

# Scarborough UTC

## Students' Mobile Phone Policy

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## Statement of intent

Mobile phones, tablets and other personal electronic devices have become widely available and accessible to students.

Scarborough UTC accepts that personal mobile phones and tablets are often given to students by their parents to ensure their safety and personal security but understands that such devices pose inherent risks and may jeopardise the learning environment.

As a college, 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. This policy establishes how personal electronic devices should be used by students in college to ensure both personal safety and an appropriate learning environment.

Signed by:

Principal

Date:

\_\_\_\_\_

\_\_\_\_\_

Chair of Governing  
Board

Date:

\_\_\_\_\_

\_\_\_\_\_

## **1. Legal framework**

1.1. This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- DfE (2024) 'Keeping children safe in education'
- DfE (2022) 'Searching, screening and confiscation'
- The Data Protection Act 2018
- The Voyeurism (Offences) Act 2019

1.2. This policy operates in conjunction with the following college policies:

- Online Safety Policy
- Data Protection Policy
- Child Protection and Safeguarding Policy
- Complaints Procedure Policy

## **2. Key roles and responsibilities**

2.1. The governing board has overall responsibility for:

- The implementation of the policy and procedures.
- Ensuring that the policy, as written, does not discriminate on any grounds, including but not limited to ethnicity/nationality, culture, religion, gender, disability or sexual orientation.
- Reviewing the policy every two years.

2.2. The principal has responsibility for:

- Handling complaints regarding this policy as outlined in the college's Complaints Procedures Policy.
- The day-to-day implementation and management of the policy.

### **3. Ownership and responsibility**

- 3.1. Students are responsible for their own belongings. The college accepts no responsibility for replacing property that is lost, stolen or damaged either at college or travelling to and from college.
- 3.2. Students are responsible for replacing lost or damaged college property, including electronic devices.

### **4. Acceptable use**

- 4.1. Parents must be aware if their child takes a mobile phone to college.
- 4.2. Mobile phones will be switched off and kept in students' bags in their lockers during lessons, and at break and lunch time, unless using the device as part of a lesson with the permission of their class teacher.
- 4.3. Mobile phones will only be used for voice calls in emergency situations and with the express permission of a teacher. Students are to do this at reception only.
- 4.4. All phone use must be kept to off site.

### **5. Unacceptable use**

- 5.1. Unless express permission is granted by a member of staff, mobile devices will not be used to perform any of the following activities whilst on college grounds:
  - Make phone calls or video calls
  - Take photographs
  - Access online social media
  - Use of smart device linking activities (e.g. earbuds, smartwatches)

This list is not exhaustive

- 5.2. If students fall ill during college hours or need to contact parents for any other reason they will not use their mobile device to contact parents; they must use the agreed procedures. Instead they should go to reception, where home will be contacted by an adult.
- 5.3. Under no circumstances should mobile phones be taken into examinations, or exam spaces.

- 5.4. Under no circumstances will mobile devices be used in changing rooms or toilets.
- 5.5. Students will not attempt to befriend staff members on social media.
- 5.6. Under the Voyeurism (Offences) Act 2019, it is an offence to use devices to record an image beneath a person's clothing without consent and with the intention of observing, or enabling another person to observe, the victim's genitals or buttocks (whether exposed or covered with underwear), in circumstances where their genitals, buttocks or underwear would not otherwise be visible, for a specified purpose. This is known as upskirting and will not be tolerated by the college. Despite the name, anyone (including both students and teachers), and any gender, can be a victim of upskirting.
- 5.7. 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.
- 5.8. Any incidents of upskirting will be reported to the DSL and handled in accordance with the college's Child Protection Policy and reported to the Police as it is illegal.

## **6. Cyberbullying**

- 6.1. All mobile phones devices will be used in line with our Online Policy.
- 6.2. Incidents of cyberbullying will be dealt with and reported in line with the Conduct for Learning Policy.
- 6.3. As part of our on-going commitment to the prevention of cyberbullying, regular teaching and discussion about e-safety will take place as part of Personal Development.

## **7. Sexting awareness**

- 7.1. For the purpose of this policy "sexting" is defined as the taking and sending, or receiving, of sexually explicit images or messages.
- 7.2. The college understands that sending an indecent image of an individual under the age of 18 is unlawful, even if the individual sends one of themselves. Similarly, the college understands that the sharing of an image

of a child – even if it has been shared with consent – is a criminal offence. As such, the college takes its approach towards sexting very seriously and all cases will be fully investigated.

7.3. Staff members will receive training about sexting on an annual basis – which will address various elements, including the following:

- What sexting is and how young people engage in this way
- The legalities surrounding sexting
- Their responsibility to be aware of sexting
- How to recognise instances of sexting
- How to respond to any concerns or disclosures of sexting
- The college's response to sexting

7.4. Students will be educated about sexting on an annual basis – which will address various elements, including the following:

- What sexting is and how young people engage in this way
- The legalities surrounding sexting
- Who they should speak to if they have concerns
- How to report explicit images and messages
- The college's response to sexting

## **8. Coordinating a response to incidents of sexting**

8.1. All sexting incidents will be handled in accordance with the college's Child Protection Policy.

8.2. Where a sexting incident occurs, the college initiates the following response:

- The incident is referred to the DSL immediately.
- The DSL holds an initial review meeting with the necessary college staff.
- The DSL, and other relevant staff members if appropriate, conducts interviews with all students involved.

- Parents are informed as soon as possible and involved in the college's response, unless doing so would put a student at further risk of harm.
- Where a student has been harmed, or is at risk of harm, the incident is referred to children's social care and/or the police without delay.
- If the incident involves extreme child pornography, the police will be informed immediately after the incident has been referred to the DSL.

### **The initial review meeting**

8.3. During the initial review meeting, the DSL will meet with any staff members involved in the incident, as well as other relevant staff members, and aim to establish:

- Whether there is an immediate risk to a student.
- If a referral should be made to children's social care and/or the police.
- Whether it is necessary for the DSL to view the imagery/message or not (further information in section 10).
- What further information is needed to decide on the best course of action.
- Whether the imagery/message has been shared widely and via what services or platforms, e.g. on social media.
- Whether immediate action needs to be taken to delete or remove images/messages from devices or other platforms.
- If there are any relevant facts about the students involved that need to be considered when conducting assessment of risk (further information at point 8.4)
- If any other colleges, settings or individuals need to be contacted.
- How parents will be informed and involved in the college's response.

### **Assessment of risk**

8.4. The following will be considered when assessing risk:

- Why the image/message was shared, and whether the student was coerced or put under pressure to produce it
- Who has shared the image/message, where, and whether it has been shared and received with the knowledge of the student who sent it



- The impact on the students involved in the incident and whether they have any additional vulnerabilities, e.g. SEND
  - Whether the student had provided consent – and if they understand what this is
  - Whether the student has taken part in this kind of activity before
- 8.5. The DSL will make an immediate referral to children’s social care and/or police if, at the initial review stage, it is determined that:
- The incident involves an adult.
  - A student has been coerced, blackmailed or groomed, or if there are concerns about their ability to provide consent.
  - What the college knows about the incident suggests the content depicts sexual activity – particularly images.
  - The image involves sexual acts and the student in the imagery is below the age of 13.
  - The image shows violence.
  - The college has reason to believe that a student is at immediate risk of harm as a result of the image/message being shared.
- 8.6. Where none of the criteria in 8.5 apply, the DSL, in conjunction with the principal, will determine the appropriate response and may choose not to involve children’s social care or the police; however, if further information comes to light, the DSL may decide to escalate the incident at any stage.
- 8.7. The DSL will only decide not to refer the case to children’s social care and/or the police if they are confident that the risks can be managed effectively by the college. The best interests of the students involved, and their welfare, will be central to the DSL’s decision.
- 8.8. If a student has shared an image/message consensually, and there is no intended malice, the college will resolve the incident directly, without involvement from other agencies, but parents/carers will always be informed.
- 8.9. Any incidents caused by an aggravated factor or where consent has not been provided will involve children’s social care and/or police.

## 9. Resolving sexting incidents

- 9.1. If an incident involves children's social care and/or the police, the DSL will resolve the response in line with their investigation.
- 9.2. The DSL will not usually view any imagery involved in an incident, unless they are satisfied that doing so:
  - Is the only way to make a decision about whether to involve other agencies.
  - Is necessary to report the image to a website, app or other reporting agency to have it removed.
  - Is unavoidable because a student has presented the image directly to a staff member or it has been found on a college device/network.
- 9.3. Where it is necessary to view the image in line with .2, the DSL will first discuss the decision with the principal, and will:
  - Not copy, print or share the imagery.
  - Ensure viewing is undertaken by themselves or another member of the safeguarding team with permission from the principal.
  - Ensure the viewing takes place with another member of staff in the room – usually the principal/vice principal.
  - Ensure viewing takes place on the college premises, wherever possible.
  - Ensure that images are viewed by an individual of the same sex as the student in the image, wherever possible.
  - Record the viewing of the imagery in the college's safeguarding records, which includes the following:
    - Who was present
    - Why the image was viewed
    - Any actions taken as a result of the image being viewed
    - A date and signature of the staff members who have viewed the image
- 9.4. Once it has been determined that a student is not at immediate risk, the DSL and any other relevant staff members will conduct interviews with all those involved to determine the best course of action. The purpose of these

interviews is to:

- Identify what the image contains and whether anyone else has been involved.
  - Find out who has seen or shared the content and how further distribution can be prevented.
  - The student's feelings towards the incident.
  - What device the content is on and which device it has been shared from.
  - Whether any adults were involved
- 9.5. If the DSL has decided no other stakeholders should be involved, consideration will be given to deleting the imagery/message from devices and any other services.
- 9.6. The DSL will not search through devices to delete any content unless there is a clear, good reason to do so.
- 9.7. In most cases, the student will be advised to delete the image and will be asked to confirm when they have done so. They will be given a deadline for deletion across all devices, online storage or social media sites.
- 9.8. All students involved will be informed that possession of this content is illegal and if they refuse to delete the content, or it is later discovered that it has not been deleted, they are committing an offence.
- 9.9. Parents of students involved in the incident will be informed without delay, unless doing so would put a student at risk of harm.
- 9.10. Details of the full incident, including dates, times and persons responsible, will be held by the college – using CPOMS – this includes the following:
- Outcomes of the initial review meeting
  - The assessment of risk
  - The response actioned
  - Outcomes of the interviews held with students involved
  - Any further action taken

## **10.Spot checks**

- 10.1. A staff member may ask a student to show them what they are doing on their mobile phone or tablet if they reasonably believe that the student is using the device to cause harm or carry out illegal activity.
- 10.2. Students are required to comply with any request to check their mobile phone.
- 10.3. Students are required to comply with any request to disable the screen lock function of their phone and show any staff member what they are doing.

## **11.Accessing and storing data**

- 11.1. Downloading and accessing inappropriate websites and data on college-owned electronic devices is strictly prohibited.
- 11.2. Downloading and accessing inappropriate websites and data on mobile phones on college premises is strictly prohibited.
- 11.3. Storing and using the personal data of any student or member of staff for non-work-related activity is strictly prohibited.
- 11.4. More information about accessing data can be found in our Data Protection Policy.

## **12.Sanctions**

- 12.1. Bringing a mobile phone to college is a privilege which can be revoked at any time.
- 12.2. Any student caught acting in a manner that contradicts the policy will have their mobile phone confiscated until the end of the day.
- 12.3. Confiscated personal electronic devices will be locked away securely.
- 12.4. For a repeat offence where confiscation is required the confiscated personal electronic devices must be collected by the student's parent.
- 12.5. The risk assessment process given under the Conduct for Learning policy will be invoked where students repeatedly contravene safe mobile use.
- 12.6. They will be required to hand their phone in each day. Students will be given notification of how long this risk assessment remains in place.
- 12.7. Bullying via personal electronic devices will be dealt with in line with our Conduct for Learning Policy.

12.8. Students caught taking mobile phones or tablets into examinations will be dealt with under the JCQ examination rules and procedures.

### **13. Policy review**

13.1. This policy is reviewed every two years by the principal and DSL.

13.2. Any changes to this policy will be communicated to members of staff by the principal.

13.3. The scheduled review date for this policy is November 2026.

## Response to Sexting Incidents

The DSL, principal and any other relevant staff members involved in sexting incidents will use the following flowchart when deciding on the best response.

