



**KING'S COLLEGE SCHOOL**

**PANAMA**

# Mobile Phone and Electronic Equipment Policy

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## **Introduction**

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. Equally, in recent years schools have recorded an increased number of incidents of poor conduct where mobile phone use has been a feature. This has been particularly difficult to address if it is an element of bullying behaviour. Bullying, intimidation and harassment are not new in society; however bullying using a mobile phone represents a new challenge for schools to manage.

Mobile phones, tablet computers 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.

## **Terminology:**

In this policy "Mobile Phone" refers to any type of mobile phone or smart phone. "Mobile phone" also refers to any mobile electronic device with internet access, such as a tablet and iPad, which has the ability to use online communication services such as Facebook, Email, Whatsapp, Skype, Facetime, et al; this list of apps is not exclusive.

## **Principles of Use**

For reasons of safety, pupils are discouraged from bringing these items to school. The school takes no responsibility for the loss of these items in school. Within the school campus, these items are not to be used unless an exception to this rule occurs in the case of genuine emergencies and or a direct instruction is given by a teacher.

## **Inappropriate use of Mobile Phones:**

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

The following are examples of misuse but are not exclusive. 'Misuse' is defined 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 sexually 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, other staff 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;

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- Publishing photographs of vulnerable pupils, who may be on a child safeguarding protection plan, which may put the person concerned 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 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.

Parents may be asked to come into school to collect a confiscated phone and if it is not returned to the pupil at the end of the day. Any confiscated phone will be kept securely.

Where it is deemed necessary to examine the contents of a mobile phone this will be done by a designated member of staff and only with the appropriate consent having been given by the pupil. 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 into school. If they choose to do so it is on the understanding that they agree with the following limitations on its use, namely:

- Mobile phones are brought into school at the owner's risk. The school will not accept responsibility for loss or damage to phone
- Mobile phones must be switched off between arrival and departing the school (7.45 am – 4.45pm)
- Mobile Phones must be handed in to the Form Tutor and/or reception
- The phone must be kept out of sight in the building.
- No pupil may take a mobile phone into a room or other area where examinations are being held.
- If asked to do so, and it is appropriate, content on the phone (e.g. messages, emails, pictures, videos, sound files) will be shown to a teacher
- Within the school campus, these items are not to be used unless an exception to this rule occurs in accordance with this policy or in the case of genuine emergencies and or a direct instruction is given by 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 unless permission has been given by the appropriate member of staff
- 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 handing over the phone at the request of a member of staff

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- 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 ability to fulfil the stated aim of providing a safe learning environment for the wellbeing of pupils and staff and 'a clear moral and ethical lead'.

**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 schools 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 then it should be immediately handed to the Head of Secondary who will keep it locked in his office. School will ensure that confiscated equipment is stored in such a way that it is returned to the correct person.
- The pupil will be informed that the phone should be collected on the Friday of that week at 15.30 from the Head of Secondary or nominated senior member of staff.
- The teacher that has confiscated the equipment should put a note on the ISAMS for monitoring purposes about the incident including how and where the equipment was being used.
- In the case of repetitive confiscation or in the case of serious misuse the item should not be returned to the child. The parents should be invited to collect it personally, at which point the matter will be discussed further. 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 bringing a mobile phone to school. This may be for 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 School will consider whether an incident should be reported to the safeguarding Governor. The designated staff member should monitor repeat offences to see if there is any pattern in the perpetrator or the victim which needs further investigation.

### **Parents' Use of Mobile Phones on school site**

Parents are not allowed to use their mobile phones or their camera facility whilst in the school building or site. School policy on this matter will be explained to parents and placed on the school website.

During group outings nominated staff will have access to a school mobile or IPAD which may be used for photographs or for contact purposes.

In the case of school productions parents / carers are permitted to take pictures of their own children in accordance with school protocols which strongly advise against the publication of any such photographs on social networking sites.

### **Staff use of personal devices**

Staff are not permitted to use their own mobile phones or devices for contacting pupils, young people or those connected with the family of the student. Staff will be issued with a school phone where contact with pupils, parents or carers is required, for example a mobile on school trips or staff based landline in departments or school offices.

- Mobile phones and personally-owned devices will be switched off or switched to 'silent' mode and not used during teaching periods unless in emergency circumstances.
- Staff should use mobile phones in designated areas such as the staff room away from children; not in open areas and within view of children regardless of the time of day.
- Staff should not use personal devices such as mobile phones or cameras to take photos or videos of pupils and will only use school provided equipment for this purpose.
- If a member of staff breaches the school policy then disciplinary action may be taken as appropriate.
- Staff use of mobile phones during the school day will be limited to the morning break, lunch break and after school.
- Staff should ensure that their phones are protected with PIN/access codes in case of loss or theft.
- Staff should not send and receive texts in classrooms or use personal camera phones at any time.
- Staff should never contact pupils from their personal mobile phone, or give their mobile phone number to pupils. If a member of staff needs to make telephone contact with a parent, a school telephone should be used.
- Staff should never store parents' or pupils' telephone or contact details on their personal mobile phone, as this allows the possibility of inappropriate contact.
- Staff should never send, or accept from anyone, texts or images that could be viewed as inappropriate.
- If a member of staff suspects a message, text or similar may contain inappropriate content it should not be opened but a senior member of staff, preferably the DSL should be contacted

<p><b>Created and Reviewed by:</b> Dawn Akyurek, September 2016 Reviewed and updated to contextualize for Panama, Simon Nixon May 2019,  Reviewed by Nigel Fossey September 2021  Reviewed by Nigel Fossey, Chinua Troupe (DSL), Matt Lawrence and Jo Sharples, November 2022</p>	<p><b>Policy Category:</b> <b>Health and Safety</b></p>
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## **Appendix 1 - Guidance on Confiscation**

### **Important Note:**

In the case of a conflict between Spanish and UK law, Spanish law takes precedence. In the case of confiscation of mobile phones and the viewing of the content of mobile phones, careful attention should be paid to Spanish law which in certain circumstances protects the privacy of persons including mobile phone and tablet computer data. In such cases, advice should be sought from the Directora Technica or IT department.

### **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>

## **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 – sources of help**

### **Resources**

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.

### **Childline**

<http://www.childline.org.uk/>

**Child Exploitation and Online Protection Centre**

<http://www.ceop.police.uk/>

**Appendix 4**

**Safeguarding concerns which may be raised by mobile phone use in 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.

For advice please see <https://ceop.police.uk/safety-centre/>