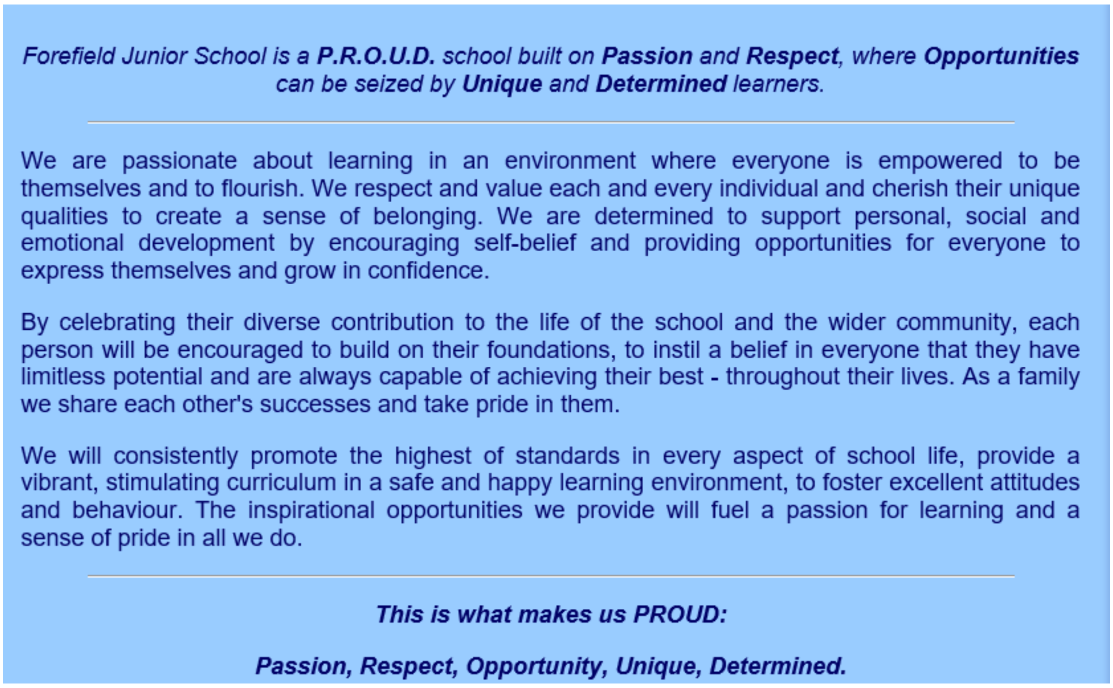
Forefield Junior School

Online Safety Policy

March 2023

Review 2024

Mission Statement



Forefield Junior School is a ***P.R.O.U.D.*** *school built on* ***Passion*** *and* ***Respect****, where* ***Opportunities*** *can be seized by* ***Unique*** *and* ***Determined*** *learners.*

We are passionate about learning in an environment where everyone is empowered to be themselves and to flourish. We respect and value each and every individual and cherish their unique qualities to create a sense of belonging. We are determined to support personal, social and emotional development by encouraging self-belief and providing opportunities for everyone to express themselves and grow in confidence.

By celebrating their diverse contribution to the life of the school and the wider community, each person will be encouraged to build on their foundations, to instil a belief in everyone that they have limitless potential and are always capable of achieving their best - throughout their lives. As a family we share each other's successes and take pride in them.

We will consistently promote the highest of standards in every aspect of school life, provide a vibrant, stimulating curriculum in a safe and happy learning environment, to foster excellent attitudes and behaviour. The inspirational opportunities we provide will fuel a passion for learning and a sense of pride in all we do.

This is what makes us PROUD:

Passion, Respect, Opportunity, Unique, Determined.

Contents

1. Development, Monitoring and Review

1.1 Schedule for Development/Monitoring/Review

What	When	Who
The online safety policy will be reviewed annually, or more regularly in the light of any significant new developments in the use of the technologies, new threats to online safety or incidents that have taken place.	Annually	Online Safety Lead Headteacher Senior Leadership Team Governors Network Manager
The implementation of this Online Safety Policy will be monitored through curriculum monitoring processes and as part of the 360^0 audit.	Termly	Online Safety Lead Headteacher Senior Leadership Team Governors Network Manager
Development of this policy will take place in the light of monitoring and review.	Following monitoring and review	Online Safety Lead Headteacher Senior Leadership Team Governors Network Manager
A report on online safety policy and practice will be made to the Governing Body as part of the safeguarding report presented at full governors meetings.	At full governors meetings - termly	Online Safety Lead

1.2 Scope of the Policy

This policy applies to all members of the school (including staff, pupils, volunteers, parents/carers, visitors, community users) who have access to and are users of school digital technology systems, both in and out of the school.

The Education and Inspections Act 2006 empowers Headteachers to such extent as is reasonable, to regulate the behaviour of pupils when they are off the school site and empowers members of staff to impose disciplinary penalties for inappropriate behaviour. This is pertinent to incidents of online-bullying or other online safety incidents covered by this policy, which may take place outside of the school, but is linked to membership of the school. The 2011 Education Act increased these powers with regard to the searching for and of electronic devices and the deletion of data. In the case of both acts, action can only be taken over issues covered by the published Behaviour Policy.

The school will deal with such incidents within this policy and associated behaviour and anti-bullying policies and will, where known, inform parents/carers of incidents of inappropriate online safety behaviour that take place out of school.

2. Roles and Responsibilities

The following section outlines the online safety roles and responsibilities of individuals and groups within the school:

2.1 Governors

Governors are responsible for the approval of the Online Safety Policy and for reviewing the effectiveness of the policy. This will be carried out by the Governors receiving regular information about online safety through the safeguarding report to governors.

A member of the Governing Body has taken on the role of Online Safety Governor (this role is combined with the role of safeguarding governor).

The role of the Online Safety Governor will include:

- regular meetings with the Online Safety Lead
- regular monitoring of online safety incidents
- regular monitoring of filtering/change control logs
- reporting to relevant Governors Committee

2.2 Headteacher and Senior Leaders

- The Headteacher has a duty of care for ensuring the safety (including online safety) of members of the school community, though the day to day responsibility for online safety will be delegated to the Online Safety Lead.
- The Headteacher and (at least) another member of the Senior Leadership Team should be aware of the procedures to be followed in the event of a serious online safety allegation being made against a member of staff. (see flow chart on dealing with online safety incidents – included in a later section – "Responding to incidents of misuse" and relevant Local Authority disciplinary procedures).
- The Headteacher and Senior Leaders are responsible for ensuring that the Online Safety Lead and other relevant staff receive suitable training to enable them to carry out their online safety roles and to train other colleagues, as relevant.
- The Headteacher and Senior Leaders will ensure that there is a system in place to allow for monitoring and support of those in school who carry out the internal online safety monitoring role. This is to provide a safety net

and also support to those colleagues who take on important monitoring roles.

- The Senior Leadership Team will receive regular monitoring reports from the Online Safety Lead.

2.3 Online Safety Lead

- Takes day to day responsibility for online safety issues and has a leading role in establishing and reviewing the school online safety policies/documents
- Ensures that all staff are aware of the procedures that need to be followed in the event of an online safety incident taking place.
- Provides training and advice for staff
- Liaises with the Local Authority
- Liaises with school technical staff
- Receives reports of online safety incidents and creates a log of incidents to inform future online safety developments,
- Meets regularly with Online Safety Governor to discuss current issues, review incident logs and filtering/change control logs
- Attends and/or submits reports to relevant meetings of Governors
- Reports regularly to Senior Leadership Team

2.4 Network Manager/Technical staff

Those with technical responsibilities are responsible for ensuring:

- that the school's technical infrastructure is secure and is not open to misuse or malicious attack
- that the school meets required online safety technical requirements and any *Local Authority* online safety policy/guidance that may apply.
- that users may only access the networks and devices through a properly enforced password protection policy
- the filtering policy is applied and updated on a regular basis and that its implementation is not the sole responsibility of any single person
- that they keep up to date with online safety technical information in order to effectively carry out their online safety role and to inform and update others as relevant
- that the use of the networks/internet/digital technologies is regularly monitored in order that any misuse/attempted misuse can be reported to the Headteacher, Senior Leaders and Online Safety Lead for investigation/action/sanction
- that monitoring software/systems are implemented and updated as agreed in school policies

2.5 Teaching and Support Staff

Are responsible for ensuring that:

- they have an up to date awareness of online safety matters and of the current school online safety policy and practices
- they have read, understood and signed the staff acceptable use policy (AUP)
- they report any suspected misuse or problem to the Headteacher, Senior Leader and Online Safety Lead for investigation/action/sanction
- all digital communications with pupils/parents/carers should be on a professional level and only carried out using official school systems
- online safety issues are embedded in all aspects of the curriculum and other activities
- pupils understand and follow the Online Safety Policy and acceptable use policies
- pupils have a good understanding of research skills and the need to avoid plagiarism and uphold copyright regulations
- they monitor the use of digital technologies, mobile devices, cameras, etc. in lessons and other school activities (where allowed) and implement current policies with regard to these devices
- in lessons where internet use is pre-planned pupils should be guided to sites checked as suitable for their use and that processes are in place for dealing with any unsuitable material that is found in internet searches

2.6 Designated Safeguarding Lead

Should be trained in online safety issues and be aware of the potential for serious child protection/safeguarding issues to arise from:

- sharing of personal data
- access to illegal/inappropriate materials
- inappropriate on-line contact with adults/strangers
- potential or actual incidents of grooming
- online-bullying

2.7 Pupils:

- are responsible for using the school digital technology systems in accordance with the pupil acceptable use agreement
- have a good understanding of research skills and the need to avoid plagiarism and uphold copyright regulations
- need to understand the importance of reporting abuse, misuse or access to inappropriate materials and know how to do so

- will be expected to know and understand policies on the use of mobile devices and digital cameras. They should also know and understand policies on the taking/use of images and on online-bullying
- should understand the importance of adopting good online safety practice when using digital technologies out of school and realise that the school's online safety policy covers their actions out of school, if related to their membership of the school

2.8 Parents/carers

Parents/carers play a crucial role in ensuring that their children understand the need to use the internet/mobile devices in an appropriate way. The school will take every opportunity to help parents understand these issues through parents' evenings, newsletters, letters, website, social media and information about national/local online safety campaigns/literature. Parents and carers will be encouraged to support the school in promoting good online safety practice and to follow guidelines on the appropriate use of:

- digital and video images taken at school events
- access to parents' sections of the website and learning platform (Seesaw)
- their children's personal devices in the school (where this is allowed)

2.9 Community Users

Community Users who access school systems or programmes as part of the wider school provision will be expected to comply with the school's Acceptable Use Agreement at all times when accessing school systems.

3. Education and Training

3.1 Education and Training - Pupils

Whilst regulation and technical solutions are very important, their use must be balanced by educating pupils to take a responsible approach. The education of pupils in online safety/digital literacy is therefore an essential part of the school's online safety provision. Children and young people need the help and support of the school to recognise and avoid online safety risks and build their resilience.

Online safety should be a focus in all areas of the curriculum and staff should reinforce online safety messages across the curriculum. The online safety curriculum should be broad, relevant and provide progression, with opportunities for creative activities and will be provided in the following ways:

- A planned online safety curriculum should be provided as part of Computing/PHSE/other lessons and should be regularly revisited.

- Key online safety messages should be reinforced as part of a planned programme of assemblies and pastoral activities.
- Pupils should be taught in all lessons to be critically aware of the materials/content they access on-line and be guided to validate the accuracy of information.
- Pupils should be taught to acknowledge the source of information used and to respect copyright when using material accessed on the internet.
- Pupils should be supported in building resilience to radicalisation by providing a safe environment for debating controversial issues and helping them to understand how they can influence and participate in decision-making. Additional duties for schools under the Counter Terrorism and Securities Act 2015 require schools to ensure that children are safe from terrorist and extremist material on the internet.
- Pupils should be helped to understand the need for the pupil acceptable use agreement and encouraged to adopt safe and responsible use both within and outside school.
- Staff should act as good role models in their use of digital technologies, the internet and mobile devices.
- In lessons where internet use is pre-planned, it is best practice that pupils should be guided to sites checked as suitable for their use and that processes are in place for dealing with any unsuitable material that is found in internet searches.
- Where pupils are allowed to freely search the internet, staff should be vigilant in monitoring the content of the websites the young people visit.
- It is accepted that from time to time, for good educational reasons, pupils may need to research topics (e.g. racism, drugs, discrimination) that would normally result in internet searches being blocked. In such a situation, staff can request that the Technical Staff (or other relevant designated person) can temporarily remove those sites from the filtered list for the period of study. Any request to do so, should be auditable, with clear reasons for the need.

3.2 Education and Training - Parents/carers

Many parents and carers have only a limited understanding of online safety risks and issues, yet they play an essential role in the education of their children and in the monitoring/regulation of the children's online behaviours. Parents may underestimate how often children and young people come across potentially harmful and inappropriate material on the internet and may be unsure about how to respond.

The school will therefore seek to provide information and awareness to parents and carers through:

- Curriculum activities
- Letters
- Newsletter (Forefield Matters)
- Newsletter (Knowsley Online Safety Newsletter)

- Web site www.forefieldjuniors.co.uk
- Learning Platform (Seesaw)
- Parents/carers evenings
- Special events e.g. Safer Internet Day/Anti-bullying week
- Reference to the relevant web sites/publications

3.3 Education and Training - The Wider Community

The school will provide opportunities for the wider community to gain from the school's online safety knowledge and experience. This may be offered through the following:

- Providing family learning courses
- Online safety messages targeted towards grandparents and other relatives as well as parents.
- The school website will provide online safety information for the wider community
- Sharing their online safety expertise/good practice with other local schools

3.4 Education & Training – Staff/Volunteers

It is essential that all staff receive online safety training and understand their responsibilities, as outlined in this policy. Training will be offered as follows:

- A planned programme of formal online safety training will be made available to staff. This will be regularly updated and reinforced. An audit of the online safety training needs of all staff will be carried out regularly.
- All new staff should receive online safety training as part of their induction programme, ensuring that they fully understand the school online safety policy and acceptable use agreements.
- It is expected that some staff will identify online safety as a training need within the performance management process.
- The Online Safety Lead (or other nominated person) will receive regular updates through attendance at external training events (e.g. LA/other relevant organisations) and by reviewing guidance documents released by relevant organisations.
- This online safety policy and its updates will be presented to and discussed by staff in staff meetings/training sessions.
- The Online Safety Lead will provide advice/guidance/training to individuals as required.

3.5 Education and Training – Governors

Governors should take part in online safety training/awareness sessions, with particular importance for those who are members of any group involved in

- online safety
- technology
- health and safety
- safeguarding

This may be offered in a number of ways:

- Attendance at training provided by the Local Authority/National Governors Association/or other relevant organisation.
- Participation in school training/information sessions for staff or parents

4. Mobile Technologies

Mobile technology devices may be a school owned/provided or privately owned smartphone, tablet, notebook/laptop or other technology that usually has the capability of utilising the school's wireless network. The device then has access to the wider internet which may include the school's learning platform and other cloud based services such as email and data storage.

The absolute key to considering the use of mobile technologies is that the pupils, staff and wider school community understand that the primary purpose of having their device at school is educational and that this is irrespective of whether the device is school owned/provided or personally owned. Teaching about the safe and appropriate use of mobile technologies should be included in the online safety education programme.

4.1 Potential Benefits of Mobile Technologies

Research has highlighted the widespread uptake of mobile technologies amongst adults and children of all ages. Web-based tools and resources have changed the landscape of learning. Students now have at their fingertips unlimited access to digital content, resources, experts, databases and communities of interest. By effectively maximizing the use of such resources, schools not only have the opportunity to deepen student learning, but they can also develop digital literacy, fluency and citizenship in pupils that will prepare them for the high tech world in which they will live, learn and work.

4.2 Safe use of Mobile Technologies

There are a number of issues and risks to consider when implementing mobile technologies, these include:

- security risks in allowing connections to your school network
- filtering of devices
- breakages and insurance
- access to devices for all pupils
- avoiding potential classroom distraction
- network connection speeds
- types of devices
- charging facilities
- total cost of ownership

4.2.1 The school allows:

	School devices		*Personal devices*			
	School owned and allocated to a single user	School owned for use by multiple users	Authorised device[1]	Pupil/Student owned	Staff owned	Visitor owned
Allowed in school	Yes	Yes	Yes	Yes	Yes	Yes
Network access	Yes	Yes	No	No	No	No
Internet access	Yes	Yes	Yes – guest access only	Yes – guest access only	Yes – guest access only	Yes – guest access only

- The school has provided technical solutions for the safe use of mobile technology for school devices:
  - All school devices are controlled though the use of Mobile Device Management software
  - Appropriate access control is applied to all mobile devices according to the requirements of the user (e.g Internet only access, network access allowed, shared folder network access)
  - The school has addressed broadband performance and capacity to ensure that core educational and administrative activities are not negatively affected by the increase in the number of connected devices

  - For all mobile technologies, filtering will be applied to the internet connection and attempts to bypass this are not permitted
  - Appropriate exit processes are implemented for devices no longer used at a school location or by an authorised user.
  - All school devices are subject to routine monitoring.
  - Pro-active monitoring has been implemented to monitor activity on devices that are loaned to pupils.

4.2.2 Pupils and Mobile Phones, data-enabled and other electronic devices

Pupils are discouraged from bringing mobile phones, data-enabled and other electronic devices to the school.

School devices are provided to support learning. It is not expected that pupils will need to bring devices to school to support learning.

Pupils are reminded that they are able to ask the school office staff to contact their parents for appropriate reasons, e.g staying late for an extra-curricular club.

Parents/carers are reminded that urgent messages can and should be transmitted via the school office.

If parents/carers permit their children to bring a mobile phone, data-enabled or other electronic device to the school the following will apply:

- Personal devices are brought into the school entirely at the risk of the owner and the decision to bring the device in to the school lies with the user (and their parents/carers) as does the liability for any loss or damage resulting from the use of the device in school

- The school accepts no responsibility or liability in respect of lost, stolen or damaged devices while at school or on activities organised or undertaken by the school (the school recommends insurance is purchased to cover that device whilst out of the home)

- The school recommends that the devices are made easily identifiable and have a protective case to help secure them as the devices are moved around the school. Pass-codes or PINs should be set on personal devices to aid security

- Mobile phones/ other personal electronic devices may not be used at any time during the school day on the school premises. Mobile phones/ other personal electronic devices should be switched off on entry to the school site and should remain out of sight throughout the day.

- Parents/carers needing to contact pupils should do so through the school office on 0151 924 3971. Mobile phones and other electronic devices must be switched off and out of sight at all times.

- Pupils are not permitted to take photographs or recordings using a personal mobile device on school premises

- If a phone/device rings, or is seen by a member of staff, whether it is on or not, or if inappropriate use is made of the phone/electronic device then the following procedure will be followed:

  - The pupil will be told to switch the device off and the device will then be confiscated. Any member of staff has the right to take this course of action. The device will be clearly labelled and locked in a secure place;

  - The parent/ carer will be notified and asked to come to the school to collect it;

  - All warnings and further incidents will be logged by staff to enable us to monitor the situation and to respond accordingly;

  - Any student refusing to hand the device over to a member of staff will be sanctioned in line with the school's behaviour policy and the parent/carer will be contacted.

  - Inappropriate use will be investigated (see section 7)

4.2.3 Other Users

- Users are expected to act responsibly, safely and respectfully in line with current acceptable use agreements, in addition;
  - Visitors should be provided with information about how and when they are permitted to use mobile technology in line with local safeguarding arrangements
  - Visitors are not permitted to connect a personal device to the school network
  - The school is not responsible for the day to day maintenance or upkeep of the users personal device such as the charging of any device, the installation of software updates or the resolution of hardware issues
  - Users are responsible for charging their own devices and for protecting and looking after their devices while in the school
  - Devices must be in silent mode on the school site
  - Confiscation and searching (England) - the school has the right to take, examine and search any device that is suspected of unauthorised use, either technical or inappropriate.

- Staff owned devices should not be used for personal purposes during teaching sessions, unless in exceptional circumstances
- Printing from personal devices will not be possible

4.2.4 School mobile devices:

- The changing of settings (exceptions include personal settings such as font size, brightness, etc…) that would stop the device working as it was originally set up and intended to work is not permitted
- The software/apps originally installed by the school must remain on the school owned device in usable condition and be easily accessible at all times. From time to time the school may add software applications for use in a particular lesson. Periodic checks of devices will be made to ensure that users have not removed required apps
- Software/apps will be installed to devices issued to children by the network manager. Software/apps should only be installed to devices issued to staff with the authorization of the network manager
- The school will ensure that devices contain the necessary apps for school work. Apps added by the school will remain the property of the school and will not be accessible to pupils on authorised devices once they leave the school roll.
- Users should be mindful of the age limits for app purchases and use and should ensure they read the terms and conditions before use.
- Users must only photograph people with their permission. Users must only take pictures or videos that are required for a task or activity. All unnecessary images or videos will be deleted immediately
- Devices may be used in lessons in accordance with teacher direction

4.3 Use of digital and video images

The development of digital imaging technologies has created significant benefits to learning, allowing staff and pupils instant use of images that they have recorded themselves or downloaded from the internet. However, staff, parents/carers and pupils need to be aware of the risks associated with publishing digital images on the internet. Such images may provide avenues for online-bullying to take place. Digital images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term. It is common for employers to carry out internet searches for information about potential and existing employees. The school will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm:

- When using digital images, staff should inform and educate pupils about the risks associated with the taking, use, sharing, publication and distribution of images. In particular they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.
- Written permission from parents or carers will be obtained before photographs of pupils are published on the school website/social media/local press
- In accordance with guidance from the Information Commissioner's Office, parents/carers are welcome to take videos and digital images of their children at school events for their own personal use (as such use in not covered by the Data Protection Act). To respect everyone's privacy and in some cases protection, these images should not be published/made publicly available on social networking sites, nor should parents/carers comment on any activities involving other pupils in the digital/video images.
- Staff and volunteers are allowed to take digital/video images to support educational aims, but must follow school policies concerning the sharing, distribution and publication of those images. Those images should only be taken on school equipment; the personal equipment of staff should not be used for such purposes.
- Care should be taken when taking digital/video images that pupils are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute.
- Pupils must not take, use, share, publish or distribute images of others without their permission
- Photographs published on the website, or elsewhere that include pupils will be selected carefully and will comply with good practice guidance on the use of such images.
- Pupils' full names will not be used anywhere on a website or blog, particularly in association with photographs.

4.4 Data Protection

LINKED POLICY: Data Protection Policy.

5 Communications

A wide range of rapidly developing communications technologies has the potential to enhance learning. The following table shows how the school currently considers the benefit of using these technologies for education outweighs their risks/disadvantages:

	Staff & other adults				*Students/Pupils*			
Communication Technologies	Allowed	Allowed at certain times	Allowed for selected staff	Not allowed	Allowed	Allowed at certain times	Allowed with staff permission	Not allowed
Mobile phones may be brought to the school	✓				✓			
Use of mobile phones in lessons		✓						✓
Use of mobile phones in social time		✓						✓
Taking photos on mobile phones/cameras				✓				✓
Use of other mobile devices e.g. tablets, gaming devices	✓				✓			
Use of personal email addresses in school, or on school network				✓				✓
Use of school email for personal emails				✓				✓
Use of messaging apps		✓						✓
Use of social media		✓				✓		
Use of blogs		✓				✓		

When using communication technologies, the school considers the following as good practice:

- The official school email service may be regarded as safe and secure and is monitored. Users should be aware that email communications are monitored. Staff and pupils should therefore use only the school email service to communicate with others when in school, or on school systems (e.g. by remote access).
- Users must immediately report, to the nominated person – in accordance with the school policy, the receipt of any communication that makes them feel uncomfortable, is offensive, discriminatory, threatening or bullying in nature and must not respond to any such communication.
- Any digital communication between staff and pupils or parents/carers (email, social media, chat, blogs, VLE etc) must be professional in tone and content. These communications may only take place on official (monitored) school systems. Personal email addresses, text messaging or social media

must not be used for these communications. Pupils at KS2 and above will be provided with individual school email addresses for educational use.

- Pupils should be taught about online safety issues, such as the risks attached to the sharing of personal details. They should also be taught strategies to deal with inappropriate communications and be reminded of the need to communicate appropriately when using digital technologies.
- Personal information should not be posted on the school website and only official email addresses should be used to identify members of staff.

6 Social Media

Social media (e.g. Facebook, Twitter, LinkedIn) is a broad term for any kind of online platform which enables people to directly interact with each other. However, some games, for example Minecraft or World of Warcraft and video sharing platforms such as You Tube have social media elements to them.
The school recognises the numerous benefits and opportunities which a social media presence offers. Staff, parents/carers and pupils are actively encouraged to find creative ways to use social media. However, there are some risks associated with social media use, especially around the issues of safeguarding, bullying and personal reputation.

This policy aims to encourage the safe use of social media by the school, its staff, parents, carers and children and:

- applies to all staff and to all online communications which directly or indirectly, represent the school.
- applies to such online communications posted at any time and from anywhere.
- encourages the safe and responsible use of social media through training and education
- defines the monitoring of public social media activity pertaining to the school

The school respects privacy and understands that staff and pupils may use social media forums in their private lives. However, personal communications likely to have a negative impact on professional standards and/or the school's reputation are within the scope of this policy.
Professional communications are those made through official channels, posted on a school account or using the school name. All professional communications are within the scope of this policy.
Personal communications are those made via a personal social media accounts. In all cases, where a personal account is used which associates itself with, or impacts on, the school, it must be made clear that the member of staff is not communicating on behalf of the school with an appropriate disclaimer. Such personal communications are within the scope of this policy.

Personal communications which do not refer to or impact upon the school are outside the scope of this policy.
Digital communications with pupils are also considered. Staff may use social media to communicate with learners via a school social media account for teaching and learning purposes but must consider whether this is appropriate and consider the potential implications.

6.1 Organisational control

6.1.1 Roles & Responsibilities

- **SLT**
  - Facilitating training and guidance on Social Media use
  - Taking a lead role in investigating any reported incidents
  - Making an initial assessment when an incident is reported and involving appropriate staff and external agencies as required
  - Receive completed applications for Social Media accounts
  - Approve account creation
- **Administrator/Moderator**
  - Create the account following SLT approval
  - Store account details, including passwords securely
  - Be involved in monitoring and contributing to the account
  - Control the process for managing an account after the lead staff member has left the organisation (closing or transferring)
- **Staff**
  - Know the contents of and ensure that any use of social media is carried out in line with this and other relevant policies
  - Attending appropriate training
  - Regularly monitoring, updating and managing content he/she has posted via school accounts
  - Adding an appropriate disclaimer to personal accounts when naming the school

6.1.2 Process for creating new accounts

Before an account is created, staff should consider if a social media account will help them in their work. Staff wishing to create such an account must present a business case to the Leadership Team which covers the following points:-

- The aim of the account
- The intended audience
- How the account will be promoted
- Who will run the account (at least two staff members should be named)
- Will the account be open or private/closed

Following consideration by the SLT an application will be approved or rejected. In all cases, the SLT must be satisfied that anyone running a social media account on behalf of the school has read and understood this policy and received appropriate training. This also applies to anyone who is not directly employed by the school, including volunteers or parents.

6.1.3 Monitoring

School accounts must be monitored regularly and frequently (preferably 7 days a week, including during holidays). Any comments, queries or complaints made through those accounts must be responded to within 24 hours (or on the next working day if received at a weekend) even if the response is only to acknowledge receipt. Regular monitoring and intervention is essential in case a situation arises where bullying or any other inappropriate behaviour arises on a school social media account.

6.2 Behaviour

- The school requires that all users using social media adhere to the standard of behaviour as set out in this policy and other relevant policies.
- Digital communications by staff must be professional and respectful at all times and in accordance with this policy. Staff will not use social media to infringe on the rights and privacy of others or make ill-considered comments or judgments about staff. School social media accounts must not be used for personal gain. Staff must ensure that confidentiality is maintained on social media even after they leave the employment of the school.
- Users must declare who they are in social media posts or accounts. Anonymous posts are discouraged in relation to school activity.
- If a journalist makes contact about posts made using social media staff must follow the school media policy before responding.
- Unacceptable conduct, (e.g. defamatory, discriminatory, offensive, harassing content or a breach of data protection, confidentiality, copyright) will be considered extremely seriously by the school and will be reported as soon as possible to a relevant senior member of staff, and escalated where appropriate.
- The use of social media by staff while at work may be monitored, in line with school policies. The school permits reasonable and appropriate access to private social media sites. However, where excessive use is suspected, and considered to be interfering with relevant duties, disciplinary action may be taken
- The school will take appropriate action in the event of breaches of the social media policy. Where conduct is found to be unacceptable, the school will deal with the matter internally. Where conduct is considered illegal, the school will report the matter to the police and other relevant external agencies, and may take action according to the disciplinary policy

6.3 Legal considerations

- Users of social media should consider the copyright of the content they are sharing and, where necessary, should seek permission from the copyright holder before sharing.
- Users must ensure that their use of social media does not infringe upon relevant data protection laws, or breach confidentiality.

6.4 Handling abuse

- If a conversation turns and becomes offensive or unacceptable, school users should block, report or delete other users or their comments/posts and should inform the audience exactly why the action was taken
- If you feel that you or someone else is subject to abuse by colleagues through use of a social networking site, then this action must be reported using the agreed school protocols
- When acting on behalf of the school, handle offensive comments swiftly and with sensitivity.

6.5 Tone

The tone of content published on social media should be appropriate to the audience, whilst retaining appropriate levels of professional standards. Key words to consider when composing messages are:

- Engaging
- Conversational
- Informative
- Friendly (on certain platforms, e.g. Facebook)

6.6 Use of images

School use of images can be assumed to be acceptable, providing the following guidelines are strictly adhered to.

- Permission to use any photos or video recordings should be sought in line with the school's policy.
- Under no circumstances should staff share or upload pupil pictures online other than via school owned social media accounts
- Staff should exercise their professional judgement about whether an image is appropriate to share on school social media accounts. Pupils should be appropriately dressed, not be subject to ridicule and must not be on any school list of children whose images must not be published.
- If a member of staff inadvertently takes a compromising picture which could be misconstrued or misused, they must delete it immediately.

6.7 Personal use

- **Staff**
    - Personal communications are those made via a personal social media accounts. In all cases, where a personal account is used which associates itself with the school or impacts on the school, it must be made clear that the member of staff is not communicating on behalf of the school with an appropriate disclaimer. Such personal communications are within the scope of this policy.
    - Personal communications which do not refer to or impact upon the school are outside the scope of this policy.
    - Where excessive personal use of social media in school is suspected, and considered to be interfering with relevant duties, disciplinary action may be taken.
    - The school permits reasonable and appropriate access to private social media sites.

- **Pupil/Students**
    - Staff are not permitted to follow or engage with current or prior pupils of the school on any personal social media network account.
    - The school's education programme should enable the pupils to be safe and responsible users of social media.
    - Pupils are encouraged to comment or post appropriately about the school. Any offensive or inappropriate comments will be resolved by the use of the school's behaviour policy

- **Parents/Carers**
    - If parents/carers have access to a school learning platform where posting or commenting is enabled, parents/carers will be informed about acceptable use.
    - Parents/Carers are encouraged to comment or post appropriately about the school. In the event of any offensive or inappropriate comments being made, the school will ask the parent/carer to remove the post and invite them to discuss the issues in person. If necessary, refer parents to the school's complaints procedures.

6.8 Monitoring posts about the school

- As part of active social media engagement, it is considered good practice to pro-actively monitor the Internet for public postings about the school.
- The school should effectively respond to social media comments made by others according to a defined policy or process.

6.9 Managing your personal use of Social Media:

- Remember that nothing on social media is truly private.
- Social media can blur the lines between your professional and private life. Don't use the school logo and/or branding on personal accounts.
- Check your settings regularly and test your privacy.
- Keep an eye on your digital footprint.
- Keep your personal information private.
- Regularly review your connections – keep them to those you want to be connected to.
- When posting online consider; Scale, Audience and Permanency of what you post.
- If you want to criticise, do it politely.
- Take control of your images – do you want to be tagged in an image? What would children or parents say about you if they could see your images?
- Know how to report a problem.

6.10 Managing school social media accounts

The Do's

- Check with a senior leader before publishing content that may have controversial implications for the school.
- Use a disclaimer when expressing personal views.
- Make it clear who is posting content.
- Use an appropriate and professional tone.
- Be respectful to all parties.
- Ensure you have permission to 'share' other peoples' materials and acknowledge the author.
- Express opinions but do so in a balanced and measured manner.
- Think before responding to comments and, when in doubt, get a second opinion.
- Seek advice and report any mistakes using the school's reporting process.
- Consider turning off tagging people in images where possible.

The Don'ts

- Don't make comments, post content or link to materials that will bring the school into disrepute
- Don't publish confidential or commercially sensitive material
- Don't breach copyright, data protection or other relevant legislation
- Consider the appropriateness of content for any audience of school accounts, and don't link to, embed or add potentially inappropriate content
- Don't post derogatory, defamatory, offensive, harassing or discriminatory content
- Don't use social media to air internal grievances

7 Dealing with unsuitable/inappropriate activities

Some internet activity e.g. accessing child abuse images or distributing racist material is illegal and would obviously be banned from school and all other technical systems.

Other activities e.g. cyber-bullying would be banned and could lead to criminal prosecution. There are however a range of activities which may, generally, be legal but would be inappropriate in a school context, either because of the age of the users or the nature of those activities.

The school believes that the activities referred to in the following section would be inappropriate in a school context and that users, as defined below, should not engage in these activities in/or outside the school when using school equipment or systems.

The school policy restricts usage as follows:

User Actions		Acceptable	Acceptable at certain times	Acceptable for nominated users	Unacceptable	Unacceptable and illegal
Users shall not visit Internet sites, make, post, download, upload, data transfer, communicate or pass on, material, remarks, proposals or comments that contain or relate to:	Child sexual abuse images –The making, production or distribution of indecent images of children. Contrary to The Protection of Children Act 1978					X
	Grooming, incitement, arrangement or facilitation of sexual acts against children Contrary to the Sexual Offences Act 2003.					X
	Possession of an extreme pornographic image (grossly offensive, disgusting or otherwise of an obscene character) Contrary to the Criminal Justice and Immigration Act 2008					X
	Criminally racist material in UK – to stir up religious hatred (or hatred on the grounds of sexual orientation) - contrary to the Public Order Act 1986					X
	Pornography				X	
	Promotion of any kind of discrimination				X	

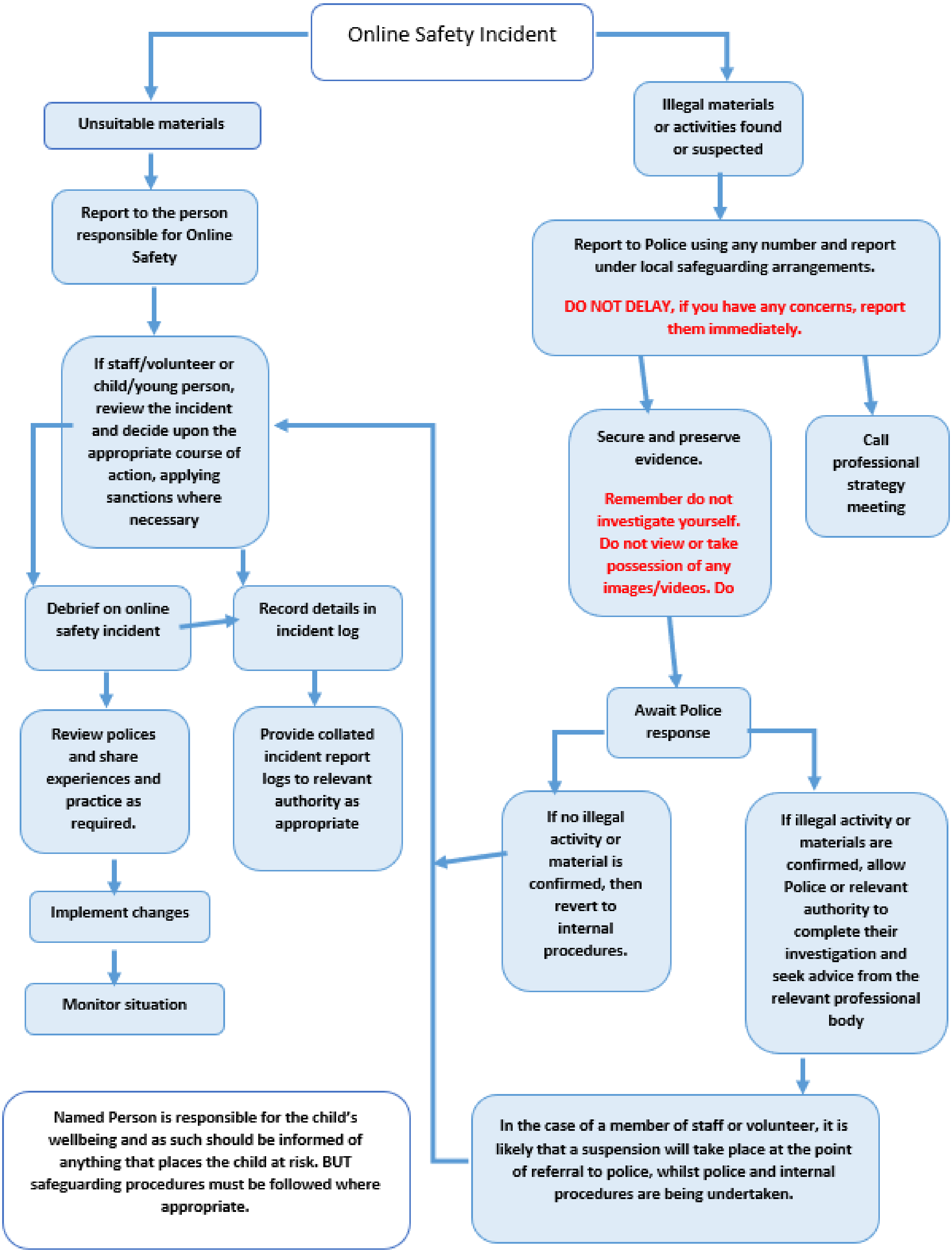
	Threatening behaviour, including promotion of physical violence or mental harm				X	
	Promotion of extremism or terrorism				X	
	Any other information which may be offensive to colleagues or breaches the integrity of the ethos of the school or brings the school into disrepute				X	
Activities that might be classed as cyber-crime under the Computer Misuse Act: • Gaining unauthorised access to school networks, data and files, through the use of computers/devices • Creating or propagating computer viruses or other harmful files • Revealing or publicising confidential or proprietary information (e.g. financial / personal information, databases, computer / network access codes and passwords) • Disable/Impair/Disrupt network functionality through the use of computers/devices • Using penetration testing equipment (without relevant permission)						X
Using systems, applications, websites or other mechanisms that bypass the filtering or other safeguards employed by the school					X	
Revealing or publicising confidential or proprietary information (e.g. financial/personal information, databases, computer/network access codes and passwords)					X	
Unfair usage (downloading/uploading large files that hinders others in their use of the internet)					X	
Using school systems to run a private business					X	
Infringing copyright					X	
On-line gaming (educational)		X				
On-line gaming (non-educational)			X			
On-line gambling					X	
On-line shopping/commerce				X		
File sharing				X		
Use of social media			X			
Use of messaging apps			X			
Use of video broadcasting e.g. Youtube			X			

8 Responding to incidents of misuse

This guidance is intended for use when staff need to manage incidents that involve the use of online services. It encourages a safe and secure approach to the management of the incident. Incidents might involve illegal or inappropriate activities (see “User Actions” above).

8.1 Illegal Incidents

If there is any suspicion that the web site(s) concerned may contain child abuse images, or if there is any other suspected illegal activity, refer to the right hand side of the Flowchart (below) for responding to online safety incidents and report immediately to the police.



Online Safety Incident

Unsuitable materials

Report to the person responsible for Online Safety

If staff/volunteer or child/young person, review the incident and decide upon the appropriate course of action, applying sanctions where necessary

Debrief on online safety incident

Record details in incident log

Review polices and share experiences and practice as required.

Provide collated incident report logs to relevant authority as appropriate

Implement changes

Monitor situation

Illegal materials or activities found or suspected

Report to Police using any number and report under local safeguarding arrangements.

DO NOT DELAY, if you have any concerns, report them immediately.

Secure and preserve evidence.

Remember do not investigate yourself. Do not view or take possession of any images/videos. Do

Call professional strategy meeting

Await Police response

If no illegal activity or material is confirmed, then revert to internal procedures.

If illegal activity or materials are confirmed, allow Police or relevant authority to complete their investigation and seek advice from the relevant professional body

In the case of a member of staff or volunteer, it is likely that a suspension will take place at the point of referral to police, whilst police and internal procedures are being undertaken.

Named Person is responsible for the child's wellbeing and as such should be informed of anything that places the child at risk. BUT safeguarding procedures must be followed where appropriate.

8.2 Other Incidents

It is expected that all members of the school community will be responsible users of digital technologies, who understand and follow school policy. However, there may be times when infringements of the policy could take place, through careless or irresponsible or, very rarely, through deliberate misuse.

In the event of suspicion, all steps in this procedure should be followed:

- Have more than one senior member of staff involved in this process. This is vital to protect individuals if accusations are subsequently reported.
- Conduct the procedure using a designated computer that will not be used by young people and if necessary can be taken off site by the police should the need arise. Use the same computer for the duration of the procedure.
- It is important to ensure that the relevant staff should have appropriate internet access to conduct the procedure, but also that the sites and content visited are closely monitored and recorded (to provide further protection).
- Record the URL of any site containing the alleged misuse and describe the nature of the content causing concern. It may also be necessary to record and store screenshots of the content on the machine being used for investigation. These may be printed, signed and attached to the form (except in the case of images of child sexual abuse – see below)
- Once this has been completed and fully investigated the group will need to judge whether this concern has substance or not. If it does, then appropriate action will be required and could include the following:
    - Internal response or discipline procedures
    - Involvement by Local Authority or national/local organisation (as relevant).
    - Police involvement and/or action
- If content being reviewed includes images of child abuse, then the monitoring should be halted and referred to the Police immediately. Other instances to report to the police would include:
    - incidents of 'grooming' behaviour
    - the sending of obscene materials to a child
    - adult material which potentially breaches the Obscene Publications Act
    - criminally racist material
    - promotion of terrorism or extremism
    - offences under the Computer Misuse Act (see User Actions chart above)
    - other criminal conduct, activity or materials
- Isolate the computer in question as best you can. Any change to its state may hinder a later police investigation.

It is important that all of the above steps are taken as they will provide an evidence trail for the school and possibly the police and demonstrate that visits to these sites were carried out for safeguarding purposes. The completed form should be retained by the group for evidence and reference purposes.

8.3 School actions & sanctions

It is more likely that the school will need to deal with incidents that involve inappropriate rather than illegal misuse. It is important that any incidents are dealt with as soon as possible in a proportionate manner, and that members of the school community are aware that incidents have been dealt with. It is intended that incidents of misuse will be dealt with through normal behaviour/disciplinary procedures.

9 Technical Security

9.1 Policies and Procedures

The school will be responsible for ensuring that their infrastructure/network is as safe and secure as is reasonably possible and that policies and procedures approved within this policy are implemented. It will also need to ensure that the relevant people receive guidance and training and will be effective in carrying out their responsibilities:

- School technical systems will be managed in ways that ensure that the school meets recommended technical requirements.
- There will be regular reviews and audits of the safety and security of school technical systems.
- Appropriate security measures are in place to protect the servers, firewalls, switches, routers, wireless systems, work stations, mobile devices etc from accidental or malicious attempts which might threaten the security of the school systems and data. Security measures will be reviewed on a regular basis.
- Responsibilities for the management of technical security are clearly assigned to appropriate and well trained staff. At Forefield Junior School this is the Network Manager.
- All users will have clearly defined access rights to school technical systems. Details of the access rights available to groups of users will be recorded by the network manager and will be reviewed, at least annually, by the online safety group.
- Users will be made responsible for the security of their username and password, must not allow other users to access the systems using their log on details and must immediately report any suspicion or evidence that there has been a breach of security.
- The Network Manager is responsible for ensuring that software licences are accurate and up to date and that regular checks are made to reconcile the number of licences purchased against the number of software installations.
- Mobile device security and management procedures are in place.
- School technical staff regularly monitor and record the activity of users on the school technical systems and users are made aware of this in the acceptable use agreement.
- An appropriate system is in place for users to report any actual/potential technical incident to the Online Safety Lead/Network Manager.

    - Users should report the incident/potential incident in writing to the Network manager and Online Safety Lead
    - The headteacher and or the Designated Safeguarding Lead should also be informed if the incident is of a safeguarding nature
- An agreed policy is in place for the provision of temporary access of "guests", (e.g. trainee teachers, supply teachers, visitors) onto the school system:
    - Guests should be allocated a temporary username and password
    - The temporary username and password will be generated by the Network Manager and recorded on the Temporary Access to School Systems spreadsheet
    - The name of each guest user should be recorded next to the allocated username and password with the start and end date
    - The username and password should NOT be allocated to another guest user
    - The Network manager will deactivate passwords after the end date has expired
- An agreed policy is in place regarding the downloading of executable files and the installation of programmes on school devices by users:
    - Downloading executable files and the installation of programmes is not permitted without permission of the Network Manager.
    - An administrator password is required to download executable files and for the installation of programmes onto school devices.
    - Any breach of this policy should be reported to the Network Manger immediately.
- An agreed policy is in place regarding the extent of personal use that users (staff/learners/community users) and their family members are allowed on school devices that may be used out of school:
    - School devices should be used for school purposes only and should not be used for personal use.
- An agreed policy is in place regarding the use of removable media (e.g. memory sticks/CDs/DVDs) by users on school devices:
    - Wherever practicable users should avoid the use of removable media on school devices. Removable media should not be used unless data is safely encrypted or otherwise secured.
- The school infrastructure and individual workstations are protected by up to date software to protect against malicious threats from viruses, worms, trojans etc.
- Personal data cannot be sent over the internet or taken off the school site unless safely encrypted or otherwise secured.

9.2 Password Security

A safe and secure username/password system is essential if the above is to be established and will apply to all school technical systems, including networks, devices, email and learning platform. Where sensitive data is in use (eg CPOMs) more secure forms of authentication e.g. two factor authentication will be used.

- All school networks and systems will be protected by secure passwords.

- All users have clearly defined access rights to school technical systems and devices. Details of the access rights available to groups of users will be recorded by the Network Manager and will be reviewed, at least annually.
- All users (adults and pupils) have responsibility for the security of their username and password, must not allow other users to access the systems using their log on details and must immediately report any suspicion or evidence that there has been a breach of security.
- Passwords must not be shared with anyone.
- All users will be provided with a username and password by the Network Manager who will keep an up to date record of users and their usernames.

9.3 Password requirements:

- Passwords should be long. Good practice highlights that passwords over 12 characters in length are considerably more difficult to compromise than shorter passwords. Passwords generated by using a combination of unconnected words that are over 16 characters long are extremely difficult to crack. Password length trumps any other special requirements such as uppercase/lowercase letters, number and special characters. Forefield Junior School sets a minimum password length of 12 characters for staff and 8 characters for pupils.
- Passwords should be easy to remember, but difficult to guess or crack.
- Passwords should be different for different accounts, to ensure that other systems are not put at risk if one is compromised and should be different for systems used inside and outside of school.
- Passwords must not include names or any other personal information about the user that might be known by others.
- Staff passwords must be changed on first login to the system.
- Passwords should not be set to expire as long as they comply with the above, but should be unique to each service the user logs into.

9.4 Learner passwords:

- Password requirements for pupils at Key Stage 2 and above should increase as pupils progress through school. On transition from Forefield Infant school, all pupils are issued with a unique username and individual password
- Users will be required to change their password if it is compromised. (Note: passwords should not be regularly changed but should be secure and unique to each account.)
- Pupils will be taught the importance of password security, this should include how passwords are compromised, and why these password rules are important.

9.5 Notes for technical staff

- Each administrator should have an individual administrator account, as well as their own user account with access levels set at an appropriate level.
- An administrator account password for the school systems should also be kept in a secure place e.g. school safe. This account and password should only be used to recover or revoke access. Other administrator accounts should not have the ability to delete this account.
- Any digitally stored administrator passwords should be hashed using a suitable algorithm for storing passwords (e.g. Bcrypt or Scrypt).
- It is good practice that where passwords are used there is a user-controlled password reset process to enable independent, but secure re-entry to the system. This ensures that only the owner has knowledge of the password.
- Where user-controlled reset is not possible, passwords for new users and replacement passwords for existing users, will be allocated by the Network Manager. Good practice is that the password generated by this change process should be system generated and only known to the user. This password should be temporary and the user should be forced to change their password on first login. The generated passwords should also be long and random.
- Where automatically generated passwords are not possible, then a good password generator should be used by the Network Manager to provide the user with their initial password. There should be a process for the secure transmission of this password to limit knowledge to the password creator and the user. The password should be temporary and the user should be forced to change their password on the first login.
- Requests for password changes should be authenticated by the Network Manager to ensure that the new password can only be passed to the genuine user.
- Passwords shall not be displayed on screen, and shall be securely hashed when stored (use of one-way encryption).

9.6 Training/Awareness:

Members of staff will be made aware of the school's password policy:

- at induction
- through the school's online safety policy
- through the acceptable use agreement

Pupils will be made aware of the school's password policy:

- in lessons
- through the acceptable use agreement

Audit/Monitoring/Reporting/Review:
The Network Manager will ensure that full records are kept of:

- User Ids and requests for password changes
- User logons
- Security incidents related to this policy

9.7 Filtering

9.7.1 Introduction

The filtering of internet content provides an important means of preventing users from accessing material that is illegal or is inappropriate in an educational context. The filtering system cannot, however, provide a 100% guarantee that it will do so, because the content on the web changes dynamically and new technologies are constantly being developed. It is important, therefore, to understand that filtering is only one element in a larger strategy for online safety and acceptable use.

DfE Keeping Learners Safe in Education requires schools to have “appropriate filtering”.
Guidance can be found on the UK Safer Internet Centre site.

9.7.2 Responsibilities

The responsibility for the management of the school’s filtering policy will be held by the Network Manager and WAVE9. They will manage the school filtering, in line with this policy and will keep records/logs of changes and of breaches of the filtering systems.
To ensure that there is a system of checks and balances and to protect those responsible, changes to the school filtering service will:

- be logged in change control logs
- be reported to and authorised by a second responsible person (the Online Safety Lead) prior to changes being made
- be reported to the Online Safety Lead in the form of an audit of the change control logs

All users have a responsibility to report immediately to the Network Manager and Online Safety Lead, any infringements of the school’s filtering policy of which they become aware or any sites that are accessed, which they believe should have been filtered.
Users must not attempt to use any programmes or software that might allow them to bypass the filtering/security systems in place to prevent access to such materials.

9.7.3 Policies and Procedures for Filtering

- Internet access is filtered for all users. Differentiated internet access is available for staff and customised filtering changes are managed by the school.
- Illegal content is filtered by the broadband or filtering provider by actively employing the Internet Watch Foundation CAIC list and other

illegal content lists. Filter content lists are regularly updated and internet use is logged and frequently monitored. The monitoring process alerts the school to breaches of the filtering policy, which are then acted upon. There is a clear route for reporting and managing changes to the filtering system. Where personal mobile devices are allowed internet access through the school network, filtering will be applied that is consistent with school practice.

- The school maintains and supports the managed filtering service provided by the Internet Service Provider. The school has provided enhanced/differentiated user-level filtering through the use of the Sophos XG UTM (Unified Threat Management) system, which is managed jointly by the school and our web services provider (Wave9) allowing different filtering levels for different ages/stages and different groups of users – staff/pupils etc.)
- In the event of the technical staff needing to switch off the filtering for any reason, or for any user, this must be logged and carried out by a process that is agreed by the Headteacher (or other nominated senior leader).
- Mobile devices that access the school internet connection (whether school or personal devices) will be subject to the same filtering standards as other devices on the school systems
- Any filtering issues should be reported immediately to the filtering provider.
- Requests from staff for sites to be removed from the filtered list will be considered by the Network Manager and the Online Safety Lead. If the request is agreed, this action will be recorded and logs of such actions shall be reviewed regularly.

9.7.4 Education/Training/Awareness

- Pupils will be made aware of the importance of filtering systems through the online safety education programme. They will also be warned of the consequences of attempting to subvert the filtering system.
- Staff users will be made aware of the filtering systems through:
    - the acceptable use agreement
    - induction training
    - staff meetings, briefings, Inset.
- Parents will be informed of the school's filtering policy through the acceptable use agreement and through online safety awareness sessions/newsletter etc.

9.7.5 Changes to the Filtering System

- The Network Manager and the Online Safety Lead will consider requests from staff for sites to be removed from the filtered list.
- Staff should be clear about the grounds on which sites should be removed from the filtering list. There should be strong educational reasons for changes that are agreed. Forefield Junior School may choose to allow access

to some sites e.g. social networking sites for some users, at some times, or for a limited period of time.

- If the request is agreed, this action will be recorded and logs of such actions shall be reviewed regularly by the SLT.
- Users who gain access to, or have knowledge of others being able to access, sites which they feel should be filtered (or unfiltered) should report this in the first instance to the Network Manager and Online Safety Lead who will decide whether to make school level changes (as above).

9.7.6 Monitoring

No filtering system can guarantee 100% protection against access to unsuitable sites. The school will therefore monitor the activities of users on the school network and on school equipment as indicated in the school online safety policy and the acceptable use agreement.
Monitoring will take place as follows:

- On a weekly basis. A weekly report is generated and sent to the headteacher, Online Safety Lead and Designated Safeguarding Lead.
- At the request of a member of staff or the SLT in response to an incident or potential incident

9.7.7Audit/Reporting

- Logs of filtering change controls and of filtering incidents will be made available to:
  - Online Safety Lead and Designated Safeguarding Lead
  - SLT
  - Governors
  - External Filtering provider/Local Authority/Police on request

- The filtering policy will be reviewed in the response to the evidence provided by the audit logs of the suitability of the current provision. The evidence might show a large number of requests to remove the filtering from sites – in which case schools might question whether their current level of filtering is too restrictive for educational purposes. Alternatively, a large number of incidents where users try to subvert the filtering system might suggest that improved monitoring/disciplinary action might be necessary.

9.8 Further Guidance

Schools in England (and Wales) are required

> *"to ensure children are safe from terrorist and extremist material when accessing the internet in school, including by establishing appropriate levels of filtering"*

Revised Prevent Duty Guidance: for England and Wales, 2015

The Department for Education requires schools to:

> *"ensure appropriate filters and appropriate monitoring systems are in place. Children should not be able to access harmful or inappropriate material from the school or colleges IT system"* however, schools will need to *"be careful that "over blocking" does not lead to unreasonable restrictions as to what children can be taught with regards to online teaching and safeguarding."*

'Keeping Children Safe in Education'

In response UKSIC produced guidance on – information on appropriate filtering – this checklist is particularly useful where a school uses external providers for its technical support/security.

"Appropriate Filtering"Somerset Guidance for schools – questions for technical support

SWGfL provides a site for schools to test their filtering to ensure that illegal materials cannot be accessed:

SWGfL Test Filtering

10 . Electronic Devices - Searching & Deletion

10.1 Introduction

The changing face of information technologies and ever increasing pupil use of these technologies has meant that the Education Acts have had to change in an attempt to keep pace. Within Part 2 of the Education Act 2011 (Discipline) there have been changes to the powers afforded to schools by statute to search pupils in order to maintain discipline and ensure safety. Schools are required to ensure they have updated policies which take these changes into account. No such policy can on its own guarantee that the school will not face legal challenge, but having a robust policy which takes account of the Act and applying it in practice will however help to provide the school with justification for what it does.

The particular changes we deal with here are the added power to search for items 'banned under the school rules' and the power to 'delete data' stored on seized electronic devices.

Items banned under the school rules are determined and publicised by the Headteacher (section 89 Education and Inspections Act 1996).
An item banned by the school rules may only be searched for under these new powers if it has been identified in the school rules as an item that can be

searched for. It is therefore important that there is a school policy which sets out clearly and unambiguously the items which:

- are banned under the school rules; and
- are banned AND can be searched for by authorised school staff

The act allows authorised persons to examine data on electronic devices if they think there is a good reason to do so. In determining a 'good reason' to examine or erase the data or files the authorised staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or could break the school rules.

DFE Guidance: Searching, Screening and Confiscation July 2022 states:

> 78. In determining whether there is a 'good reason' to examine the data or files, the member of staff should reasonably suspect that the data or file on the device has been, or could be used, to cause harm, undermine the safe environment of the school and disrupt teaching, or be used to commit an offence.

Following an examination, if the person has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so.

DFE Guidance: Searching, Screening and Confiscation July 2022 states:

> 79. In determining whether there is a 'good reason' to erase any data or files from the device, the member of staff should consider whether the material found may constitute evidence relating to a suspected offence. In those instances, the data or files should not be deleted, and the device must be handed to the police as soon as it is reasonably practicable. If the data or files are not suspected to be evidence in relation to an offence, a member of staff may delete the data or files if the continued existence of the data or file is likely to continue to cause harm to any person and the pupil and/or the parent refuses to delete the data or files themselves.

DfE advice on these sections of the Education Act 2011 can be found in the document: "Searching, Screening and Confiscation – Advice for schools" (2022)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1091132/Searching__Screening_and_Confiscation_guidance_July_2022.pdf

10.2 Responsibilities

- The Headteacher is responsible for ensuring that the school policies reflect the requirements contained within the relevant legislation.
- The Headteacher will need to authorise those staff who are allowed to carry out searches.
- The Headteacher may authorise other staff members in writing in advance of any search they may undertake, subject to appropriate training.

- Members of staff cannot be required to carry out such searches. They can each choose whether or not they wish to be an authorised member of staff.

10.3 Training/Awareness

Members of staff should be made aware of the school's policy on "Electronic devices – searching and deletion":

- at induction
- at regular updating sessions on the school's online safety policy

Members of staff authorised by the Headteacher to carry out searches for and of electronic devices and to access and delete data/files from those devices should receive training that is specific and relevant to this role.

Specific training is required for those staff who may need to judge whether material that is accessed is inappropriate or illegal.

10.4 Search

This policy refers only to the searching for and of electronic devices and the deletion of data/files on those devices.

Authorised staff have the right to search for such electronic devices where they reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.

- Searching with consent - authorised staff may search with the pupil's consent for any item
- Searching without consent - authorised staff may only search without the pupil's consent for anything which is either 'prohibited' (as defined in Section 550AA of the Education Act 1996) or appears in the school rules as an item which is banned and may be searched for

10.4.1 In carrying out the search:

- The authorised member of staff must have reasonable grounds for suspecting that a pupil is in possession of a prohibited item i.e. an item banned by the school rules and which can be searched for.
    - Whether there are 'reasonable grounds' is a matter decided on by reference to the circumstances witnessed by, or reported to, someone who is authorised and who exercises properly informed professional judgment and has received appropriate training.
- The authorised member of staff should take reasonable steps to check the ownership of the mobile phone/personal electronic device before carrying out a search. (The powers included in the Education Act do not extend to devices owned (or mislaid) by other parties e.g. a visiting parent or contractor, only to devices in the possession of pupils.)

- The authorised member of staff should take care that, where possible, searches should not take place in public places e.g. an occupied classroom, which might be considered as exploiting the pupil being searched.
- The authorised member of staff carrying out the search must be the same gender as the pupil being searched; and there must be a witness (also a staff member) and, if at all possible, they too should be the same gender as the pupil being searched.
- There is a limited exception to this rule:

    - Authorised staff can carry out a search of a pupil of the opposite gender including without a witness present, but **only where you reasonably believe that there is a risk that serious harm will be caused to a person if you do not conduct the search immediately and where it is not reasonably practicable to summon another member of staff.**

10.4.2 Extent of the search:

- **The person conducting the search may not require the pupil to remove any clothing other than outer clothing.**

    - Outer clothing means clothing that is not worn next to the skin or immediately over a garment that is being worn as underwear (outer clothing includes hats; shoes; boots; coat; blazer; jacket; gloves and scarves).

- 'Possessions' means any goods over which the pupil has or appears to have control – this includes desks, lockers and bags.
- *A* pupil's possessions can only be searched in the presence of the pupil and another member of staff, except where there is a risk that serious harm will be caused to a person if the search is not conducted immediately and where it is not reasonably practicable to summon another member of staff.
- **The power to search without consent enables a personal search, involving removal of outer clothing and searching of pockets; but not an intimate search going further than that, which only a person with more extensive powers (e.g. a police officer) can do.**
- **Use of Force – force cannot be used to search without consent for items banned under the school rules regardless of whether the rules say an item can be searched for.**

10.5 Electronic devices

- An authorised member of staff finding an electronic device may access and examine any data or files on the device if they think there is a good reason to do so:

  - the staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.
- The examination of the data/files on the device should go only as far as is reasonably necessary to establish the facts of the incident. Any further intrusive examination of personal data may leave the school open to legal challenge.
- It is important that authorised staff should have training and sufficient knowledge of electronic devices and data storage.
- If inappropriate material is found on the device it is up to the authorised member of staff to decide whether the material is of such seriousness that it requires the involvement of the police. Examples of illegal activity would include:
  - child sexual abuse images (including images of one child held by another child)
  - adult material which potentially breaches the Obscene Publications Act
  - criminally racist material
  - other criminal conduct, activity or materials

- Members of staff may require support in judging whether the material is inappropriate or illegal. One or more Senior Leaders should receive additional training to assist with these decisions. Care should be taken not to delete material that might be required in a potential criminal investigation.
- The school should also consider their duty of care responsibility in relation to those staff who may access disturbing images or other inappropriate material whilst undertaking a search. Seeing such material can be most upsetting. There should be arrangements in place to support such staff.
- Further guidance on reporting the incident to the police and the preservation of evidence can be found in the ‘responding to incidents of misuse’ flow chart.

10.6 Deletion of Data

- Following an examination of an electronic device, if the authorised member of staff has decided to return the device to the owner, or to retain or dispose of it, they may erase any data or files, if they think there is a good reason to do so. **The staff member must reasonably suspect that the data or file on the device in question has been, or could be, used to cause harm, to disrupt teaching or break the school rules.**
- If inappropriate material is found on the device, it is up to the authorised member of staff to decide whether they should delete that material, retain it as evidence (of a possible criminal offence or a breach of school discipline) or whether the material is of such seriousness that it requires the involvement of the police.

    - Members of staff should not act alone, they should know who to contact, within school, for further guidance **before** taking action.

- A record should be kept of the reasons for the deletion of data/files.

    - DfE guidance states and other legal advice recommends that there is no legal reason to do this, best practice suggests that the school can refer to relevant documentation created at the time of any search or data deletion in the event of a pupil, parental or other interested party complaint or legal challenge. Records will also help the school to review online safety incidents, learn from what has happened and adapt and report on application of policies as necessary.

10.7 Care of Confiscated Devices

- School staff are reminded of the need to ensure the safe keeping of confiscated devices, to avoid the risk of compensation claims for damage/loss of such devices.
    - At Forefield Junior School confiscated devices will be placed in an envelope and the pupil's name will be written across the seal. The device will be held securely. A parent/carer will be asked to come to school to retrieve the device.

10.8 Audit/Monitoring/Reporting/Review

- The headteacher will ensure that full records are kept of incidents involving the searching for and of mobile phones and electronic devices and the deletion of data/files.
- These incidents will be reported to Governors at regular intervals.
- DfE guidance can be found at: https://www.gov.uk/government/publications/searching-screening-and-confiscation

11. Legislation

Schools should be aware of the legislative framework under which this online safety policy and guidance has been produced. It is important to note that in general terms an action that is illegal if committed offline is also illegal if committed online.

It is recommended that legal advice is sought in the advent of an online safety issue or situation.

Computer Misuse Act 1990

This Act makes it an offence to:

- Erase or amend data or programs without authority;
- Obtain unauthorised access to a computer;
- "Eavesdrop" on a computer;
- Make unauthorised use of computer time or facilities;
- Maliciously corrupt or erase data or programs;
- Deny access to authorised users.

School may wish to view the National Crime Agency website which includes information about "Cyber crime – preventing young people from getting involved". Each region in England (& Wales) has a Regional Organised Crime Unit (ROCU) Cyber-Prevent team that works with schools to encourage young people to make positive use of their cyber skills. There is a useful summary of the Act on the NCA site.

Data Protection Act 1998

This protects the rights and privacy of individual's data. To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully. The Act states that person data must be:

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequate, relevant and not excessive.
- Accurate.
- Not kept longer than necessary.
- Processed in accordance with the data subject's rights.
- Secure.
- Not transferred to other countries without adequate protection.

The Data Protection Act 2018:

Updates the 1998 Act, incorporates the General Data Protection Regulations (GDPR) and aims to:

- Facilitate the secure transfer of information within the European Union.
- Prevent people or organisations from holding and using inaccurate information on individuals. This applies to information regarding both private lives or business.
- Give the public confidence about how businesses can use their personal information.
- Provide data subjects with the legal right to check the information businesses hold about them. They can also request for the data controller to destroy it.
- Give data subjects greater control over how data controllers handle their data.
- Place emphasis on accountability. This requires businesses to have processes in place that demonstrate how they're securely handling data.
- Require firms to keep people's personal data safe and secure. Data controllers must ensure that it is not misused.

- Require the data user or holder to register with the Information Commissioner.

All data subjects have the right to:

- Receive clear information about what you will use their data for.
- Access their own personal information.
- Request for their data to be revised if out of date or erased. These are known as the right to rectification and the right to erasure
- Request information about the reasoning behind any automated decisions, such as if computer software denies them access to a loan.
- Prevent or query about the automated processing of their personal data.

Freedom of Information Act 2000

The Freedom of Information Act gives individuals the right to request information held by public authorities. All public authorities and companies wholly owned by public authorities have obligations under the Freedom of Information Act. When responding to requests, they have to follow a number of set procedures.

Communications Act 2003

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

Malicious Communications Act 1988

It is an offence to send an indecent, offensive, or threatening letter, electronic communication or other article to another person.

Regulation of Investigatory Powers Act 2000

It is an offence for any person to intentionally and without lawful authority intercept any communication. Monitoring or keeping a record of any form of electronic communications is permitted, in order to:

- Establish the facts;
- Ascertain compliance with regulatory or self-regulatory practices or procedures;
- Demonstrate standards, which are or ought to be achieved by persons using the system;
- Investigate or detect unauthorised use of the communications system;
- Prevent or detect crime or in the interests of national security;
- Ensure the effective operation of the system.
- Monitoring but not recording is also permissible in order to:
- Ascertain whether the communication is business or personal;
- Protect or support help line staff.

- The school reserves the right to monitor its systems and communications in line with its rights under this act.

Trade Marks Act 1994

This provides protection for Registered Trade Marks, which can be any symbol (words, shapes or images) that are associated with a particular set of goods or services. Registered Trade Marks must not be used without permission. This can also arise from using a Mark that is confusingly similar to an existing Mark.

Copyright, Designs and Patents Act 1988

It is an offence to copy all, or a substantial part of a copyright work. There are, however, certain limited user permissions, such as fair dealing, which means under certain circumstances permission is not needed to copy small amounts for non-commercial research or private study. The Act also provides for Moral Rights, whereby authors can sue if their name is not included in a work they wrote, or if the work has been amended in such a way as to impugn their reputation. Copyright covers materials in print and electronic form, and includes words, images, and sounds, moving images, TV broadcasts and other media (e.g. YouTube).

Telecommunications Act 1984

It is an offence to send a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. It is also an offence to send a message that is intended to cause annoyance, inconvenience or needless anxiety to another that the sender knows to be false.

Criminal Justice & Public Order Act 1994

This defines a criminal offence of intentional harassment, which covers all forms of harassment, including sexual. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, they:

- Use threatening, abusive or insulting words or behaviour, or disorderly behaviour; or
- Display any writing, sign or other visible representation, which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

Racial and Religious Hatred Act 2006

This Act makes it a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

Protection from Harassment Act 1997

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other. A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

Protection of Children Act 1978

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison

Sexual Offences Act 2003

A grooming offence is committed if you are over 18 and have communicated with a child under 16 at least twice (including by phone or using the Internet) it is an offence to meet them or travel to meet them anywhere in the world with the intention of committing a sexual offence. Causing a child under 16 to watch a sexual act is illegal, including looking at images such as videos, photos or webcams, for your own gratification. It is also an offence for a person in a position of trust to engage in sexual activity with any person under 18, with whom they are in a position of trust. (Typically, teachers, social workers, health professionals, connexions staff fall in this category of trust). Any sexual intercourse with a child under the age of 13 commits the offence of rape.

Public Order Act 1986

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence. Children, Families and Education Directorate page 38 April 2007.

Obscene Publications Act 1959 and 1964

Publishing an “obscene” article is a criminal offence. Publishing includes electronic transmission.

Human Rights Act 1998

This does not deal with any particular issue specifically or any discrete subject area within the law. It is a type of “higher law”, affecting all other laws. In the school context, human rights to be aware of include:

- The right to a fair trial
- The right to respect for private and family life, home and correspondence
- Freedom of thought, conscience and religion
- Freedom of expression
- Freedom of assembly
- Prohibition of discrimination
- The right to education

These rights are not absolute. The school is obliged to respect these rights and freedoms, balancing them against those rights, duties and obligations, which arise from other relevant legislation.

The Education and Inspections Act 2006

Empowers Headteachers, to such extent as is reasonable, to regulate the behaviour of students/pupils when they are off the school site and empowers members of staff to impose disciplinary penalties for inappropriate behaviour.

The Education and Inspections Act 2011

Extended the powers included in the 2006 Act and gave permission for Headteachers (and nominated staff) to search for electronic devices. It also provides powers to search for data on those devices and to delete data. http://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0076897/screening-searching-and-confiscation)

The Protection of Freedoms Act 2012

Requires schools to seek permission from a parent/carer to use Biometric systems

The School Information Regulations 2012

Requires schools to publish certain information on its website: https://www.gov.uk/guidance/what-maintained-schools-must-publish-online

Serious Crime Act 2015

Introduced new offence of sexual communication with a child. Also created new offences and orders around gang crime (including CSE)

Criminal Justice and Courts Act 2015

Revenge porn – as it is now commonly known – involves the distribution of private and personal explicit images or video footage of an individual without their consent, with the intention of causing them embarrassment and distress. Often revenge porn is used maliciously to shame ex-partners. Revenge porn was made a specific offence in the Criminal Justice and Courts Act 2015. The Act specifies that if you are accused of revenge porn and found guilty of the criminal offence, you could be prosecuted and face a sentence of up to two years in prison.

For further guidance or support please contact the Revenge Porn Helpline