



# North London Grammar School

## Mobile Phone Policy

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<b>Approved by</b>	Mr. Adak, Headteacher
<b>Next review due by</b>	September 2021



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## 1. Rationale

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NLGS recognises that mobile phones are part of modern society and the majority of students will now own a mobile phone. We understand that for safety reasons students will carry a mobile phone in order to contact parents/carers after school/before school. 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.

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.

However, mobile phones can lead to several problems in school, for example bullying, disruption to lessons and inappropriate web usage. As a school we strongly encourage our students to talk to each other and develop friendship groups at break and lunchtime, as opposed to using their mobile phones. As a result the use of mobile phones during school hours is completely forbidden, and students found using their mobile phone during school hours will be dealt with in accordance with this policy.

Under Section 94 of the Education and Inspections Act 2006, where a teacher disciplines a pupil by confiscating an item, neither the teacher nor the school will be liable for any loss or damage to that item. Equally, there is no statutory liability on schools for items that go missing in other ways. Pupils are reminded that bringing such items into school is done so at their own risk.

### 1.1 Purpose

- To clarify the school position on mobile phones.
- To ensure that staff, students and parents are fully conversant with the policy and understand the reasons for the policy.
- To support our behaviour management policy, which aims for outstanding behaviour and safety of students across the school.
- To ensure that student welfare and safeguarding incidents associated with mobile phones are minimised.

## 2. Misuse of Mobile Phones

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

Examples of misuse include:

- 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 Snapchat 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). Anyone who has or sends indecent images of someone under the age of 18 is **breaking the law**. Both having and distributing images of this nature is an **offence under the Sexual Offences Act 2003**. Encouraging someone to take or send 'sexts' can also be **illegal**.
- 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.
- Photographing or filming staff or other pupils without their knowledge or permission.
- Photographing or filming in toilets, changing rooms and similar areas.
- 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.

### 2.1 Guidelines and acceptable use

- Mobile phones must remain **switched off** during school hours. And whilst on the school premises. This includes break and lunchtimes. It is not acceptable for phones merely to be put on silent or pager mode.
- Mobile phones must not be used anywhere on the school premises, including outside, for example, the car parking areas, the multi-use games area (MUGA).
- All mobile phones must be labelled.
- The security of phone will remain the pupil's responsibility in all lessons including PE.
- Students are allowed to use their phone to contact home relating to safety/transport, home reasons after a drama, music or sporting activity. In this instance staff will allow students to use their phone on the school site, if this is appropriate.
- Students must not use their phone to listen to music (or call/receive a call) if they are cycling to school. Students should also be mindful of traffic and dangerous situations if using their phone when walking to and from school.
- Students will receive assemblies explaining the mobile phone policy and the policy will be placed on the school website for parents/carers to access.

## 3. Sanctions

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- Any student seen using their mobile phone during school hours will have their phone confiscated. **Phones must not be seen or heard**. This includes the use of 'Smart' or Apple



watches – the use of these is not allowed as they are effectively mobile phones and will be treated as such.

- Serious misuse will lead to the confiscation of a pupil's mobile phone, communication with parents and imposition of sanctions detailed below, including exclusion from school. If the offence is serious, it will be reported to the police. It is legally recognised that parents are responsible for the phone and any issues resulting from the phone when it is used by a 'minor'.

### 3.1 Phone Confiscation - 1<sup>st</sup> Incident.

- Confiscated phones will be taken to reception by the teacher, where the phone will be secured in the school safe and will be logged by the reception staff.
- The incident will be recorded on KSM as a C1 (the school behaviour log for monitoring purposes.)
- On the **first** confiscation, students will be allowed to collect their phone at the end of the school day from the reception where they will be required to sign their phone out.
- **If the phone is confiscated after lunch then students can collect the phone at the end of the next school day**

### 3.2 Phone Confiscation – 2<sup>nd</sup> Incident

- The phone will be confiscated for **one** week. Parents will be called to collect the mobile phone from school.
- The incident will be recorded on KSM as a C2 (the school behaviour log for monitoring purposes.)
- Conferencing with form teacher (support)

### 3.3 Phone Confiscation – 3<sup>rd</sup> Incident

- The phone will be confiscated for **two** weeks. Parents will be called to collect the mobile phone from school and meet with the form tutor.
- The incident will be recorded on KSM as a C3 (the school behaviour log for monitoring purposes.)
- Restorative work as appropriate

### 3.4 Phone Confiscation – 4<sup>th</sup> Incident

- The phone will be confiscated for **three** weeks. Parents will be called to collect the mobile phone from school and meet with HOD (discuss targets of yellow report).
- The incident will be recorded on KSM as a C4 (the school behaviour log for monitoring purposes.)
- Conferencing with Student Services and HOD (support)
- The student will be placed on Yellow Report for two weeks



### 3.5 Phone Confiscation – 5<sup>th</sup> Incident

- The phone will be confiscated for **four** weeks.
- Parents will be called into school for a meeting with SLT to further discuss the reasons for this and how the student can be supported.
- The incident will be recorded on KSM as a C5 (the school behaviour log for monitoring purposes.)
- **Likely to lead to an internal exclusion, followed by Red Report for two weeks.**

### 3.6 Phone Confiscation – 6<sup>th</sup> Incident

- Where a pupil persistently breaches the expectations, the Head teacher/SLT may impose an **outright ban from bringing a mobile phone into school**. This may be a fixed period or permanent ban.
- The incident will be recorded on KSM as a C6 (the school behaviour log for monitoring purposes)
- **Likely to lead a Fixed Term Exclusion, followed by Red Report**

### 3.7 Phone Confiscation – 7<sup>th</sup> Incident

- When issues with mobile phones exist that involve serious misuse of the phone, transmitting images, cyber bullying etc.; parents will be brought into school and the Malicious Communications Act will be explained to them. This states that parents are responsible for the phone and any issues resulting from the phone when it is used by a 'minor'. This will lead to a C7 sanction and is likely to lead to permanent exclusion.
- The incident will be recorded on KSM as a C7 (the school behaviour log for monitoring purposes)
- Student banned to bring phone to school
- **Likely to lead to a Permanent Exclusion**

When a phone is confiscated parents need to be aware that there may be a time delay before the phone is able to be collected.

## 4. Examination of mobile phone content

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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.

The Head teacher 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 board and/or police.

## 5. Boarding students

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The School understands the importance of access to mobile technology for boarding pupils and the protocols in boarding houses reflect this. However, it is important that boarders observe the safeguards in place and there are additional sanctions for those who do not e.g. confiscation of mobile devices overnight. Please refer to the Boarding School Mobile Phone Policy.

## 6. Statutory and Guidance

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### 6.1 Appendix 1 - Guidance on Confiscation

DfE guide on screening and searching:

“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

<https://www.gov.uk/government/publications/searching-screening-and-confiscation>

DfE Behaviour and discipline guidance for school staff

<https://www.gov.uk/government/publications/behaviour-and-discipline-in-schools>

### 6.2 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).

#### 6.2.1 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

#### 6.2.2 Communications Act 2003

Section 127 covers all forms of public communications

127(1) a person is guilty of an offence if they:



- 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:

- send by means of a public electronic communications network, a message that they know to be false,
- causes such a message to be sent; or
- persistently makes use of a public electronic communications network.

### 6.3 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:

- they judge it to be a serious incident as defined below; [see full document]
- 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
- the child, parent or guardian or the child's representative asks the police to create a crime record.

For full description see: Crime Recording by Police Officers working in Schools

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/913721/count-general-sep-2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/913721/count-general-sep-2020.pdf)

### 6.4 Appendix 4 – 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.

#### ChildLine





<https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/mobile-phone-safety/>

NSPCC

<https://www.nspcc.org.uk/keeping-children-safe/away-from-home/at-school/>

Child Exploitation and Online Protection Centre

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

## **6.5 Appendix 5 – 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.