

COMDA-11- PHONE & DEVICE USE

1 INTRODUCTION

- 1.1 Most people in a school have a phone with them, most of the time. They are an important part of everyday life and enable improved safety as well as communication.
- 1.2 Many phones have a range of facilities which can mean that they are able to be used in ways which are not appropriate for an educational establishment, and which detract from the purpose of the school.
- 1.3 There are many devices which do not enable spoken communication, but which do have connectivity, and which may have the ability to take photographs/videos.
- 1.4 The purpose of this policy is to show:
- What the Trust considers safe and responsible phone and device use.
 - The clear guidelines for use of phones/devices by visitors, staff, and students whilst on the Trust's premises and/or business.
 - The relationships to other policies and codes of conduct, particularly those relating to safeguarding and data protection.
- 1.5 Activities which this policy seeks to prevent, as a result of this policy, include (but are not limited to):
- "Upskirting" – the process of taking a photograph under another person's clothing without knowledge (and therefore, without consent). This is an offence under the Voyeurism (Offences) Act (2018). This law is likely to be extended to cover more offences e.g., Down-blousing, Nudifying and other offences where an intimate image is taken without consent for the purposes of personal gratification, humiliation, alarm, distress, or blackmail.
 - Adults and students taking photographs for their own and other peoples' personal gratification. This includes, but is not restricted to, taking photographs of staff/students with the intention to broadcast them later, whether or not the image is distorted.
 - Inappropriate, non-educational content being accessed whilst on the Trust's premises, with or without access to the Bring Your Own Device (BYOD) network. This includes, but is not restricted to, access to entertainment or cultural material which supports violence and extremism.
 - Contact, by students, with people against parent/carer permission. This includes, but is not restricted to, untrusted family members, and predators who aim to exploit students.
 - Interruption to the smooth flow of the purpose of education. For this reason, phones should not be seen, heard, or used during lesson time.
 - Recordings, whether of audio or video material, of any member of the school community. Recordings can be regarded as a contravention of Data Protection Regulations, Telecommunications Regulations and raise concerns related to Safeguarding of students in school.

2 ROLE OF TRUST BOARD AND COMMITTEES

- 2.1 The Full Trust Board has overall responsibility for compliance with all the legal responsibilities when working with young people.
- 2.2 When considering use of a phone/device there are specific risks related to
 - Child protection
 - Data protection
 - Theft, loss, damage
 - Appropriate use of technology in the classroom
 - Smooth running of the educational activities during the working day.
- 2.3 The Full Trust Board is responsible for reviewing this policy every two years, in the light of new technology, new legislation and new threats.

3 ROLE OF PRINCIPAL AND SENIOR LEADERSHIP TEAM

- 3.1 The Principal has overall executive responsibility for the academy's activities. The Principal and Senior Leadership Team (SLT) are responsible for the application of the policy and for following up when students/staff/visitors are found to be breaching the policy.
- 3.2 The Principal is responsible for overseeing investigations into breaches of this policy, which may lead to an investigation meeting and the instigation of a disciplinary process.

4 DEFINITIONS

- Phone – this can be a mobile phone or a landline.
- Device – this, currently, will be a device which has connectivity so can be used for e.g., messaging, emails, texting, and some also have the ability to take photographs/record video/audio, e.g., a tablet computer, a digital camera, a smart watch.

5 ROLE OF STAFF^A

- 5.1 All staff^A, regardless of role or length of contract, are responsible for ensuring that this policy is upheld.
- 5.2 All staff^A must secure their personal phones/devices as much as is possible (e.g., use of passwords, pin codes, digital id such as fingerprint) and should ensure that their phone is kept securely locked when they are near students and carrying the phone.
- 5.3 If staff^A have been given a work phone/device it must be secured as much as is possible (e.g., use of passwords, pin codes, digital id such as fingerprint) and it should be kept securely locked when the member of staff is near students and carrying the phone.

6 ROLE OF STUDENTS

- 6.1 Students are reminded that staff^A, are permitted to confiscate phones/devices from students under sections 91 and 94 of the Education and Inspections Act (2006). When asked to surrender any item, including their phone/device, they must hand them over without argument, in line with the Behaviour Policy.



- 6.2 Students are reminded that certain staff^B are permitted to search students' possessions, including the contents of a phone/device ([DfE guidance](#) from 1st September 2022). However, the student must be kept aware of the reason for the search, the search must be completed with as much privacy as possible and the other rules relating to the search must also be adhered to (see page 10 onwards of the [DfE guidance](#)).
- 6.3 Students are required to keep their phone/device out of sight, out of use, and on silent. The same rule applies to all devices which may link to the phone/device e.g., smart watches, earbuds etc. Phones/devices must not be used for any purpose during the school day. The only exception to this is when used to monitor the health of the student (e.g., diabetes monitoring).
- 6.4 Students must secure their phone/device as much as is possible (e.g., use of passwords, pin codes, digital id such as fingerprint) when on the Trust's premises. The phone/device must be switched off from when entering the premises until leaving the premises.
- It is advised that all personal property is appropriately and clearly labelled.
 - The Trust does not accept responsibility for students' possessions that are lost, damaged or stolen on the premises, during travel and during Educational trips and visits.
- 6.5 There are exceptions to the above conditions:
- When the student is off the premises on Educational trips or visits, the Lead Teacher *may* request that students have their phones switched on and audible for a range of reasons, for example:
 - The health of the student requires contact.
 - The need to be contacted during "free" time.

7 ROLES OF PARENTS/CARERS

- 7.1 Parents/carers must NOT contact a student by phone/device during the period that is the working day.
- 7.2 Parents/carers must support the school policy and direct their child to keep their phones/devices out of sight, out of use and on silent during the school day.
- 7.3 Parents/carers should make contact with their child via Reception on 01676 535222.
- 7.4 Parents must support the school in minimising the disruption to learning caused by phone/device usage.



8 STAFF^A USING PERSONAL MOBILE PHONES

- 8.1 Staff^A are not allowed to use their phone/device during contact time and when students are present. Use of a phone/device is restricted to non-contact time and to areas of the school where students are not present (e.g., staffroom, office).
- 8.2 Where a permanent member of staff is likely to be contacted (e.g., by the school of their child, by immediate family) the reception phone number should be given as the first point of contact.
- There will be times when this is challenging. If this is the case, then the situation should be explained fully to the SLT Line Manager and discussed. Safeguarding of all the people involved is paramount.
- 8.3 For Data Protection reasons, staff^A must NOT use their personal phone/device to process the personal data of any student. This includes, but is not limited to:
- Contacting students/parents/carers for reasons related to their professional employment.
 - The Trust acknowledges that staff may have family/social connections with students/parents/carers. This should be clarified with the SLT Line Manager.
 - Taking/storing photographs/recordings of students, or their work, for reasons related to their professional employment.
 - If these activities are needed, then school equipment must be used.
 - Downloading work stored on e.g., an educational website/app must be to a work device
- 8.4 For Data Protection reasons, staff^A must NOT use their personal phone/device to process confidential information related to their employment.
- 8.5 There are exceptions to the above conditions:
- In an emergency evacuation, when using the Inentry App or Arbor, to support the safety of any member of the Trust's community.
 - In an emergency, when on the Trust's premises, the personal phone may be used to contact another member of staff for assistance.
 - In an emergency, when on an Educational Trip/Visit, if a work phone is not available, the personal phone may be used to contact the parents/carers of a student.
It is recommended that the number being called from is withheld, however, this may not always happen because of time pressures.

9 STAFF^A USING A WORK PHONE/DEVICE

- 9.1 The member of staff^A with the phone/device is authorised to use it for work purposes only, e.g., making/receiving calls, sending/receiving emails, taking photographs related to work, use of the internet, other communication.
- Data stored on the phone/device, e.g., images, must be transferred to the school network as soon as possible. Then deleted from the phone/device.
 - Contact details, of parents and students, which have been put on the phone for the purposes of an Educational Trip/Visit must be deleted from the phone before it is returned at the end of the Trip.

- 9.2 If another member of staff^A uses the phone/device the authorised person must use their judgement, and may be asked to justify their decisions at a later date:
- There are times when delegating the responsibility for the phone/device is sensible (e.g., in the case of incapacity, or managing a critical incident).
- 9.3 At all times the use of the phone/device must be kept in line with the staff code of conduct; it must be always appropriate and professional.

10 VISITORS

- 10.1 Visitors should be shown a summary of this policy. This can be found in the appendix COMDA-A10-1-Phone & Device Use – Visitor Information – 00. The relevant information is highlighted.

11 CONFISCATED/LOST PHONES

- 11.1 Phones/devices which have been confiscated are given back at the end of the day. They are stored in the main office.
- 11.2 Lost phones/devices are kept in the main office. If correctly labelled, they can be returned to the owner at the end of the day.

12 INSURANCE FOR PERSONAL DEVICES

- 12.1 No personally owned digital device is covered by the Trust's insurance. The Trust does not accept liability for any damage any personally owned digital device or its loss.
- 12.2 All devices should be securely marked. The owner is responsible for their safekeeping whilst on the premises.

13 BREACHES OF THIS POLICY

- 13.1 The guidelines in this policy explain what general kind of behaviour should and should not be exemplified by students/staff/visitors. Behaviour which contravenes these guidelines constitutes a breach, as does:
- Sexting.
 - Voyeurism.
 - Threats.
 - Abusive behaviour related to ethnicity, religious belief, sexual or gender preferences.
- 13.2 All staff^A must report breaches, potential or actual, of this policy to the:
- If a Safeguarding issue is possible the DSL must be informed immediately. Use of a Safeguarding form is required. The Data Protection Officer must be informed afterwards to monitor any potential data breach.
 - If no Safeguarding issue is likely the Data Protection Officer must be informed, by email, as soon as possible after discovering the breach has taken place.

14 AUTHOR

14.1 The author of this policy is the Data Protection Officer. They should be contacted for any points of clarification or suggested future amendments.

15 VERSION CONTROL

Policy Number	COMDA-11
Policy Name	Phone & Device Use
Version Number	03
Publication Method	External A copy must be made available in U:\Staff Information\Policies\COMMunications and DAta Policies
Approved by	Full Trust Board
Date of Approval	June 2024
Key changes since previous version	<ol style="list-style-type: none"> 1. Extension of prohibited activities to include recordings. 2. Addition of Arbor as it is recommended for use on trips.
Next Review Date	October 2024

^A generic term used to mean permanent members of staff, temporary members of staff, volunteers, visitors, and contractors who are on site

^B "certain staff", in this instance, specifically refers to those staff who have been trained and given permission to search students' possessions. However, it should be noted that every member of staff can request that a search is carried out.



APPENDIX

COMDA-A11-1-PHONE & DEVICE USE – VISITOR INFORMATION

1 INTRODUCTION

- 1.1 This appendix is designed for those people who are visiting the Heart of England on a temporary basis and who need to know a summary of phone and device use policy

2 DETAILS

ALL VISITORS ARE POLITELY REQUESTED TO FOLLOW THIS GUIDANCE

- For the safety of students and staff we require you to turn your phone/device to silent/vibrate whilst you are on the Heart of England premises
- Students are not allowed to use their phones/devices during the working day. Please do not use your phone/device in front of a student. If you have an urgent need to use your phone, please go to the staff room or a private room.
- You are not allowed to take photographs or recordings (audio and/or video) of anyone whilst you are on the Heart of England premises.
- Even if you are working with a student, we request that you do not use your phone/device.

HEART OF ENGLAND ACADEMY DOES NOT ACCEPT ANY RESPONSIBILITY FOR LOSS, DAMAGE or THEFT OF YOUR PHONE WHILST YOU ARE ON ITS PREMISES.

If you wish to see a full copy of the Phone Use policy COMDA-11-Phone & Device Use, please ask at reception. The policy can be found in U:\Staff Information\Policies\ COMMunications and DAta policies.



APPENDIX

3 APPENDIX AUTHOR

- 3.1 The author of this appendix is the Data Protection Officer. They should be contacted for any points of clarification or suggested future amendments.

4 VERSION CONTROL

Appendix Number	COMDA-A11-1
Appendix Name	Phone & Device Use – Visitor Information
Version Number	02
Publication Method	External A copy must be made available in U:\Staff Information\Policies\Appendices for Policies\COMmunications and DAta Appendices
Approved by	Full Trust Board
Date of Approval	June 2024
Key changes since previous version	<ol style="list-style-type: none">1. Explicitly stated that both photography and recording is not permitted on site, to support main policy.2. Corrected typo.
Next Review Date	October 2024



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APPENDIX