

Replenish Learning



Mobile Phone and Electronic Device Policy

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Approved by:	AK (Director)

Statement of intent

Mobile phones, tablets and other personal electronic devices have become widely available and accessible to pupils. This policy is designed to prohibit the use of mobile phones and similar smart technology throughout the provision day, including break and lunch times.

Replenish Learning accepts that personal mobile phones and tablets are often given to pupils by their parents to ensure their safety and personal security; however, such devices pose inherent risks and may jeopardise the learning environment. The provision also recognises the safeguarding risks associated with pupils having unlimited and unrestricted access to the internet via mobile networks during the provision day.

As a provision, we must strike a balance between personal safety and a suitable educational setting. We understand that parents may wish for their child to carry a mobile phone for their personal safety, whilst pupils may wish to bring additional devices to provision for other reasons. This policy establishes how personal electronic devices should be used by pupils in provision to ensure both personal safety and an appropriate learning environment.

Personal electronic devices include, but are not limited to the following items:

- Mobile phones
- Smart watches
- Personal digital assistants (PDAs)
- Handheld entertainment systems, e.g. video game consoles, iPods
- Portable internet devices, e.g. tablets, laptops
- Wireless handheld technologies or portable information technology systems, e.g. devices used for word processing, wireless internet access, image capture and/or recording, sound recording, and information transmitting, receiving and/or storing

1 Legal framework

Replenish Learning applies relevant safeguarding, equality and data protection duties. DfE guidance addressed to schools is used as a benchmark for good practice where appropriate to the provision's status; this does not confer school statutory powers on staff. Relevant legislation and guidance include:

- DfE 'Mobile phones in schools'
- DfE 'Communicating your policy for prohibiting the use of mobile phones in schools to parents'
- DfE 'Behaviour in Schools'
- DfE 'Keeping children safe in education'
- DfE 'Searching, screening and confiscation at school'
- Equality Act 2010
- Children Act 1989 and Children Act 2004
- Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR)
- Voyeurism (Offences) Act 2019
- Protection of Children Act 1978
- Sexual Offences Act 2003
- DfE 'Cyberbullying: Advice for headteachers and school staff'

This policy operates in conjunction with the following provision policies:

- Anti-bullying Policy
- Online Safety Policy
- Data Protection Policy
- Searching, Screening and Confiscation Policy
- Child Protection and Safeguarding Policy
- Complaints Procedures Policy
- Social Media Policy
- Child-on-child Abuse Policy
- Behaviour Policy
- Staff Code of Conduct
- Records Management Policy

2 Roles and responsibilities

The Business Manager will be responsible for:

- The implementation of the policy and procedures.
- Evaluating the effectiveness of the policy and procedures.
- Ensuring that the policy, as written, does not discriminate on any grounds.
- Reviewing the policy annually.

The Headteacher will be responsible for:

- Handling complaints regarding this policy as outlined in the provision's Complaints Procedures Policy.
- The day-to-day implementation and management of the policy.
- Informing parents and pupils of the Personal Electronic Devices Agreement.
- Communicating this policy to the relevant staff members and the wider provision community.
- Communicating what devices can be brought to provision and when they can and cannot be used.
- Deciding how best to achieve a mobile phone-free provision environment.

Staff members will be responsible for:

- Responding to incidents of cyberbullying in conjunction with the Headteacher, in line with the Anti-bullying Policy and the Behaviour Policy.
- Applying this policy consistently and proportionately, requesting voluntary handover where appropriate and recording devices held by staff.
- Reporting any safeguarding concerns to the DSL, or deputy, where misuse indicates risk of harm.
- Avoiding use of their mobile phones in front of pupils for any non-work related issues.
- Teaching pupils about the risks associated with mobile phones, smart technology, social media and online activity in accordance with the provision's Online Safety Policy.

The DSL will be responsible for:

- Initiating and managing responses to incidents of upskirting with relevant staff members and in line with the Child Protection and Safeguarding Policy.
- Liaising with and reporting the relevant information to children's social care and/or the police, when it is necessary to do so.

Pupils are responsible for adhering to the provisions outlined in this policy.

3 Ownership and responsibility

Pupils and parents should avoid bringing valuable devices unless needed for travel or an agreed adjustment. Replenish Learning will take reasonable care of devices handed to staff and stored by the provision. Loss, theft or damage must be reported promptly to the Headteacher. This policy does not exclude liability where the provision is legally responsible.

Damage to provision property will be considered individually by the Business Manager and Headteacher, taking account of the circumstances, age, SEND and parental involvement. There is no automatic requirement for pupils to pay for replacement items.

Pupils and staff should enable a personal PIN or passcode on all the devices they bring to provision to protect their personal data, images and videos in the event that the device is lost, stolen or accessed by an unauthorised person.

4 Acceptable use

Parents and carers should be aware of any personal device brought to the provision. Devices must be managed in accordance with the storage arrangements and individual exceptions set out in this policy. Replenish Learning will take reasonable care of devices handed to staff, as described in section 3.

Personal devices will not be used at any point during the provision day, including during break and lunch times, unless an agreed exception applies. Where an agreed exception is in place, use of a personal device will be limited strictly to the specific purpose outlined within that exception and will be subject to any conditions set by the provision.

Personal laptops or tablets may be used only where the Headteacher has agreed an individual learning or support arrangement, with appropriate online safety controls and an acceptable use agreement. This is not a general permission to use personal mobile phones.

5 Unacceptable use

Pupils will be encouraged to avoid bringing phones to provision; however, if phones are brought to provision they will be switched off and handed to a member of staff on arrival and stored in a labelled container in a locked cupboard or cabinet designated by the Headteacher, unless an agreed exception applies.

Unless express permission is granted by a member of staff or adaptations and reasonable adjustments apply, mobile devices will not be seen, heard, or accessed at any time during the provision day.

Any permitted use for specific pupils will be limited strictly to the specific purpose outlined in the agreed plan. All other use will be prohibited.

The provision will consider the risks that may be posed to pupils who do not have access to their mobile phone when organising travel to and from provision. Parents will be consulted with to consider ways to mitigate any concerns around the issue of travel to and from provision. Devices may be used before arrival and after the session for safe travel. During provision organised transport, outreach and community activities, the same device rules apply unless the Headteacher approves an individual exception. Staff will arrange any changes to travel with parents or carers.

Staff must keep personal phones put away during working sessions and must not use them while supervising pupils. Authorised provision work phones may be used for operational or safeguarding purposes, provided supervision remains effective. Personal phone use is permitted during authorised

breaks away from pupils. An urgent personal matter must be agreed with the Headteacher or Business Manager and supervision covered. In an immediate emergency, staff may use the available phone to summon help.

Staff and pupils will adhere to the Social Media Policy at all times.

Unauthorised file sharing, recording, hotspot use and connections to other devices are prohibited. Connectivity necessary for an agreed medical, accessibility or supervised learning purpose may remain enabled.

If pupils fall ill during provision hours, they will not use their mobile device to contact parents; they will use the agreed procedures.

Devices must not be used to photograph, film or record pupils, staff or visitors without appropriate authorisation. Personal devices must not be used in toilets or changing areas, except necessary access to an agreed medical monitoring or accessibility function that does not involve recording others.

Charging requires staff permission. Damaged devices, unsafe chargers and unattended charging are prohibited. Equipment must be checked and maintained according to risk; this policy does not impose a blanket annual PAT requirement.

Staff must not give pupils personal telephone numbers or social media details. Communication with pupils and families must use approved provision channels. Pupil information and images must not be stored on personal phones.

Under the Voyeurism (Offences) Act 2019, the act known as “upskirting” is an offence. Any incidents will not be tolerated by the provision. Despite the name, anyone (including both pupils and teachers) of any gender, can be a victim of upskirting.

A “specified purpose” is namely:

- Obtaining sexual gratification (either for themselves or for the person they are enabling to view the victim’s genitals, buttocks or underwear)
- To humiliate, distress or alarm the victim

Any incidents of upskirting will be reported to the DSL and handled in accordance with the provision’s Child Protection and Safeguarding Policy.

6 Adaptations and reasonable adjustments

The provision will comply with its legal duty to make reasonable adjustments with regard to this policy where necessary. Adaptations may be made in exceptional circumstances and in response to a pupil’s specific needs.

If it is deemed necessary due to the nature of a pupil’s SEND, reasonable adjustments will be made to allow that pupil to use their mobile phone or similar device during the provision day.

The provision will not prevent pupils from using their mobile phones in order to manage their medical condition effectively, e.g. if a pupil is using a monitoring app on their phone to manage their diabetes.

Beyond these specific duties, the provision recognises that a need for mobile phone access for some pupils may depend on their individual circumstances. The provision will allow limited flexibility for these pupils where an agreed exception is required in the best interests of the pupil’s safety and welfare, for example where a pupil is a young carer.

Where a pupil has an agreed adaptation or reasonable adjustment that requires access to a mobile device, this will be permitted only for the specific purpose and within the limits set out in the agreed plan.

7 Cyberbullying

All personal electronic devices will be used in line with our Online Safety Policy.

Incidents of cyberbullying will be dealt with and reported in line with the Anti-bullying Policy and the Behaviour Policy.

As part of the provision's ongoing commitment to the prevention of cyberbullying, regular teaching and discussion about online safety will take place through age appropriate PSHE, life skills work and individual support sessions.

8 Searching and access to devices

Replenish Learning does not rely on statutory school search powers for enforcement of this policy. Staff must not forcibly search pupils or their possessions, require removal of clothing, demand a passcode, compel a pupil to unlock a device, or browse or delete its contents under this policy.

Staff may calmly ask a pupil to put a device away, voluntarily hand it over for secure storage, or voluntarily show information relevant to a concern. Any request must have a clear purpose, respect privacy and take account of the pupil's age, understanding and needs. A refusal must be referred to the Headteacher and, where relevant, the DSL; it does not itself authorise a search or forced access.

Any voluntary check of possessions must be explained beforehand, be limited to what is necessary and take place with another staff member present wherever practicable. Staff must stop if consent is withdrawn and follow safeguarding procedures where concerns remain.

If a device may contain evidence of abuse or an offence, staff must report immediately to the DSL or Deputy DSL. Staff must not copy, forward or delete suspected evidence, or ask a pupil to send it to a staff device. Staff must not ask to view sexual images of a child or investigate them themselves. The DSL will obtain advice from children's social care and/or the police and arrange any necessary preservation or handover.

Where there is immediate danger, staff must prioritise safety, call 999 where necessary and follow the provision's safeguarding and emergency procedures.

9 Sanctions

The provision will apply sanctions for breaches of this policy in a consistent and proportionate manner, in line with the provision's Behaviour Policy.

Where a device is used without permission, staff will explain the expectation calmly and request that the pupil switches it off and hands it over for secure storage. Staff must not use force simply to enforce a phone rule. If the pupil refuses, staff will seek support from the Headteacher and consider the pupil's individual plan and any safeguarding concern.

Responses may include a reminder, a supported discussion, contact with parents or carers, a review of the device agreement and a proportionate revision of access arrangements. Responses must consider age, SEND, communication needs, trauma and agreed exceptions, and must not remove necessary medical or accessibility support.

Devices handed over will be recorded, securely stored and normally returned at the end of the pupil's session. Any alternative return arrangement must be justified, communicated to parents or carers, recorded and take account of safe travel. Devices will not be retained indefinitely.

Where a breach gives cause to suspect a pupil may be suffering, or may be at risk of, harm, staff will follow the provision's safeguarding procedures and report concerns to the DSL.

Devices held by staff will be stored in the designated locked cupboard or cabinet, with access restricted to authorised staff.

Bullying via personal electronic devices will be dealt with in line with the provision's Anti-bullying Policy.

10 Communication and review

This policy applies throughout a pupil's session, including breaks, meals, outreach, community activities and provision organised transport. Parents and carers must contact the provision through its usual agreed contact channels during sessions. Staff will facilitate urgent contact and notify parents if a pupil becomes unwell.

The Headteacher will explain the policy to pupils in an accessible way and share it with parents, carers, staff and relevant commissioners. Any individual exception will be recorded with its purpose, permitted functions, supervision arrangements and review date, in consultation with the pupil, parents and relevant professionals.

The Business Manager and Headteacher will review this policy annually and sooner following a serious incident, relevant guidance change or change in the provision's status.