



# Tuition, Medical and Behaviour Support Service

## Mobile Phone Policy

<b>Adopted:</b>	25 February 2019
<b>Reviewed:</b>	March 2022
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<b>Governing Committee:</b>	24 January 2019
<b>Responsibility:</b>	Greg Portman

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 and this has resulted in safeguarding concerns. 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 following are examples of misuse but are not exclusive. '**Misuse**' will be at the discretion of the Head of Service:

- 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
- publishing photographs of vulnerable pupils, who may be on a child protection plan, where this may put them at additional risk.

To minimise the misuse and disruption to learning, mobile phones are **not permitted** in Centre. If students travel to Centre with a phone it should be handed into Reception on entry. However, TMBSS do not accept responsibility for damage or loss and students are advised to leave all devices at home. If staff suspect a phone is being concealed, then we reserve the right to use a metal detector.

If you need to contact your child within school hours, then you can call them at their Education Centre on the following numbers and not on their mobiles:

Bridgnorth Education Centre:	01746 764733
Hook A Gate Education Centre:	01743 367369
Ludlow Education Centre:	01584 876129
Oswestry Education Centre:	01691 653134
Sundorne Education Centre:	01743 368190

## 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.

## Sanctions

Pupils and parents are notified that appropriate action will be taken against those who are in breach of the Mobile Phone Policy, following the school's behaviour policy.

- 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.
- Where a pupil persistently breaches the expectations, following clear warnings,
  1. The parents will be asked to attend a meeting with a senior member of staff and the concerns and consequences will be discussed.
  2. If a pupil continues to use a phone in school this could result in a fixed term exclusion.

## Where the phone has been used for an unacceptable purpose

- School will consider whether an incident should be reported to the safeguarding board.
- 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.

## Appendix 1 - 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 2 - 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.