

# HOLY TRINITY COLLEGE



## **Mobile Phone & Smart Watch Technology Policy**

### **College Mission Statement**

**“Holy Trinity College is a Catholic Maintained school committed to high quality educational opportunities for each pupil to develop his/her unique talents to the full in a secure, caring environment”**

**Promoting: Inspiration, Innovation,  
Excellence**



**(Revised June 2023)**

## Mobile Phone and Smart Watch Policy

### Rationale:

Mobile phones are now a feature of modern society and most of our pupils own one. The increasing sophistication of mobile phone or smart watch technology presents a number of issues for schools including:

- the high monetary value of many phones and smart watches. They are a valuable piece of equipment prone to loss and theft
- the integration of camera into phone and smart watches can lead to potential child protection / data protection issues with regard to pupils filming events or each other, inappropriately taking pictures of events or each other and using or distributing images inappropriately
- the potential to use of the phone or smart watch e.g. for texting while on silent mode
- Inappropriate use of mobile phones or smart watches to bully other pupils
- Mobile and smart phone technology allows pupils to access the internet and bypass the school's safety network.

### Introduction:

Holy Trinity College strongly discourages pupils from bringing mobile phones into school and pupils and parents are reminded that the school cannot be held liable for any loss, damage or theft of the mobile phone. We understand that parents/guardians like the reassurance that these devices provide for them to make contact with their son or daughter **outside** the school day. During the school day, **in cases of emergency**, the school office should be the only point of contact. School staff will ensure that any pupil who is in an emergency situation, is reached quickly and assisted in an appropriate way. Smart watches should not be worn to school.

In addition, teachers and pupils have a right to teach and learn in a school environment that is safe and free from interruptions or distractions from mobile phones and other telecommunication devices not used for educational purposes.

If a pupil decides to bring a mobile phone into school, the mobile phone should not be visible from the blazer pocket for the duration of the school day.

Holy Trinity College wants to encourage the responsible use of mobile phones so that the benefits that mobile phones provide, can be enjoyed by all students.

### Responsibilities:

- Parents/Guardians should be aware when their child takes a mobile phone to school
- Pupils should ensure they keep their mobile phone safe at all times
- Pupils who bring mobile phones to school should abide by the school policy on mobile phone use.

### **Acceptable and Non-Acceptable Use of Electronic devices, including a mobile phone:**

<u>Acceptable use of Mobile phones</u>	<u>Unacceptable use of Mobile phones</u>
<ul style="list-style-type: none"><li>✓ Mobile phones should be switched off upon entering the College premises and kept off whilst on the school premises at all times (having it on silent mode is not acceptable). This includes break and lunchtimes</li><li>✓ Mobile phones may not be used on school property unless pupils have been given permission for their use by a member of staff</li><li>✓ Years 13 and 14 may use their mobile phones to listen to music, with the use of earphones, whilst in the study-room only, but the mobile phone must be kept out of sight</li></ul>	<ul style="list-style-type: none"><li>▪ Using a mobile phone in a time, location or manner that is not stated in the 'Acceptable use' section of the policy</li><li>▪ Pupils using mobile phone to inform parents that they are sick or unwell. All such communication must go through the school matron, or in her absence, the Head of Year, who will contact the parent/guardian</li><li>▪ Pupils using a mobile phone to communicate with a parent/guardian in response to a situation at school</li><li>▪ Parents contacting pupils to inform them of a family emergency or situation</li><li>▪ Pupils using unacceptable language while using a mobile phone</li><li>▪ Pupils using an electronic device to engage in personal attacks on another person, take/send photos, objectionable images or comments *</li><li>▪ Pupils using their device to take images of any pupil or member of staff without permission. This includes images captured during the school day or while representing the school. This includes journeys to / from school and during extra-curricular activities. *</li><li>▪ Pupils using a mobile phone to record images or videos or manipulate images or videos. *</li></ul> <p>(The Principal and The Board of Governors reserves the right to insist that any footage known to have been recorded on school premises or involving pupils in our school uniform be deleted before the confiscated device is returned.)</p> <p>* These points are linked to the school's Child Protection/Acceptable Use Policy</p> <p>** It should be noted that it is a criminal offence to use a mobile phone to menace, bully or offend another person. Almost all calls, text messages and emails can be traced by the PSNI.</p>

### **Mobile phones and smart watches during Examinations:**

Mobile phones and smart watches are banned from all examinations in Northern Ireland. Pupils must hand the mobile phone / smart watch to either the invigilator or member of the Senior Leadership Team collecting them as they enter the exam hall. Any pupil found in possession of a mobile phone or smart watch during an examination will have that paper disqualified. Such an incident may result in all other exam papers been disqualified.

## Sanctions:

If a student is found to be using a mobile phone in school, then the following procedures apply:

<b>** First Occasion</b>  <b>** Changed August 2019</b> <b>** Updated June 2021</b>	<ul style="list-style-type: none"><li>• The mobile phone or smart watch is confiscated and the parent/guardian informed by text by the admin team.</li><li>• The parent/guardian may collect the phone or watch, or designate a responsible adult to collect it, from the general office at the end of the school day between 3.20-5pm.</li><li>• Only a member of the Senior Leadership Team is authorised to return a confiscated device to parents/guardians.</li></ul>
Second and third occasion	<ul style="list-style-type: none"><li>• The mobile phone or smart watch is confiscated and the parent/guardian informed by text by the admin team.</li><li>• The parent/guardian may collect the phone or watch, or designate a responsible adult to collect it, from the general office at the end of the school day between 3.20-5pm.</li><li>• Only a member of the Senior Leadership Team is authorised to return a confiscated device to parents/guardians.</li></ul>
Subsequent Occasions	It will be recommended to parents/guardians that the device is kept at home or failing that, arrangements will be made to hand over the mobile phone/smart watch at the start of each day to the Vice-Principal for safe keeping.
Refusal to hand over a mobile phone, including Sim Card to a member of staff when requested	A Member of the Senior Leadership Team will be called and the phone will be immediately confiscated and contact made with the parent/guardian.
Breach of school rules from using a mobile phone / electronic device (Positive Behaviour for Learning Policy)	If a member of staff has any suspicion that a mobile phone has unsuitable material stored on it, or that a pupil has been engaged in sending an inappropriate text message(s)/ voice message(s), video recording(s), e-mail(s) or image(s) of either pupils or staff, or recording an event during the school day, and which may bring the College's name into disrepute and cause harm, he/she will experience appropriate disciplinary action. A breach of school rules by a pupil will result in a sanction and serious and/ or persistent breaches, will lead to a suspension / expulsion. The Parent / Guardian will be contacted prior to any examination of content and if such material has been discovered, all related content will be deleted before returning the device to the Parent / Guardian. The Principal / Vice-

	Principal / Designated Child Protection Teacher, have the right to ascertain if any inappropriate material / recording is present.
Referral to PSNI	In circumstances where there is a suspicion that material on a mobile phone may provide evidence relating to a criminal offence, the mobile will be handed over to the PSNI for further investigation. Parents / Guardians will need to recover the mobile phone from the PSNI in such circumstances.

### **Useful Websites:**

Parents who are concerned about their child's use of mobile phones may find the following websites useful - <http://www.stoptextbully.com/help/15/advice-for-parents-and-teachers> provides information on available resources for schools.

<http://www.ceop.gov.uk> provides a range of educational materials for younger pupils on the safe use of mobile phones, digital devices and the internet.

### **Theft or damage:**

Holy Trinity College cannot accept responsibility for mobile phones that go missing nor does it have the resources to conduct investigations into misplaced or stolen phones.

- Students should mark their mobile phones with their name.
- To reduce the risk of theft during school hours, pupils who carry mobile phones are advised to keep them in the inside zipped pocket of their blazer.
- Mobile phones that are found should be handed into reception.
- The school accepts no responsibility for replacing lost, stolen or damaged mobile phones / smart watches.
- It is strongly advised that pupils use passwords / pin numbers to secure their mobile phone. Pupils must keep their passwords / pin numbers confidential.

### **Pupil Advice:**

- All pupils should bear in mind that information they share through social networking applications, even if they are on private sites, is still subject to copyright, data protection and Freedom of Information legislation. It is never considered acceptable behaviour for staff or students to reference school business, policy, practice or members of the school community via any social media unless through an officially created and maintained account.
- Pupils will be sanctioned if their activities online bring the College's reputation into disrepute.
- Holy Trinity College accepts no responsibility for any privately owned devices brought into school. Pupils / staff are solely responsible for the safety (including content) of devices on their way to school, during school and on the return from school. It is the responsibility of pupils / staff to look after their own personal devices and therefore they should keep the devices with them at all times. The College is in no way responsible for personal devices that are broken, lost or stolen while at school or during school activities.

- Unsupervised use of digital devices is not permitted during the course of the school day. If they are used without permission, they will be confiscated and sent to the General office. Items will only be returned directly to parents, via a member of the Senior Leadership Team.
- Inappropriate use of digital devices or social media networks will result in a sanction.

These clear measures are being implemented to safeguard pupil welfare and enable staff and pupils to focus on learning. Failure to follow the Mobile Phone Policy is a serious breach of discipline and may invoke the Positive Behaviour for Learning Policy, which may result in suspension and / or expulsion.

#### **Policy Links:**

This policy is linked with the following College policies:

- ✓ Positive Behaviour for Learning Policy
- ✓ Anti-Bullying Policy
- ✓ Safeguarding and Child Protection Policy
- ✓ E-Safety Policy

#### **Current Legislation:**

##### **Data Protection Act 1998 & 2018 (GDPR)**

The Act requires anyone who handles personal information to comply with important data protection principles when treating personal data relating to any living individual. The Act grants individual rights of access to their personal data, compensation and prevention of processing.

<http://www.hmsso.gov.uk/acts/acts1998/19980029.htm>

##### **Human Rights Act 1998**

<http://www.hmsso.gov.uk/acts/acts1998/19980042.htm>

##### **Racial and Religious Hatred Act 2006**

It is a criminal offence to threaten people because of their faith or to stir up religious hatred by displaying, publishing or distributing written material, which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

##### **Sexual Offences Act 2003**

The new grooming offence is committed if you are over 18 and have communicated with a child under 16 at least twice (including by phone or using the Internet). It is an offence to meet them or travel to meet them anywhere in the world with the intention of committing a sexual offence. Causing a child under 16 to watch a sexual act is illegal including looking at images such as videos, photos or webcams, for your own gratification. It is also an offence for a person in a position of trust to engage in sexual activity with any person under 18, with whom they are in a position of trust. Schools should already have a copy of "*Children and Families: Safer from Sexual Crime*" document as part of their child protections packs.

##### **Communications Act 2003 (section 127)**

Sending by improper use of public electronic communications network, a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable on conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

### **The Computer Misuse Act 1990 (sections 1-3)**

Regardless of an individual's motivation, the Act makes it a criminal offence to gain:

- access to computer files or software without permission (for example using another person's password to access files)

### **Malicious Communications Act 1988 (section 1)**

This legislation makes it a criminal offence to send an electronic message (e-mail) that conveys indecent, grossly offensive threatening material or information that is false; or is of an indecent or grossly offensive nature if the purpose was to cause a recipient to suffer distress or anxiety.

### **Copyright Design and Patents Act 1988**

Copyright is the right to prevent others from copying or using work without permission. Works such as text music sound film and programs all qualify for copyright protection. The author of the work is usually the copyright owner, but if it was created during the course of employment it belongs to the employer. Copyright infringement is to copy all or a substantial part of anyone's work without obtaining the author's permission. Usually a licence associated with the work will allow a user to copy or use it for limited purposes. It is advisable always to read the terms of a licence before you copy or use someone else's material. It is also illegal to adapt or use software without a licence or in ways prohibited by the terms of the software licence.

### **Public Order Act 1986 (sections 17-29)**

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material, which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence.

### **Protection of Children Act 1978 (section 1)**

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison.

### **Obscene Publications Act 1959 and 1964**

Publishing an "obscene article" is a criminal offence. Publishing includes electronic transmission.

### **Protection from Harassment Act 1997**

A person must not pursue a course of conduct, which amounts to harassment of another and which he knows or ought to know amounts to harassment of the other.

A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

**The Freedom of Information Act 2000**

[http://www.ico.gov.uk/for\\_organisations/freedom\\_of\\_information\\_guide.aspx](http://www.ico.gov.uk/for_organisations/freedom_of_information_guide.aspx)

Signed.....(Chairman of Board of *Governors*)

Signed ..... (Principal)

Date .....

**Next Review Date:     June 2025**