



## **Tuition, Medical and Behaviour Support Service**

### **Mobile Phone/ Smart Device Policy**

<b>Adopted:</b>	25 February 2019
<b>Reviewed:</b>	January 2025
<b>Next Review:</b>	January 2026
<b>Governing Committee:</b>	24 January 2019
<b>Responsibility:</b>	Greg Portman

Mobile phones and smart devices, in particular, the new generation of smart phones and watches, now include many additional functions such as an integrated camera, video recording capability, instant messaging, mobile office applications and mobile access to the internet.

There have been incidents of mobile phone/smart device use that have been detrimental to learning or to the well-being of students. Therefore, TMBSS has made the decision not to allow mobile phones/smart devices in Centres.

If students travel to Centre with a mobile phone/smart device it should be handed into Reception on entry.

TMBSS do not accept responsibility for damage or loss and students are advised to leave all devices at home. If staff suspect a phone/device 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 01743 368189 and choosing the correct option for the Centre required and not on their mobiles.

## **Sanctions**

Students and parents are notified that appropriate action will be taken against those who are in breach of the Mobile Phone/Smart Device Policy, following the behaviour policy.

Where a student persistently breaches the mobile phone/smart device policy:

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 student continues to use a phone/device in school this could result in a suspension.

## **Where the phone has been used for an unacceptable purpose outside of school hours**

Parents and students should be clear that misuse of mobile phones/ smart devices outside of school hours will not be tolerated if it impacts on student well-being or raises a safeguarding concern.

The following are examples of misuse but are not exclusive. '**Misuse**' will be at the discretion of the Executive Headteacher:

- 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/ smart device for 'sexting' (the deliberate taking and sending of provocative images or text messages)

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

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.

- Students should be aware that the police will be informed if there is a serious misuse of the mobile phone/smart device where criminal activity is suspected.
- If a student commits an act which causes serious harassment, alarm or distress to another student 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.

## **Appendix 1 - Legal context**

Common Offences Related to the Misuse of Mobile Telephones/Devices.

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.