

# GATEHOUSE SCHOOL



School policy for  
**MOBILE PHONE USE** and  
**INTERNET BULLYING**

March 2008



## **School policy for Mobile Phone Use and Internet Bullying.**

### **1: INTRODUCTION**

These guidelines serve as a set of both principles and procedures. In preparing this document, we have approached the issue within the spirit and the principles as established by the Education Authority, in the knowledge that the Authority will be able to support whatever subsequent actions we may need to take if the occasion demands. In forming these guidelines, those consulted have included headteachers, Authority officers, police and legal services.

### **2: BACKGROUND**

Until three or four years ago, the only issues for schools generally concerned the irritation of mobile phone ringing at inappropriate times, and the need to have suitable firewalls in order to block access to undesirable web sites. Since then, there have been a number of potentially disturbing developments.

One development has involved the misuse of the increasing trend for mobile phones which have the capacity to take photographic images, which can then be transmitted either to others or onto the internet (or both), and such incidents are often reported in the press or on TV related to this. These have included the 'setting up' and then filming of fights, attacks on staff or staff being deliberately provoked. They have also included the 'doctoring' of images in order to appear to show pupils or staff in compromising situations. Such images have found their way either around many phones, or onto websites.

Other issues concerning phones are the trend for the bullying of one pupil by others by means of offensive texting, the posting of offensive statements about other pupils or about teachers on a number of social networking websites which allow this. If these circumstances ever applied to ourselves, we would do everything possible in order to protect our pupils and staff from harassment and bullying, as such are particularly distressing and unremitting. The Education Authority would also wish to support us in this respect, and it is for this reason that these guidelines are being provided.

### **3: RATIONALE**

The school does not ban the presence of mobile phones completely, given that many parents now wish that their children carry phones for safety reasons (usually while journeying to and from school). For this reason, these guidelines are concerned with

how the situation in which pupils may be carrying phones can best be managed in order to avoid any problems.

#### 4: SCHOOL PROCEDURES

- This policy should be given a high and continuing profile in school.
- All parents should be asked to sign their agreement to the policy (Appendix 2 – usually when enrolling their child), indicating that they accept it, and related sanctions, and will take all reasonable steps to ensure that their children comply with the requirements. However, it should be noted that these procedures apply to all pupils irrespective of whether their parents have agreed to them or not.
- The policy includes a clear statement of the actions (section 5 below) which the school will take if its policy is breached (this considerably strengthens the school's position should this situation arise).

There are three levels of issue surrounding the use of mobile phones:

- i:** problems which could cause **nuisance** in classes and disrupt learning,
- ii:** the type of incident which has potentially **criminal implications**, and
- iii:** incidents with specific **child protection** dimensions.

**i:** The **nuisance** level of incident will not be ignored. Mobile phones must be switched off during the school day – i.e. while pupils are on the premises. The phone should also be as securely concealed as possible. The school cannot be held responsible for missing or damaged mobile phones.

**ii:** In the case of an incident with potential **criminal aspects**, the police *will* be involved. There are various avenues under the criminal law under which action could be taken. It should be stressed, however, that any incident needs to be of a certain level of seriousness before the police could realistically become involved. Some issues of text-messaging, for example, might merit police involvement while others might not. (e.g. serious threats as opposed to silly name-calling. The latter will not be ignored – but will be tackled in other ways).

**iii:** In the case of a **child protection** incident, normal child protection protocols and procedures are followed immediately.

#### 5: SPECIFIC PROCEDURES

- a) While the school does not seek to prevent any pupil from possessing a mobile phone in school, it will confiscate any phone *seen* by a member of staff during the day and/or which is being used improperly. If this is done, the phone will be logged, kept in a secure place, and returned at the end of the school day. In certain circumstances (such as the presence on it of indecent images), a phone

will be handed to police. In some cases, we will contact parents to come in to school and collect it.

- b) Phones must be switched off during the school day. Photographic images must not be taken on phones in school *under any circumstances*. The only circumstances in which this rule might be waived would be with the express permission of the head or class teacher, and also of all those who might appear in any image. This is only likely to be in the context of an official school activity, and in very limited circumstances. Breach of this rule will justify confiscation and/or disciplinary sanctions. A particularly serious – or repeated – breach would be judged to justify exclusion. Should this be necessary, that decision will be supported by the Education Authority. Contact **by parents with pupils in emergencies** should be made through the **school office** (telephone 01557 814262).
- c) Mobile phones should not be taken on school outings, and any will be confiscated. The supervising adults will co-ordinate any necessary emergency arrangements at such times, and will also make any arrangements should parents need to be contacted for whatever reason.
- d) In cases in which there are unacceptable images found on a phone, but which are not of a nature to warrant child protection or criminal implications, the solution will be to ensure the pupil deletes them in the teacher's presence. The school will not itself do this.
- e) It is stressed that in cases which are disciplinary in level, school disciplinary procedures (including exclusion when required) will be used proportionately. The police will be involved only in cases with clear criminal dimensions, or in cases with child protection issues.
- f) We will offer to help pupils and parents – such as by drawing their attention to preventative measures which might be taken in the event of nuisance calls or texts. These would include acquiring 'blocking' software, or simply changing a number.
- g) We wish to make it clear that bullying by text, by internet, by phone call or by video filming is bullying, is serious, and will be treated as such.
- h) There may be cases in which images – possibly taken of pupils, by other pupils, by consent – may be posted around in an exercise seen by those involved as 'a laugh'. We wish to make it clear to everyone that this is a serious misperception. If such images were deemed to be of an indecent nature the legal implications for those involved – including for their future lives and careers – could be very serious indeed.

## 6: RESPONSIBILITIES and RIGHTS

This document, and the above section (5) in particular, establishes the **school's** responsibilities and rights.

Equally, the school recognises that **parents** have responsibilities and rights in terms of direction and guidance necessary for their children. The roles and responsibilities of the parent are critical. The school cannot possibly deal with these issues alone – and the police can only act in certain specific circumstances.

**Pupils** have responsibilities and rights, which broadly require that they follow the above directions and those of their parents.

## **7: OFFENSIVE MATERIAL POSTED ON WEBSITES**

In addition to mobile phone-related material being posted on web-sites, there is also the issue of posting of comments and remarks about other pupils or about teachers. These can be extremely offensive and distressing – even if, once again, seen by those responsible as ‘a laugh’. Schools and the Education Authority/Council take such events very seriously indeed, and will do everything possible to deal with them. Specifically, if any of the Council’s school staff were to be subjected to abusive comments on any site, the Council would take all reasonable possible action on their behalf.

## **8: DELIBERATELY PROVOKED INCIDENTS**

A particularly insidious development has been that of a deliberately staged or provoked incident, which can then be filmed and circulated. This could be anything from a so-called ‘happy slapping’ incident, to a situation in a class in which an incident is deliberately provoked. Any such incident – quite apart from the breach of rules on filming – is at the very top end of the scale of seriousness for disciplinary purposes.

## **9: BEHAVIOUR OUTWITH SCHOOL**

In connection with these issues, the normal rules and protocols apply with regard to the rights of school to take action regarding behaviour which is school-related but which actually occurs outwith school.

## APPENDICES:

### APPENDIX 1: Legislation & Preventative measures

The following list of legislation is relevant, and references to possible preventative measures have been provided by the Police:

#### OFFENCES:

- **Communications Act 2003, Section 127** – This creates an offence for any person to send, by means of public communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character, or causes any such matter to be sent.

*In practice, this means that any person, using landline telephone systems, mobile telephone systems (whether voice, text or photographic), or via the Internet and sends offensive or threatening material commits an offence. This would be used in “worst case scenario”, i.e. recurring threats, indecent images, serious threats etc. On a day-to-day basis, schools would implement their own discipline.*

- **Breach of the Peace** – This is a crime at common law committed by any person who conducts himself or themselves in a riotous or disorderly manner to the alarm, annoyance or disturbance of the lieges.

*In practice, this is an all-encompassing offence. In cases of filming persons (such as school staff) without permission, this could be construed as a Breach of the Peace, as this is behaviour which is alarming or distressing to others.*

#### ACTION WHICH SCHOOLS CAN TAKE:

- In cases which have involved filming or taking photographs using mobile phones, school staff can ask person(s) involved to delete footage in their presence. School staff do not have the legal authority to delete files themselves.
- School staff can confiscate phones for good reason at any time – if, for example, school rules state that MP3 players are banned from school, the situation would be exactly the same. Similarly, if school staff suspect a crime has been committed, a phone can be retained for evidential purposes (as if a pupil had brought a weapon into school).
- In cases of “Text bullying”, preventative measures can be taken by the victim i.e. call barring, number barring, changing SIM card or phone number, keeping Bluetooth switched off.
- In cases of minor text bullying, police need not be informed. For example, the ‘one-off’ text message which is of a derogatory nature is exactly the same as if a note was passed around the classroom. This would be dealt with by school staff as per normal discipline procedures.

#### BASIC CRIME PREVENTION FOR MOBILE PHONES

- Mark phones with UV pens with postcode
- Write down your IMEI number
- Register your phone with Immobilise.com

**APPENDIX 2:****Parental acceptance of mobile phone use and internet bullying procedures**

School policy for mobile phone use and internet bullying
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I confirm that I have read Gatehouse school's policy for mobile phone and internet bullying, and accept the content and procedures outlined therein. I shall, at all times, take all necessary steps to ensure my child/ren abide by the procedures outlined in the policy, and agree to implementation of the sanctions specified in the event of any breach of the procedures.

Signed \_\_\_\_\_

Name \_\_\_\_\_

Date \_\_\_\_\_