transpired – sometimes leading to an angry or misinformed response from the parent. Similarly, it is not permitted that students telephone home to inform parents that they are unwell and need to be collected from school.</p> <p>The phone will be confiscated (as above) and can be collected by the parent at the end of school. A letter will be sent home and the student will be placed in a C4 1.5 hour detention after school. In addition, the student will not be allowed to bring a mobile phone to school for a minimum of 14 weeks but this may be longer at the discretion of the Headteacher.</p>
6. A student records images of a fight or other altercation between students. Similarly, images of students are recorded without permission with the intention of causing ridicule or intimidation.	The student will face a fixed term exclusion of up to five days and parents will be asked to attend school to discuss methods of preventing further misuse and to collect the phone following confiscation. The student will not be allowed to bring a mobile phone to school for a minimum of 14 weeks but this may be longer at the discretion of the Headteacher. Should it be discovered that the student has posted such images/video clips on the internet (for example, via YouTube or facebook) or has transferred them to other devices they would face a longer exclusion and under some circumstances, permanent exclusion. For example, investigations show the action to be malicious and/or part of a wider bullying or intimidation campaign or the behaviour has been repeated.
7. A student	The student will face a fixed term exclusion of up to five days and parents

<p>records an unauthorised picture or video clip of a teacher or other member of staff.</p>	<p>will be asked to attend school to discuss methods of preventing further misuse and to collect the phone following confiscation. The student will not be allowed to bring a mobile phone to school for a minimum of 14 weeks but this may be longer at the discretion of the Headteacher. Should it be discovered that the student has posted such images/video clips on the internet (for example, via You Tube) or has transferred them to other devices or media they would face a longer exclusion and under some circumstances, permanent exclusion. For example, the action was investigated and considered to be repeated or malicious or that such images/clips were damaging to the good reputation or professional standing of the individual teacher and/or The Cavendish School. It should be noted that the member of staff concerned might take further independent action, perhaps following consultation with their professional association.</p>
<p>8. Inappropriate messages are sent during school hours or activities (including messages of a threatening or bullying nature)</p>	<p>The context and nature of the messages sent will be crucial in determining the severity of the response. For example, if the messaging is repeated behaviour or part of a wider bullying campaign, the level of sanctions will be much higher than for a “one off” occurrence and are likely to include internal or external exclusion (refer to anti bullying and behaviour policies). However, as above, parents will be invited to school to collect the confiscated phone and to discuss ways of preventing similar unacceptable behaviour in the future. As outlined previously, a ban of 14 weeks or more on bringing a phone to school will be imposed.</p>

At all times, the school will consider each set of circumstances on a case by case basis before determining a course of action or applying proportionate responses.

The school fully supports the use of mobile phones in a sensible and socially responsible manner. We realise that they can be powerful learning tools and there are many examples where students have used phones positively in a learning context with the clear approval of a member of staff. As with all policies at The Cavendish School, we welcome feedback from students and parents and are constantly striving to improve our procedures in order to ensure good order and student safety and happiness within our inclusive community.

This policy should be read in conjunction with the Behaviour and Bullying Policies.

## **Appendix 1 - Guidance on Confiscation:**

DfE guide on screening and searching - What the law allows;

“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/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

<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 are available to support teachers, parents and pupils 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 are 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](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](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>

#### **For pupils**

Newsround article on happy slapping including advice for pupils on what to do if it happens to them

[http://news.bbc.co.uk/cbbcnews/hi/newsid\\_4490000/newsid\\_4498700/4498719.stm](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.

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>

## **Appendix 6**

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

Looked after pupils. 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. This should be discussed with the designated teacher for LAC in school.

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.

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.