St. Mark's Catholic Primary School

E-Safety Policy.

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E-Safety Policy Information

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Our Vision

St. Mark's Catholic Primary School embraces the positive impact and educational benefits that can be achieved through appropriate use of the Internet and associated communication technologies. We are also aware that inappropriate or misguided use can expose both adults and young people to unacceptable risks and dangers. To that end, St. Mark's Catholic Primary School aims to provide a safe and secure environment which not only protects all people on the premises but also educates them on how to stay safe in the wider world.

Scope

This policy and related documents apply at all times to fixed and mobile technologies owned and supplied by St. Mark's Catholic Primary School and to personal devices owned by adults and young people while on the school premises.

Related Documents:

- Acceptable Use Policy for Adults.
- Acceptable Use Policy for Young People.
- Data Security Policy.
- Behaviour Policy.
- Anti-bullying Policy.

Birmingham City Council's Internet Use Policy, Internet Use Code of Practice and Email Use Policy (linked from www.bgfl.org/esafety) 'Birmingham Inline'. They can be accessed through 'Workzone, Information Technology then Email Use or Internet Use'. (Inline Workzone Link)

Equal Opportunities

It is the policy of the school that each child should be offered a genuine equality of opportunity to succeed at school. Therefore, all children and members of staff are encouraged to understand and respect the differing ethnic, cultural, class, gender, appearance, disability and religious backgrounds of other children. All teaching materials are monitored with a view to prejudice.

Publicising e-Safety

Effective communication across the school community is the key to achieving the school's vision for safe and responsible citizens. To achieve this we will:

- Make this policy, and related documents, available on the school website at: http://www.stmarkrc.bham.sch.uk

- Introduce this policy, and related documents, to all stakeholders at appropriate times. This will be at least once a year or whenever it is updated.
- Post relevant e-Safety information in all areas where computers are used. Provide e-Safety information at Parents' Evenings and through the school newsletter.

Development / Monitoring / Review of this Policy

This e-safety policy has been developed by a working group / committee made up of:

- *Head teacher / Senior Leaders*
- *E-Safety Officer / Coordinator*
- *Staff – including Teachers, Support Staff, Technical staff*
- *Governors*
- *Parents and Carers*
- *Community users*

Consultation with the whole school community has taken place through a range of formal and informal meetings.

Schedule for Development / Monitoring / Review

This e-safety policy was approved by the *Board of Governors:*	*29th September 2016*
The implementation of this e-safety policy will be monitored by the:	*Mr Murphy (Head teacher)* *Senior Leadership Team / E-Safety Leader/ Governors*
Monitoring will take place at termly intervals:	*Autumn 2016*
The *Board of Governors* will receive a report on the implementation of the e-safety policy generated by the monitoring group (which will include anonymous details of e-safety incidents) at regular intervals:	*End of the Autumn Term*
The E-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 e-safety or incidents that have taken place. The next anticipated review date will be:	*September 2017*
Should serious e-safety incidents take place, the following external persons / agencies should be informed:	*Mr. Murphy (Head teacher)* *ICT Technician, Safeguarding Officer, Police*

The school will monitor the impact of the policy using:

- *Logs of reported incidents*
- *Monitoring logs of internet activity (including sites visited)*
- *Internal monitoring data for network activity*
- *Surveys / questionnaires of*
  - *pupils*
  - parents / carers
  - *staff*

Review of Education/Training Needs

E-safety training

The school have a program of continuing professional development in place that includes whole school inset, in school support, consultancy and course attendance.

- There is a mandatory induction process and mentor scheme for new members of staff.
- Educational resources are reviewed by Subject Leader and disseminated through curriculum meetings/staff meetings/training sessions annually.
- E-Safety is embedded throughout the school curriculum and visited by each year group.
- Pupils are taught how to validate the accuracy of information found on the internet.
- Parents and carers are reminding parents of keeping their children safe online.
- Website Parent/ Carer tab with advice
- Website Grandparents advice

Education

Education – pupils

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

- **A planned e-safety curriculum should be provided as part of Computing / PHSE / other lessons and should be regularly revisited**
- **Key e-safety messages should be reinforced as part of a planned programme of assemblies and tutorial / 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 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 (eg racism, drugs, discrimination) that would normally result in internet searches being blocked. In such a situation, staff can request that the Technical Staff 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.***

Education & Training – Staff / Volunteers

- **A mandatory planned programme of formal e-safety training will be given to staff. This will be regularly updated and reinforced. An audit of the e-safety training needs of all staff will be carried out regularly.**
- **All new staff should receive e-safety training as part of their induction programme, ensuring that they fully understand the school e-safety policy and Acceptable Use Agreements.**
- ***The E-Safety Coordinator / Officer will receive regular updates through attendance at external training events (eg from SWGfL / LA / other relevant organisations) and by reviewing guidance documents released by relevant organisations.***
- ***This E-Safety policy and its updates will be presented to and discussed by staff in staff meetings***

Education – parents / carers

Parents/ Carers play an essential role in the education of their children and in the monitoring / regulation of the children's on-line behaviours. Parents need to be aware of how their child may come across potentially harmful and inappropriate material on the internet and how to respond.

Parents/Carers can find information through:

- *Curriculum activities*
- *Letters, newsletters, website, school blogs*
- *Inspire sessions*
- *Parent Briefings*
- *Parent Website tab*
- *From their children's learning about the curriculum in school*

Reference to the relevant web sites / publications eg *www.swgfl.org.uk* www.saferinternet.org.uk/ http://www.childnet.com/parents-and-carers

Training – Governors

Governors have take part in e-safety training / awareness sessions, with particular importance for those who are members of any sub committee / group involved in technology / e-safety / health and safety / child protection. This may be offered in a number of ways:

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

Education – The Wider Community

Third party users of school equipment will be advised of the policies, filtering and monitoring that is in place. They will be issued with appropriate usernames and password.

Community Users

Community Users who access school systems / website / VLE as part of the wider *school* provision will be expected to sign a Community User AUA before being provided with access to school systems. (see Appendix)

The school will provide opportunities for local community groups / members of the community to gain from the school's e-safety knowledge and experience. This may be offered through the following:

- *Providing family learning courses in use of new digital technologies, digital literacy and e-safety*
- *E-Safety messages targeted, on website,towards grandparents and other relatives as well as parents.*
- *The school website will provide e-safety information for the wider community*
- *Supporting community groups, when appropriate, eg Early Years Settings, Childminders, youth / sports / voluntary groups to enhance their e-safety provision*

Roles and Responsibilities

Governors:

Governors are responsible for the approval of the E-Safety Policy and for reviewing the effectiveness of the policy. This will be carried out by the *Governors* receiving regular information about e-safety incidents and monitoring reports. A member of the *Governing Body* has taken on the role of *E-Safety Governor*. The role of the E-Safety *Governor* will include:

- *termly meetings with the E-Safety Co-ordinator/Head Teacher*
- *termly monitoring of e-safety incident logs*
- *termly monitoring of filtering / change control logs*
- *reporting to relevant Governors*

Head teacher and Senior Leaders:

- **The *Head teacher* has a duty of care for ensuring the safety (including e-safety) of members of the school community**, though the day to day responsibility for e-safety will be delegated to the *E-Safety Co-ordinator*

- **The Head teacher and the Senior Leadership Team should be aware of the procedures to be followed in the event of a serious e-safety allegation being made against a member of staff.** (see flow chart on dealing with e-safety incidents – included in a later section – "Responding to incidents of misuse" and relevant *Local Authority HR / other relevant body* disciplinary procedures

- *The Head teacher / Senior Leaders are responsible for ensuring that the E-Safety Coordinator / Officer and other relevant staff receive suitable training to enable them to carry out their e-safety roles and to train other colleagues, as relevant.*

- *The Head teacher / 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 e-safety monitoring role. This is to provide a safety net and also support to those colleagues who take on important monitoring roles.*

We use Policy Central Exchange to help us monitor.

- *The Senior Leadership Team will receive regular monitoring reports from the E-Safety Co-ordinator.*

E-Safety Coordinator:

- leads the e-safety committee
- takes day to day responsibility for e-safety issues and has a leading role in establishing and reviewing the school e-safety policies / documents
- ensures that all staff are aware of the procedures that need to be followed in the event of an e-safety incident taking place.
- provides training and advice for staff
- liaises with the Local Authority / relevant body
- liaises with school technical staff
- receives reports of e-safety incidents and creates a log of incidents to inform future e-safety developments

- meets termly with E-Safety *Governor/* to discuss current issues, review incident logs and filtering / change control logs
- attends relevant meeting / committee of *Governors*
- reports termly to Senior Leadership Team

School Technician:

School Technician is 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 e-safety technical requirements and any *Local Authority / other relevant body* E-Safety Policy / Guidance that may apply.
- that users may only access the networks and devices through a properly enforced password protection policy, in which passwords are regularly changed
- *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 e-safety technical information in order to effectively carry out their e-safety role and to inform and update others as relevant
- that the use of the *network / internet / Virtual Learning Environment / remote access / email* is regularly monitored in order that any misuse / attempted misuse can be reported to the *Head teacher / Senior Leader; E-Safety Coordinator* for investigation / action / sanction
- *that monitoring software / systems are implemented and updated as agreed in school policies.*

Teaching and Support Staff

All teaching and support staff are responsible for ensuring that:

- they have an up to date awareness of e-safety matters and of the current *school* e-safety policy and practices
- they have read, understood and signed the Staff Acceptable Use Policy / Agreement (AUP)
- they report any suspected misuse or problem to the *Head teacher/ Senior Leader ; E-Safety Coordinator* for investigation / action / sanction
- all digital communications with students / pupils / parents / carers should be on a professional level *and only carried out using official school systems*
- e-safety issues are embedded in all aspects of the curriculum and other activities
- pupils understand and follow the e-safety 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*

Child Protection / Safeguarding Designated Person / Officer

should be trained in e-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
- potential or actual incidents of grooming
- cyber-bullying

E-Safety Group consisting of Head Teacher, ICT co-ordinator, Technician, Staff member, ICT Link Governor

The E-Safety Group provides a consultative group that has wide representation from the *school* community, with responsibility for issues regarding e-safety and the monitoring the e-safety policy including the impact of initiatives. This committee may be part of the safeguarding group. The group will also be responsible for regular reporting to the *Governing Body.*
Members of the *E-safety Group* will assist the *E-Safety Coordinator with:*

- the production / review / monitoring of the school e-safety policy / documents.
- *the production / review / monitoring of the school filtering policy and requests for filtering changes.*
- mapping and reviewing the e-safety curricular provision – ensuring relevance, breadth and progression
- monitoring network / internet / incident logs
- consulting stakeholders – including parents / carers and the students / pupils about the e-safety provision
- monitoring improvement actions identified through use of the 360 degree safe self review tool

Pupils:

are responsible for using the *school* digital technology systems in accordance with the Pupil Acceptable Use Policy

- 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 cyber-bullying.
- should understand the importance of adopting good e-safety practice when using digital technologies out of school and realise that the *school's* E-Safety Policy covers their actions out of school, if related to their membership of the school

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' consultations, newsletters, letters, website / VLE and information about national / local e-safety campaigns / literature.* Parents and carers will be encouraged to support the *school* in promoting good e-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 / VLE and on-line student / pupil records
- their children's personal devices in the school

Physical Environment / Security

The school endeavours to provide a safe environment for the whole community and we review both physical and network security regularly and monitor who has access to the system consulting with the LA where appropriate.

- Anti-virus software is installed on all computers and updated regularly.

- Central filtering is provided and managed by Link2ICT. All staff, students, visitors, supply teachers are made aware of this and understand that if an inappropriate site is discovered it must be reported to the e-Safety co-ordinator who will report it to the Link2ICT Service Desk to be blocked. All incidents will be recorded in the e-Safety log for audit purposes.
- Requests for changes to the filtering will be directed to the e-Safety co-ordinator in the first instance who will forward these on to Link2ICT or liaise with the Head as appropriate. Change requests will be recorded in the e-Safety log for audit purposes
- The school uses Policy Central Enterprise on all school owned equipment to ensure compliance with the Acceptable Use Policies.
    - Pupils use is monitored by …….. daily.
    - Staff use is monitored by the …….. daily.
- All staff, visitors and supply teachers are issued with their own username and password for network access.
- Key stage one pupils use class logon ID's for their network access.
- Key stage two pupils have their own username and password and understand that this must not be shared.
- All pupils are issues with their own username and password and understand that this must not be shared.

Technical – infrastructure / equipment, filtering and monitoring

St. Mark's school is responsible for ensuring that the school infrastructure / network is as safe and secure as is reasonably possible.

T S E-S

- School technical systems are managed in ways that ensure that the school meets recommended technical requirements
- There are regular reviews and audits of the safety and security of school technical systems
- Servers, wireless systems and cabling are securely located and physical access restricted
- All users have clearly defined access rights to school technical systems and devices.
- All users from Year 1 are provided with a username and secure password by our school Technician. Users are responsible for the security of their username and password.
- The "master / administrator" passwords for the school used by the Network Manager are available to the *Head teacher* and kept in a secure place.
- Our School Technician is responsible for ensuring that software licence logs 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
- Internet access is filtered for all users. Illegal content (child sexual abuse images) is filtered by Central filtering and managed by Link2 ICT. Content lists are regularly updated and internet use is logged and regularly monitored. There is a clear process in place to deal with requests for filtering changes
- *The school has provided enhanced / differentiated user-level filtering*
- *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 / security breach to the relevant person.*
- Appropriate security measures are in place to protect the servers, firewalls, routers, wireless systems, work stations, mobile devices etc from accidental or malicious attempts which might threaten the security of the school systems and data. These are tested regularly. The school infrastructure and individual workstations are protected by up to date virus software.
- An agreed policy is in place **(see appendix)** for the provision of temporary access of "guests" (eg trainee teachers, supply teachers, visitors) onto the school systems.
- *An agreed policy is in place regarding the extent of personal use that users (staff / students / pupils / community users) and their family members are allowed on school devices that may be used out of school.*

An agreed policy is in place (see appendix) ***regarding the use of removable media (eg memory sticks / CDs / DVDs) by users on school devices. Personal data (child's dates of birth, family information) cannot be sent over the internet or taken off the school. Personal data (child's assessments) can be taken off site if safely encrypted or otherwise secured.***

Password Security

A safe and secure username / password system is in place and will apply to all school technical systems, including networks, devices, email and Virtual Learning Environment (VLE).

Policy Statements

- All users will 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 School Technician and will be reviewed, at least annually, by the E-Safety Committee.
- All school networks and systems will be protected by secure passwords that are regularly changed
- The "master / administrator" passwords for the school, used by the technical staff must also be available to the *Head teacher* and kept in a secure place eg school safe. Consideration should also be given to using two factor authentication for such accounts.

T P/C

- All users (adults and young people) will 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.
- *Users will change their passwords at regular intervals – as described in the staff and pupil sections below*
- *requests for password changes should be authenticated by (the school technician) to ensure that the password can only be passed to the genuine user.*

Staff passwords:

- **All staff users will be provided with a username and password.** *Our school technician will provide all new staff with a password and assist staff if they have forgotten their password or have problems logging on.*
- Passwords will be to be changed every 60 days.
- *must not include proper names or any other personal information about the user that might be known by others*
- *the account will be "locked out" following six successive incorrect log-on attempts*
- *temporary passwords e.g. used with new user accounts or when users have forgotten their passwords, shall be enforced to change immediately upon the next account log-on*
- passwords shall not be displayed on screen, and shall be securely hashed

  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.
- should not re-used for 6 months and be significantly different from previous the last four passwords cannot be re-used ppasswords created by the same user.
- should be different for systems used inside and outside of school
- Passwords will have 8 characters minimum length, must have upper and lower case letters, numbers and symbols.

Pupil passwords

- **All users will be provided with a username and password** and their class teacher *will keep an up to date record of users and their usernames.*
- Pupils will be taught the importance of password security

Training / Awareness

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

- at induction
- through the school's e-safety policy and password security 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

A full record will be kept of:

- User Ids and requests for password changes
- *User log-ons*
- *Security incidents related to this policy*

Acceptable Use

Acceptable Use – Staff/Volunteers

New technologies have become integral to the lives of children and young people in today's society, both within schools and in their lives outside school. The internet and other digital information and communications technologies are powerful tools, which open up new opportunities for everyone. These technologies can stimulate discussion, promote creativity and stimulate awareness of context to promote effective learning. They also bring opportunities for staff to be more creative and productive in their work. All users should have an entitlement to safe internet access at all times.

The use of ICT and the related technologies such as email, Internet and mobile/portable devices are an expected part of our daily working life in school. This policy is designed to ensure that all staff are aware of their professional responsibilities when using any form of ICT. All staff are expected to sign this policy and adhere at all times to its contents. Any concerns or clarification should be discussed with Mr K Kelly, the School's e-Safety Co-ordinator.

(Acceptable Use Policy Staff see Appendix)

Acceptable Use – Pupils

The use of ICT and the related technologies such as email, Internet and mobile/portable devices are an important part of learning in our school. We expect all pupils to be responsible for their behaviour when using ICT and/or its resources. It is important that pupils are aware of e-Safety and know how to stay safe when using any ICT.

Pupils are expected to discuss this policy with their Parent/Carer and then to sign and follow the e-Safety Rules. Any concerns or explanation can be discussed with Mr Murphy, the School e-Safety Co-ordinator.

(Acceptable Use Policy Pupil see Appendix)

Acceptable Use –Community

Acceptable Use Agreement is intended to ensure:

- that community users of school digital technologies will be responsible users and stay safe while using these systems and devices
- that school systems, devices and users are protected from accidental or deliberate misuse that could put the security of the systems and users at risk.
- that users are protected from potential risk in their use of these systems and devices

T S P/C E-S CU

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	
	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	
Using school systems to run a private business						X	
Using systems, applications, websites or other mechanisms that bypass the filtering or other safeguards employed by the school / academy						X	
Infringing copyright						X	
Revealing or publicising confidential or proprietary information (eg financial / personal information, databases, computer / network access codes and passwords)						X	
Creating or propagating computer viruses or other harmful files						X	
Unfair usage (downloading / uploading large files that hinders others in their use of the internet)						X	
On-line gaming (educational)			√				
On-line gaming (non educational)						X	
On-line gambling						X	
On-line shopping / commerce						X	
File sharing				√			
Use of social media						X	
Use of messaging apps				√			

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Use of video broadcasting eg Youtube			√		

	Staff & other adults			Pupils				
Communication Technologies	Allowed	llowed at certain times	owed for selected staff	Not allowed	Allowed	llowed at certain times	d with staff permission	Not allowed
Mobile phones may be brought to 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 eg 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								

Responding to incidents

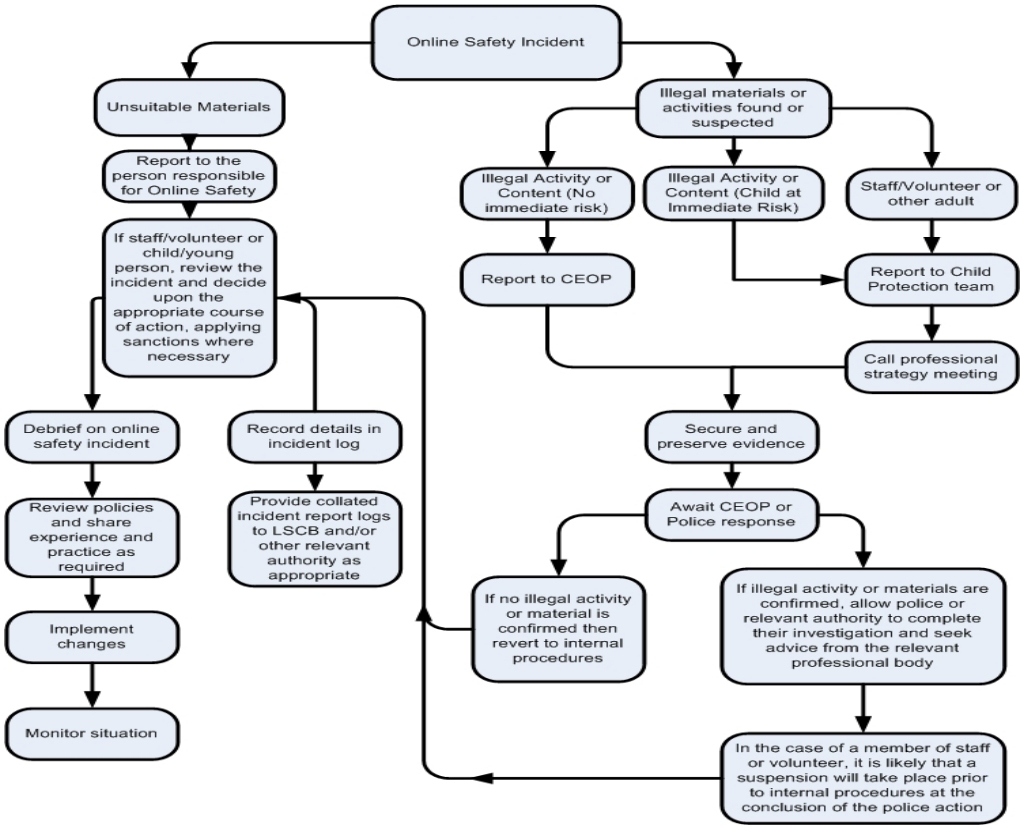
Inappropriate use of the school resources will be dealt with in-line with other school policies e.g. Behaviour, Anti-Bullying and Child Protection Policy.

- Any suspected illegal activity will be reported directly to the police. The Link2ICT Service Desk will also be informed to ensure that the Local Authority can provide appropriate support for the school.
- Third party complaints, or from parents concerning activity that occurs outside the normal school day, should be referred directly to the Head Teacher.
- Breaches of this policy by staff will be investigated by the Head Teacher. Action will be taken under Birmingham City Council's Disciplinary Policy where a breach of professional conduct is identified. Incidents will be fully investigated and appropriate records made on personal files with the ultimate sanction of summary dismissal reserved for the most serious of cases involving gross misconduct. All monitoring of staff use will be carried out by at least 2 senior members of staff.
- Student policy breaches relating to bullying, drugs misuse, abuse and suicide must be reported to the nominated child protection representative and action taken in line with school anti-bullying and child protection policies. There may be occasions when the police must be involved.
- Serious breaches of this policy by students will be treated as any other serious breach of conduct inline with school Behaviour Policy. Referral to Heads of Phase may be appropriate at this level. Heads of Phase will also deal with email alerts generated by PCE for students. For all serious breaches, the incident will be fully investigated, and appropriate records made on personal files with the ultimate sanction of exclusion reserved for the most serious of cases.
- Minor student offenses, such as being off-task visiting games or email websites will be handled by the teacher in situ by invoking the school behaviour policy.

The Educations and Inspections Act 2006 grants the Head Teacher the legal power to take action against incidents affecting the school that occur outside the normal school day and this right will be exercised where it is considered appropriate. Responding to incidents of misuse

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 for responding to online safety incidents and report immediately to the police.



Other Incidents

St. Mark's encourages responsible, safe use of digital technologies. 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:

- The SLT will be 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.
- 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)
- 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
- other criminal conduct, activity or material
- **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 child protection purposes. The completed form should be retained by the group for evidence and reference purposes.

School 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 as follows

Pupils

Incidents:	Refer to class teacher	Refer to Head teacher	Refer to Police	Refer to technical support staff for action re filtering / security etc	Inform parents / carers	Removal of network / internet access rights	Warning	Further sanction eg detention / exclusion
Deliberately accessing or trying to access material that could be considered illegal (see list in earlier section on unsuitable / inappropriate activities).		√	√					
Unauthorised use of non-educational sites during lessons	√							
Unauthorised use of mobile phone / digital camera / other mobile device	√	√			√			

(Pupils Sanctions Continued)

	P/C	T	E-S	G	S	CU
Unauthorised use of social media / messaging apps / personal email	√	√			√			
Unauthorised downloading or uploading of files	√	√			√			
Allowing others to access school network by sharing username and passwords	√							
Attempting to access or accessing the school network, using another student's / pupil's account	√							
Attempting to access or accessing the school network, using the account of a member of staff	√	√			√			
Corrupting or destroying the data of other users	√	√			√			
Sending an email, text or message that is regarded as offensive, harassment or of a bullying nature	√	√			√			
Continued infringements of the above, following previous warnings or sanctions	√	√			√			
Actions which could bring the school into disrepute or breach the integrity of the ethos of the school	√	√			√			
Using proxy sites or other means to subvert the school's filtering system	√	√			√			
Accidentally accessing offensive or pornographic material and failing to report the incident	√	√						
Deliberately accessing or trying to access offensive or pornographic material	√	√			√			
Receipt or transmission of material that infringes the copyright of another person or infringes the Data Protection Act	√	√		√				

Staff Actions / Sanctions

Incidents:	Refer to line manager	Refer to Head teacher	Refer to Local Authority / HR	Refer to Police	Refer to Technical Support Staff for action re filtering etc	Warning	Suspension	Disciplinary action
Deliberately accessing or trying to access material that could be considered illegal (see list in earlier section on unsuitable / inappropriate activities).		√	√	√				
Inappropriate personal use of the internet / social media / personal email	√	√						
Unauthorised downloading or uploading of files	√							
Allowing others to access school network by	√							

(Staff Sanctions Continued)

	P/C	T	E-S	G	S	CU		
sharing username and passwords or attempting to access or accessing the school network, using another person's account								
Careless use of personal data eg holding or transferring data in an insecure manner	√							
Deliberate actions to breach data protection or network security rules	√	√						
Corrupting or destroying the data of other users or causing deliberate damage to hardware or software	√	√						
Sending an email, text or message that is regarded as offensive, harassment or of a bullying nature	√	√						
Using personal email / social networking / instant messaging / text messaging to carrying out digital communications with students / pupils	√	√						
Actions which could compromise the staff member's professional standing	√	√						
Actions which could bring the school into disrepute or breach the integrity of the ethos of the school	√	√						
Using proxy sites or other means to subvert the school's filtering system	√	√						
Accidentally accessing offensive or pornographic material and failing to report the incident	√	√						
Deliberately accessing or trying to access offensive or pornographic material	√	√						
Breaching copyright or licensing regulations	√	√						
Continued infringements of the above, following previous warnings or sanctions	√	√	√					

Mobile / emerging technologies

Bring Your Own Device (BYOD)

St. Mark's can see the benefits of BYOD and the potential for learning. At present it is not possible to connect them to the network at all. This will be re-evaluated in the future if current circumstances change. We do not have the capacity at the moment for this. We are aware that the following guidelines need to be in place for BYOD in school:

- The school has a set of clear expectations and responsibilities for all users
- The school adheres to the Data Protection Act principles
- All users are provided with and accept the Acceptable Use Agreement
- All network systems are secure and access for users is differentiated
- Where possible these devices will be covered by the school's normal filtering systems, while being used on the premises
- All users will use their username and password and keep this safe
- Mandatory training is undertaken for all staff
- Pupils receive training and guidance on the use of personal devices
- Regular audits and monitoring of usage will take place to ensure compliance
- Any device loss, theft, change of ownership of the device will be reported as in the BYOD policy
- Any user leaving the school will follow the process outlined within the BYOD policy

Use of digital and video images

- 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 eg on social networking sites.

- • 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. 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.*
- • *Written permission from parents or carers will be obtained before photographs of pupils are published on the school website*
- • *Pupil's work can only be published with the permission of the pupil and parents or carers.*

E-mail

These are the guidelines for using communication technologies:

- **The official *school* email service is regarded as safe and secure and is monitored. Users are 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.***
- **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 students / pupils or parents / carers (email, chat, 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.***
- • ***Whole class / group email addresses are used at KS1, while pupils at KS2 are provided with individual school email addresses for educational use.***
- • ***Pupils are taught about e-safety issues, such as the risks attached to the sharing of personal details. They are 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.***
- Pupils may be given the opportunity to check their own e-mail outside directed time and understand that any messages sent using the school equipment should be in line with the e-mail policy. In addition, they also understand that these messages will be scanned by the monitoring software.
- Everyone in the school community understands that any inappropriate e-mails must be reported to the Class Teacher / e-Safety Co-ordinator as soon as possible

Published content

The Head takes responsibility for content published to the school website but delegates general editorial responsibility to the senior leadership team and office staff. Class teachers and Key Stage co-ordinators are responsible for the editorial control of work published by their Students .The school will hold the copyright for any material published on the school website or will obtain permission from the copyright holder prior to publishing with appropriate attribution.

- The school encourages the use of e-mail to contact the school via the school office/staff e-mail addresses.
- The school does not publish any contact details for the pupils.
- The school encourages appropriate, educational use of other technologies and where possible embeds these in the school web site or creates a school account on the site.

Digital Media

We respect the privacy of the school community and will obtain written permission from staff, parents, carers or pupils before any images or video are published or distributed outside the school.

- Photographs will be published in-line with the Child Protection Act and not identify any individual pupil.
- Students' full names will not be published outside the school environment.
- Permission will be obtained from parents or carers prior to pupils taking part in external video activities.

- Students understand that they must have their teacher's permission to make or answer a video conference call.
- Supervision of video conferencing will be appropriate to the age of the pupils.

Social Networking and online communication

The school is reviewing ways in which social networking sites and online communications can support the new curriculum. Currently school does not allow access to Facebook, MSN, and Myspace. Staff are strongly discouraged from accepting parents and pupils (past and present) as 'friends' on these sites.

Guidance is provided to the school community on how to use these sites safely and appropriately. This includes

- not publishing personal information
- not publishing information relating to the school community
- how to set appropriate privacy settings
- how to report issues or inappropriate content

Unmoderated chat sites present an unacceptable level of risk and are blocked in school. Pupils are given age appropriate advice and guidance around the use of such sites

The school provides the following measures to ensure reasonable steps are in place to minimise risk of harm to pupils, staff and the school through limiting access to personal information:

- Training to include: acceptable use; social media risks; checking of settings; data protection; reporting issues.
- Clear reporting guidance, including responsibilities, procedures and sanctions
- Risk assessment, including legal risk

School staff should ensure that:

- No reference should be made in social media to students / pupils, parents / carers or school staff
- They do not engage in online discussion on personal matters relating to members of the school community

- Personal opinions should not be attributed to the *school /academy* or local authority
- Security settings on personal social media profiles are regularly checked to minimise risk of loss of personal information.

(Please see Acceptable Use Policy for Staff)

Educational Use

School staff model appropriate use of school resources including the internet.

- All activities using the internet, including homework and independent research topics, will be tested first to minimise the risk of exposure to inappropriate material.
- Where appropriate, links to specific web sites will be provided instead of open searching for information;
- Students will be taught how to conduct safe searches of the internet and this information will be made available to Parents and Carers.
- Teachers will be responsible for their own classroom management when using ICT equipment and will remind pupils of the Acceptable Use Polices before any activity.
- Staff and students will be expected to reference all third party resources that are used.

Data Security / Data Protection

Personal data will be recorded, processed, transferred and made available according to the Data Protection Act 1998 which states that personal data must be:

- Fairly and lawfully processed
- Processed for limited purposes
- Adequate, relevant and not excessive
- Accurate
- Kept no longer than is necessary
- Processed in accordance with the data subject's rights
- Secure
- Only transferred to others with adequate protection.

The school must ensure that:

- **It will hold the minimum personal data necessary to enable it to perform its function and it will not hold it for longer than necessary for the purposes it was collected for.**
- **Every effort will be made to ensure that data held is accurate, up to date and that inaccuracies are corrected without unnecessary delay.**
- **All personal data will be fairly obtained in accordance with the "Privacy Notice" and lawfully processed in accordance with the "Conditions for Processing".**
- **It has a Data Protection Policy**
- **It is registered as a Data Controller for the purposes of the Data Protection Act (DPA)**
- Responsible persons are appointed / identified - Senior Information Risk Officer (SIRO) and Information Asset Owners (IAOs)
- Risk assessments are carried out
- There are clear and understood arrangements for the security, storage and transfer of personal data

- Data subjects have rights of access and there are clear procedures for this to be obtained
- There are clear and understood policies and routines for the deletion and disposal of data
- There is a policy for reporting, logging, managing and recovering from information risk incidents
- There are clear Data Protection clauses in all contracts where personal data may be passed to third parties
- There are clear policies about the use of cloud storage / cloud computing which ensure that such data storage meets the requirements laid down by the Information Commissioner's Office.

Staff must ensure that they:

- **At all times take care to ensure the safe keeping of personal data, minimising the risk of its loss or misuse.**
- **Use personal data only on secure password protected computers and other devices, ensuring that they are properly "logged-off" at the end of any session in which they are using personal data.**
- **Transfer data using encryption and secure password protected devices.**
- **All staff must perform shut down on lap tops after using an encrypted stick with sensitive data on. All data must be deleted within school and not outside school filtering systems.**

When personal data is stored on any portable computer system, memory stick or any other removable media:

- the data must be encrypted and password protected
- the device must be password protected
- the device must offer approved virus and malware checking software
- the data must be securely deleted from the device, in line with school policy (below) once it has been transferred or its use is complete

Appendix

T E-S S

Staff (and Volunteer) Acceptable Use Policy Agreement

Acceptable Use Policy Agreement

I understand that I must use school ICT systems in a responsible way, to ensure that there is no risk to my safety or to the safety and security of the ICT systems and other users. I recognise the value of the use of ICT for enhancing learning and will ensure that pupils receive opportunities to gain from the use of ICT. I will, where possible, educate the young people in my care in the safe use of ICT and embed e-safety in my work with young people.

For my professional and personal safety:

- I understand that the *school* will monitor my use of the ICT systems, email and other digital communications.
- I understand that the rules set out in this agreement also apply to use of school ICT systems (eg laptops, email, VLE etc) out of school, and to the transfer of personal data (digital or paper based) out of school. I will use encrypted memory sticks if I take sensitive data out of school.
- I understand that the school ICT systems are primarily intended for educational use and that I will only use the systems for personal or recreational use within the policies and rules set down by the school.
- I will not disclose my username or password to anyone else, nor will I try to use any other person's username and password. I understand that I should not write down or store a password where it is possible that someone may steal it.
- I will immediately report any illegal, inappropriate or harmful material or incident, I become aware of, to the appropriate person.

I will be professional in my communications and actions when using *school* ICT systems:

- I will not access, copy, remove or otherwise alter any other user's files, without their express permission.
- I will communicate with others in a professional manner, I will not use aggressive or inappropriate language and I appreciate that others may have different opinions.
- I will ensure that when I take and / or publish images of others I will do so with their permission and in accordance with the school's policy on the use of digital / video images. I will not use my personal equipment to record these images, unless I have permission to do so. Where these images are published (eg on the school website / VLE) it will not be possible to identify by name, or other personal information, those who are featured.
- I will only use chat and social networking sites in school in accordance with the school's policies.
- I will only communicate with pupils and parents / carers using official school systems. Any such communication will be professional in tone and manner. Staff should be made aware of the risks attached to using their personal email addresses / mobile phones / social networking sites for such communications
- I will not engage in any on-line activity that may compromise my professional responsibilities.

The school and the local authority have the responsibility to provide safe and secure access to technologies and ensure the smooth running of the *school* :

- When I use my mobile devices (Personal Digital Assistants / laptops / mobile phones / USB devices etc) in school, I will follow the rules set out in this agreement, in the same way as if I was using *school* equipment. I will also follow any additional rules set by the *school* about such use. I will ensure that any such devices are protected by up to date anti-virus software and are free from viruses.
- I will not open any hyperlinks in emails or any attachments to emails, unless the source is known and trusted , or if I have any concerns about the validity of the email (due to the risk of the attachment containing viruses or other harmful programmes)
- I will ensure that my data is regularly backed up, in accordance with relevant school policies.

- I will not try to upload, download or access any materials which are illegal (child sexual abuse images, criminally racist material, adult pornography covered by the Obscene Publications Act) or inappropriate or may cause harm or distress to others. I will not try to use any programmes or software that might allow me to bypass the filtering / security systems in place to prevent access to such materials.
- I will not try (unless I have permission) to make large downloads or uploads that might take up internet capacity and prevent other users from being able to carry out their work.
- I will not install or attempt to install programmes of any type on a machine, or store programmes on a computer, nor will I try to alter computer settings, unless this is allowed in school policies.
- I will not disable or cause any damage to school equipment, or the equipment belonging to others.
- I will only transport, hold, disclose or share personal information about myself or others, as outlined in the School Data Policy. Where digital personal data is transferred outside the secure local network, it must be encrypted. Paper based Protected and Restricted data must be held in lockable storage.
- I understand that data protection policy requires that any staff or pupil data to which I have access, will be kept private and confidential, except when it is deemed necessary that I am required by law or by school policy to disclose such information to an appropriate authority.
- I will immediately report any damage or faults involving equipment or software, however this may have happened.

When using the internet in my professional capacity or for school sanctioned personal use:

- I will ensure that I have permission to use the original work of others in my own work
- Where work is protected by copyright, I will not download or distribute copies (including music and videos).

I understand that I am responsible for my actions in and out of the *school*:

- I understand that this Acceptable Use Policy applies not only to my work and use of school ICT equipment in school, but also applies to my use of school ICT systems and equipment off the premises and my use of personal equipment on the premises or in situations related to my employment by the school
- I understand that if I fail to comply with this Acceptable Use Policy Agreement, I could be subject to disciplinary action. This could include a warning, a suspension, referral to Governors or the Local Authority and in the event of illegal activities the involvement of the police.

- I will report any misuse or inadvertent exposure to inappropriate conduct.
- I understand that any infringement of these rules may be treated as misconduct or gross misconduct.
- Images/videos of staff and pupils will not be taken on personal devices and will only be used for professional purposes and will not be distributed outside the school network without the permission of the Parent/Carer.
- Files must only be deleted at school.
- Any loss of personal or sensitive data must be reported to the appropriate person. (SLT or ICT co-ordinator).
- No photos on mobile devices like cameras and iPads should leave school premises.
- I understand I must use an encrypted stick and a school laptop for personal, sensitive data.
- I understand that if I am using my encrypted stick at home my data must be protected and not accessible by family members.

I have read and understand the above and agree to use the school ICT systems (both in and out of school) and my own devices (in school and when carrying out communications related to the school) within these guidelines.

Staff / Volunteerr Name

Signed

Date

Acceptable Use Agreement for Community Users

Acceptable Use Agreement

I understand that I must use school systems and devices in a responsible way, to ensure that there is no risk to my safety or to the safety and security of the systems, devices and other users. This agreement will also apply to any personal devices that I bring into the school

- I understand that my use of school systems and devices and digital communications will be monitored
- I will not use a personal device that I have brought into school for any activity that would be inappropriate in a school setting.
- I will not try to upload, download or access any materials which are illegal (child sexual abuse images, criminally racist material, adult pornography covered by the Obscene Publications Act) or inappropriate or may cause harm or distress to others. I will not try to use any programmes or software that might allow me to bypass the filtering / security systems in place to prevent access to such materials.
- I will immediately report any illegal, inappropriate or harmful material or incident, I become aware of, to the appropriate person.
- I will not access, copy, remove or otherwise alter any other user's files, without permission.
- I will ensure that if I take and / or publish images of others I will only do so with their permission. I will not use my personal equipment to record these images, without permission. If images are published it will not be possible to identify by name, or other personal information, those who are featured.
- I will not publish or share any information I have obtained whilst in the school on any personal website, social networking site or through any other means, unless I have permission from the school.
- I will not, without permission, make large downloads or uploads that might take up internet capacity and prevent other users from being able to carry out their work.
- I will not install or attempt to install programmes of any type on a school device, nor will I try to alter computer settings, unless I have permission to do so.
- I will not disable or cause any damage to school / academy equipment, or the equipment belonging to others.
- I will immediately report any damage or faults involving equipment or software, however this may have happened.
- I will ensure that I have permission to use the original work of others in my own work
- Where work is protected by copyright, I will not download or distribute copies (including music and videos).
- I understand that if I fail to comply with this Acceptable Use Agreement, the school has the right to remove my access to school systems / devices

I have read and understand the above and agree to use the school ICT systems (both in and out of school) and my own devices (in school and when carrying out communications related to the school) within these guidelines.

Name

ST. MARK'S CATHOLIC PRIMARY SCHOOL
ACCEPTABLE USE AGREEMENT/E-SAFETY RULES
(Foundation /KS1 Pupils)

The use of ICT and the related technologies such as email, Internet and mobile/portable devices are an important part of learning in our school. We expect all pupils to be responsible for their behaviour when using ICT and/or its resources. It is important that pupils are aware of e-Safety and know how to stay safe when using any ICT.
Pupils are expected to discuss this policy with their Parent/Carer and then to sign and follow the e-Safety Rules. Any concerns or explanation can be discussed with Mr Murphy, the School e-Safety Co-ordinator.

This is how we stay safe when we use computers:

I will ask a teacher or suitable adult if I want to use the computers

I will only use activities that a teacher or suitable adult has told or allowed me to use.

I will take care of the computer and other equipment

I will ask for help from a teacher or suitable adult if I am not sure what to do or if I think I have done something wrong.

I will tell a teacher or suitable adult if I see something that upsets me on the screen.

I know that if I break the rules I might not be allowed to use a computer.

Please complete and return this form to the school.
Parent and pupil signatures
We have discussed this policy with …….. in Class ……. and he/she agrees to follow the e-Safety Rules and to support the safe use of ICT at St. Mark's Catholic Primary School Primary School.

Parent/Carer Signature: …….
Pupil Signature: …….

Date: ……

ST. MARK'S CATHOLIC PRIMARY SCHOOL'S

ACCEPTABLE USE AGREEMENT/E-SAFETY RULES (KS2 Pupils)

The use of ICT and the related technologies such as email, Internet and mobile/portable devices are an important part of learning in our school. We expect all pupils to be responsible for their behaviour when using ICT and/or its resources. It is important that pupils are aware of e-Safety and know how to stay safe when using any ICT.
Pupils are expected to discuss this policy with their Parent/Carer and then to sign and follow the e-Safety Rules. Any concerns or explanation can be discussed with Mr Murphy, the School e-Safety Co-ordinator.

- I understand that I must use school ICT systems in a responsible way, to ensure that there is no risk to my safety or to the safety and security of the ICT systems and other users.

For my own personal safety:

- I understand that the *school* will monitor my use of the systems, devices and digital communications.
- I will keep my username and password safe and secure – I will not share it, nor will I try to use any other person's username and password. I understand that I should not write down or store a password where it is possible that someone may steal it.
- I will be aware of "stranger danger", when I am communicating on-line.
- I will not disclose or share personal information about myself or others when on-line (this could include names, addresses, email addresses, telephone numbers, age, gender, educational details, financial details etc)
- If I arrange to meet people off-line that I have communicated with on-line, I will do so in a public place and take an adult with me.
- I will immediately report any unpleasant or inappropriate material or messages or anything that makes me feel uncomfortable when I see it on-line.

I understand that everyone has equal rights to use technology as a resource and:

- I understand that the *school* systems and devices are primarily intended for educational use and that I will not use them for personal or recreational use unless I have permission.
- I will not try (unless I have permission) to make large downloads or uploads that might take up internet capacity and prevent other users from being able to carry out their work.
- I will not use the *school* systems or devices for on-line gaming, on-line gambling, internet shopping, file sharing, or video broadcasting (eg YouTube), unless I have permission of a member of staff to do so.

I will act as I expect others to act toward me:

- I will respect others' work and property and will not access, copy, remove or otherwise alter any other user's files, without the owner's knowledge and permission.
- I will be polite and responsible when I communicate with others, I will not use strong, aggressive or inappropriate language and I appreciate that others may have different opinions.
- I will not take or distribute images of anyone without their permission.

I recognise that the school has a responsibility to maintain the security and integrity of the technology it offers me and to ensure the smooth running of the *school*:

- I understand the risks and will not try to upload, download or access any materials which are illegal or inappropriate or may cause harm or distress to others, nor will I try to use any programmes or software that might allow me to bypass the filtering / security systems in place to prevent access to such materials.
- I will immediately report any damage or faults involving equipment or software, however this may have happened.
    - I will not open any hyperlinks in emails or any attachments to emails, unless I know and trust the person / organisation who sent the email, or if I have any concerns about the validity of the email (due to the risk of the attachment containing viruses or other harmful programmes)
    - I will not install or attempt to install or store programmes of any type on any school device, nor will I try to alter computer settings.
    - I will only use social media sites with permission and at the times that are allowed

When using the internet for research or recreation, I recognise that:

- I should ensure that I have permission to use the original work of others in my own work
- Where work is protected by copyright, I will not try to download copies (including music and videos)
- When I am using the internet to find information, I should take care to check that the information that I access is accurate, as I understand that the work of others may not be truthful and may be a deliberate attempt to mislead me.

I understand that I am responsible for my actions, both in and out of school:

- I understand that the *school* also has the right to take action against me if I am involved in incidents of inappropriate behaviour, that are covered in this agreement, when I am out of school and where they involve my membership of the school community (examples would be cyber-bullying, use of images or personal information).
- I understand that if I fail to comply with this Acceptable Use Policy Agreement, I will be subject to disciplinary action. This may include loss of access to the school network / internet, detentions, suspensions, contact with parents and in the event of illegal activities involvement of the police.

Please complete the sections below to show that you have read, understood and agree to the rules included in the Acceptable Use Agreement. If you do not sign and return this agreement, access will not be granted to school systems and devices.

This form relates to the *pupil* Acceptable Use Agreement.
Please complete the sections below to show that you have read, understood and agree to the rules included in the Acceptable Use Agreement. If you do not sign and return this agreement, access will not be granted to school ICT systems.

I have read and understand the above and agree to follow these guidelines when:

- I use the *school* systems and devices (both in and out of school)
- I use my own devices in the *school* (when allowed) eg mobile phones, gaming devices USB devices, cameras etc
- I use my own equipment out of the school in a way that is related to me being a member of this *school* eg communicating with other members of the school, accessing school email, VLE, website etc.

Name of Pupil	
Class	
Signed	
Date	

Parent / Carer Acceptable Use Agreement

This Acceptable Use Policy is intended to ensure:

- that young people will be responsible users and stay safe while using the internet and other communications technologies for educational, personal and recreational use.
- that school systems and users are protected from accidental or deliberate misuse that could put the security of the systems and users at risk.
- that parents and carers are aware of the importance of e-safety and are involved in the education and guidance of young people with regard to their on-line behaviour.

The school will try to ensure that *pupils* will have good access to digital technologies to enhance their learning and will, in return, expect the *pupils* to agree to be responsible users. A copy of the Pupil Acceptable Use Policy is attached to this permission form, so that parents will be aware of the school expectations of the young people in their care.

Parents are requested to sign the permission form below to show their support of the school in this important aspect of the school's work.

Permission Form

Parent / Carers Name | Pupil Name

As the parent / carer of the above *pupils*, I give permission for my son / daughter to have access to the internet and to ICT systems at school.

KS2 and above

I know that my son / daughter has signed an Acceptable Use Agreement and has received, or will receive, e-safety education to help them understand the importance of safe use of technology and the internet – both in and out of school.

KS1

I understand that the school has discussed the Acceptable Use Agreement with my son / daughter and that they have received, or will receive, e-safety education to help them understand the importance of safe use of technology and the internet – both in and out of school.

I understand that the school will take every reasonable precaution, including monitoring and filtering systems, to ensure that young people will be safe when they use the internet and ICT systems. I also understand that the school cannot ultimately be held responsible for the nature and content of materials accessed on the internet and using mobile technologies.

I understand that my son's / daughter's activity on the ICT systems will be monitored and that the school will contact me if they have concerns about any possible breaches of the Acceptable Use Policy.

I will encourage my child to adopt safe use of the internet and digital technologies at home and will inform the school if I have concerns over my child's e-safety.

Signed | Date

Use of Digital / Video Images

The use of digital / video images plays an important part in learning activities. Pupils and members of staff may use digital cameras to record evidence of activities in lessons and out of school. These images may then be used in presentations in subsequent lessons.

Images may also be used to celebrate success through their publication in newsletters, on the school website and occasionally in the public media,

The school will comply with the Data Protection Act and request parents / carers permission before taking images of members of the school. We will also ensure that when images are published that the young people cannot be identified by the use of their names.

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.

Parents / carers are requested to sign the permission form below to allow the school to take and use images of their children and for the parents / carers to agree

Digital / Video Images Permission Form

Parent / Carers Name	
Pupil Name	

As the parent / carer of the above *pupil*, I agree to the school taking and using digital / video images of my child / children. I understand that the images will only be used to support learning activities or in publicity that reasonably celebrates success and promotes the work of the school.	Yes / No
I agree that if I take digital or video images at, or of, – school events which include images of children, other than my own, I will abide by these guidelines in my use of these images.	Yes / No

Signed	
Date	

Use of Cloud Services

What policies and procedures should be put in place for individual users of cloud-based services?

- How often is the data backed up?
- Does the service provider have a clear process for you to recover data?
- Who owns the data that you store on the platform?
- How does the service provider protect your privacy?
- Who has access to the data?
- Is personal information shared with anyone else? Look out for opt in/opt out features
- Does the service provider share contact details with third party advertisers? Or serve users with ads?
- What steps does the service provider take to ensure that your information is secure?
- Is encryption used? Is https used as default or is there an option to use this? Two step verification?
- How will your data be protected? Look out for features that will keep your information safe and secure including Anti-spam, Anti-Virus and Anti-malware…
- How reliable is the system? Look out for availability guarantees.
- What level of support is offered as part of the service? Look out for online and telephone support, service guarantees

http://www.swgfl.org.uk/News/Content/News-Articles/Cloud-based-products-and-services

The document focusses on Google Apps for Education and Microsoft 365, but poses important considerations if a school is considering services from another provider.

Parental permission for use of cloud hosted services

Google Apps for Education services - http://www.google.com/apps/intl/en/terms/education_terms.html requires a school to obtain 'verifiable parental consent'. Normally, schools will incorporate this into their standard acceptable use consent forms sent to parents each year (see suggested wording on "Parent / Carer Acceptable Use Agreement Template").

A template form has been added to the Parents & Carers Acceptable User Template elsewhere in these Template Policies.

Privacy and Electronic Communications

Schools should be aware that the Privacy and Electronic Communications Regulations have changed and that they are subject to these changes in the operation of their websites.

Freedom of Information Act

- Delegate to the Head teacher / Principal day-to-day responsibility for FOIA policy and the provision of advice, guidance, publicity and interpretation of the school's policy.
- Consider designating an individual with responsibility for FOIA, to provide a single point of reference, coordinate FOIA and related policies and procedures, take a view on possibly sensitive areas and consider what information and training staff may need.
- Consider arrangements for overseeing access to information and delegation to the appropriate governing body.
- Proactively publish information with details of how it can be accessed through a Publication Scheme (see Model Publication Scheme below) and review this annually.
- Ensure that a well managed records management and information system exists in order to comply with requests.
- Ensure a record of refusals and reasons for refusals is kept, allowing the Academy Trust to review its access policy on an annual basis.

School Personal Data Handling Policy

Introduction

Schools and their employees should do everything within their power to ensure the safety and security of any material of a personal or sensitive nature

It is the responsibility of all members of the school community to take care when handling, using or transferring personal data that it cannot be accessed by anyone who does not:

- have permission to access that data, and/or
- need to have access to that data.

Data breaches can have serious effects on individuals and / or institutions concerned, can bring the school into disrepute and may well result in disciplinary action, criminal prosecution and fines imposed by the Information Commissioners Office for the school and the individuals involved. Particularly, all transfer of data is subject to risk of loss or contamination.

Anyone who has access to personal data must know, understand and adhere to this policy, which brings together the legal requirements contained in relevant data protection legislation and relevant regulations and guidance (where relevant from the Local Authority).

"Sensitive Personal Data" is personal data consisting of information as to:

- the racial or ethnic origin of the data subject,
- his political opinions,
- his religious beliefs or other beliefs of a similar nature,
- whether he is a member of a trade union (within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992),
- his physical or mental health or condition,
- his sexual life,
- the commission or alleged commission by him of any offence, or
- any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.

Policy Statements

The school will hold the minimum personal data necessary to enable it to perform its function and it will not hold it for longer than necessary for the purposes it was collected for.

Every effort will be made to ensure that data held is accurate, up to date and that inaccuracies are corrected without unnecessary delay.

All personal data will be fairly obtained in accordance with the "Privacy Notice" and lawfully processed in accordance with the "Conditions for Processing".

Personal Data

The school and individuals will have access to a wide range of personal information and data. The data may be held in a digital format or on paper records. Personal data is defined as any combination of data items that identifies an individual and provides specific information about them, their families or circumstances. This will include:

Personal information about members of the school community – including *pupils,* members of staff and parents / carers eg names, addresses, contact details, legal guardianship contact details, health records, disciplinary records

- Curricular / academic data eg class lists, pupil progress records, reports, references
- Professional records eg employment history, taxation and national insurance records, appraisal records and references
- Any other information that might be disclosed by parents / carers or by other agencies working with families or staff members.

Responsibilities

The school's Senior Information Risk Officer (SIRO). This person will keep up to date with current legislation and guidance and will:

- determine and take responsibility for the school's information risk policy and risk assessment
- appoint the Information Asset Owners (IAOs)

The school will identify Information Asset Owners (IAOs) *for the various types of* data being held (eg pupil information / staff information / assessment data etc). The IAOs will manage and address risks to the information and will understand:

- what information is held, for how long and for what purpose,
- how information as been amended or added to over time, and
- who has access to protected data and why.

Everyone in the school has the responsibility of handling protected or sensitive data in a safe and secure manner.

Governors are required to comply fully with this policy in the event that they have access to personal data, when engaged in their role as a Governor.

Registration

Information to Parents / Carers – the "Privacy Notice"

In order to comply with the fair processing requirements of the DPA, the school will inform parents / carers of all pupils / students of the data they collect, process and hold on the pupils / students, the purposes for which the data is held and the third parties (eg LA, DfE, etc) to whom it may be passed. This privacy notice will be passed to parents / carers when the children start school. Parents / carers of young people who are new to the school will be provided with the privacy notice through their induction to school and signing our Parent and Pupil agreement.

Training & awareness

All staff will receive data handling awareness / data protection training and will be made aware of their responsibilities, as described in this policy through:

- Induction training for new staff
- Staff meetings / briefings / Inset
- Day to day support and guidance from Information Asset Owners

Secure Storage of and access to data

The school will ensure that ICT systems are set up so that the existence of protected files is hidden from unauthorised users and that users will be assigned a clearance that will determine which files are accessible to them. Access to protected data will be controlled according to the role of the user. Members of staff will not, as a matter of course, be granted access to the whole management information system.

All users will use strong passwords which must be changed regularly. User passwords must never be shared.

Personal data may only be accessed on machines that are securely password protected. Any device that can be used to access data must be locked if left (even for very short periods) and set to auto lock if not used for five minutes.

All storage media must be stored in an appropriately secure and safe environment that avoids physical risk, loss or electronic degradation.

Personal data can only be stored on school equipment (this includes computers and portable storage media. Private equipment (ie owned by the users) must not be used for the storage of personal data.

When personal data is stored on any portable computer system, USB stick or any other removable media:

- the data must be encrypted and password protected,
- the device must be password protected
- the device must offer approved virus and malware checking software
- the data must be securely deleted from the device, in line with school policy once it has been transferred or its use is complete.

The *school* has clear policy and procedures for the automatic backing up, accessing and restoring all data held on school systems, including off-site backups.

The *school* has clear policy and procedures for the use of "Cloud Based Storage Systems" (for example dropbox, google apps and google docs) and is aware that data held in remote and cloud storage is still required to be protected in line with the Data Protection Act. The school will ensure that it is satisfied with controls put in place by remote / cloud based data services providers to protect the data.

As a Data Controller, the *school* is responsible for the security of any data passed to a "third party". Data Protection clauses will be included in all contracts where data is likely to be passed to a third party.

All paper based Protected and Restricted (or higher) material must be held in lockable storage, whether on or off site.

The *school* recognises that under Section 7 of the DPA, http://www.legislation.gov.uk/ukpga/1998/29/section/7 data subjects have a number of rights in connection with their personal data, the main one being the right of access. Procedures are in place at Holy Souls to deal with Subject Access Requests i.e. a written request to see all or a part of the personal data held by the data controller in connection with the data subject. Data subjects have the right to know: if the data controller holds personal data about them; a description of that data; the purpose for which the data is processed; the sources of that data; to whom the data may be disclosed; and a copy of all the personal data that is held about them. Under certain circumstances the data subject can also exercise rights in connection with the rectification; blocking; erasure and destruction of data.

Secure transfer of data and access out of school

Holy Souls recognises that personal data may be accessed by users out of school, or transferred to the LA or other agencies. In these circumstances:

- Users may not remove or copy sensitive or restricted or protected personal data from the school or authorised premises without permission and unless the media is encrypted and password protected and is transported securely for storage in a secure location.
- Users must take particular care that computers or removable devices which contain personal data must not be accessed by other users (**eg family members)** when out of school
- When restricted or protected personal data is required by an authorised user from outside the organisation's premises (for example, by a member of staff to work from their home), they should preferably have secure remote access to the management information system or learning platform;
-

If secure remote access is not possible, users must only remove or copy personal or sensitive data from the organisation or authorised premises if the storage media, portable or mobile device is encrypted and is transported securely for storage in a secure location;

- Users must protect all portable and mobile devices, including media, used to store and transmit personal information using approved encryption software; and
- Particular care should be taken if data is taken or transferred to another country, particularly outside Europe, and advice should be taken from the local authority (if relevant) in this event.

Disposal of data

Holy Souls will comply with the requirements for the safe destruction of personal data when it is no longer required.

The disposal of personal data, in either paper or electronic form, must be conducted in a way that makes reconstruction highly unlikely. Electronic files must be securely overwritten, in accordance with government guidance and other media must be shredded, incinerated or otherwise disintegrated for data.

A Destruction Log should be kept of all data that is disposed of. The log should include the document ID, classification, date of destruction, method and authorisation.

Audit Logging / Reporting / Incident Handling

It is good practice, as recommended in the "Data Handling Procedures in Government" document that the activities of data users, in respect of electronically held personal data, will be logged and these logs will be monitored by responsible individuals

The audit logs will be kept to provide evidence of accidental or deliberate data security breaches – including loss of protected data or breaches of an acceptable use policy, for example.

The school has a policy for reporting, managing and recovering from information risk incidents, which establishes:

- a "responsible person" for each incident;
- a communications plan, including escalation procedures;
- and results in a plan of action for rapid resolution; and
- a plan of action of non-recurrence and further awareness raising.

All significant data protection incidents must be reported through the SIRO to the Information Commissioner's Office based upon the local incident handling policy and communication plan.

Use of technologies and Protective Marking

	The information	The technology	Notes on Protect Markings (Impact Level)
School life and events	School terms, holidays, training days, the curriculum, extra-curricular activities, events, displays of pupils work, lunchtime menus, extended services, parent consultation events	Common practice is to use publically accessible technology such as school websites or portal, emailed newsletters, subscription text services	Most of this information will fall into the NOT PROTECTIVELY MARKED (Impact Level 0) category.
Learning and achievement	Individual pupil academic, social and behavioural achievements, progress with learning, learning behaviour, how parents can support their child's learning, assessments, attainment, attendance, individual and personalised curriculum and educational needs.	Typically schools will make information available by parents logging on to a system that provides them with appropriately secure access, such as a Learning Platform or portal, or by communication to a personal device or email account belonging to the parent.	Most of this information will fall into the PROTECT (Impact Level 2) category. There may be pupils whose personal data requires a RESTRICTED marking (Impact Level 3) or higher. For example, the home address of a child at risk. In this case, the school may decide not to make this pupil record available in this way.
Messages and alerts	Attendance, behavioural, achievement, sickness, school closure, transport arrangements, and other information that it may be important to inform or contact a parent about as soon as possible. This may be particularly important when it is necessary to contact a parent concerning information that may be considered too sensitive to make available using other online means.	Email and text messaging are commonly used by schools to contact and keep parents informed. Where parents are frequently accessing information online then systems e.g. Learning Platforms or portals, might be used to alert parents to issues via "dashboards" of information, or be used to provide further detail and context.	Most of this information will fall into the PROTECT (Impact Level 1) category. However, since it is not practical to encrypt email or text messages to parents, schools should not send detailed personally identifiable information. General, anonymous alerts about schools closures or transport arrangements would fall into the NOT PROTECTIVELY MARKED (Impact Level 0) category.

Appendix - DfE Guidance

PRIVACY NOTICE
for
Pupils in Schools, Alternative Provision and Pupil Referral Units
and Children in Early Years Settings

Privacy Notice - Data Protection Act 1998

We at St. Mark's are a data controller for the purposes of the Data Protection Act. We collect information from you and may receive information about you from your previous school and the Learning Records Service. We hold this personal data and use it to:

- Support your teaching and learning;
- Monitor and report on your progress;
- Provide appropriate pastoral care, and
- Assess how well your school is doing.

This information includes your contact details, national curriculum assessment results, attendance information and personal characteristics such as your ethnic group, any special educational needs and relevant medical information. If you are enrolling for post 14 qualifications we will be provided with your unique learner number (ULN) by the Learning Records Service and may also obtain from them details of any learning or qualifications you have undertaken.

We will not give information about you to anyone outside the school without your consent unless the law and our rules allow us to.

We are required by law to pass some information about you to the Local Authority and the Department for Education (DfE)

http://www.birmingham.gov.uk/education

If you want to see a copy of the information about you that we hold and/or share, please contact **Holy Souls' Office on 01214646780 or email enquiry@holysoul.bham.sch.uk**

If you require more information about how the Local Authority (LA) and/or DfE store and use your information, then please go to the following websites:

http://www.birmingham.gov.uk/education and

http://www.education.gov.uk/researchandstatistics/datatdatam/b00212337/datause

If you are unable to access these websites we can send you a copy of this information. Please contact the LA or DfE as follows:

Public Communications Unit, Department for Education
Sanctuary Buildings, Great Smith Street, London
SW1P 3BT

Website: www.education.gov.uk
email: http://www.education.gov.uk/help/contactus
Telephone: 0370 000 2288

School Policy - E-Safety Committee Terms of Reference

1. PURPOSE

To provide a consultative group that has wide representation from the school community, with responsibility for issues regarding e-safety and the monitoring the e-safety policy including the impact of initiatives.

2. MEMBERSHIP

2.1 The e-safety committee will seek to include representation from all stakeholders.
The composition of the group should include

- SLT member/s
- Child Protection/Safeguarding officer
- Teaching staff member
- Support staff member
- E-safety coordinator (not ICT coordinator by default)
- Governor
- Parent / Carer
- ICT Technical Support staff (where possible)
- Community users (where appropriate)
- *Pupil representation* – for advice and feedback. *Pupil voice is essential in the make up of the e-safety committee, but students / pupils would only be expected to take part in committee meetings where deemed relevant.*

2.2 Other people may be invited to attend the meetings at the request of the Chairperson on behalf of the committee to provide advice and assistance where necessary.

2.3 Committee members must declare a conflict of interest if any incidents being discussed directly involve themselves or members of their families.

2.4 Committee members must be aware that many issues discussed by this group could be of a sensitive or confidential nature

2.5 When individual members feel uncomfortable about what is being discussed they should be allowed to leave the meeting with steps being made by the other members to allow for these sensitivities

3. CHAIRPERSON

The Committee should select a suitable Chairperson from within the group. Their responsibilities include:

- Scheduling meetings and notifying committee members;
- Inviting other people to attend meetings when required by the committee;
- Guiding the meeting according to the agenda and time available;
- Ensuring all discussion items end with a decision, action or definite outcome;
- Making sure that notes are taken at the meetings and that these with any action points are distributed as necessary

4. DURATION OF MEETINGS

Meetings shall be held each half term for a period of one hour(s). A special or extraordinary meeting may be called when and if deemed necessary.

5. FUNCTIONS

These are to assist the E-safety Co-ordinator (or other relevant person) with the following:

- To keep up to date with new developments in the area of e-safety
- To annually review and develop the e-safety policy in line with new technologies and incidents

- To monitor the delivery and impact of the e-safety policy
- To monitor the log of reported e-safety incidents (anonymous) to inform future areas of teaching / learning / training.
- To co-ordinate consultation with the whole school community to ensure stakeholders are up to date with information, training and/or developments in the area of e-safety. This could be carried out through:
- Staff meetings
- Student / pupil forums (for advice and feedback)
- Governors meetings
- Surveys/questionnaires for students / pupils, parents / carers and staff
- Parents evenings
- Website/VLE/Newsletters
- E-safety events
- Internet Safety Day
- Other methods
- To ensure that monitoring is carried out of Internet sites used across the school
- To monitor filtering / change control logs (e.g. requests for blocking / unblocking sites).
- To monitor the safe use of data across the [school]
- To monitor incidents involving cyberbullying for staff and pupils

6. AMENDMENTS

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all committee members, by agreement of the majority

The above Terms of Reference for St. Mark's School have been agreed

Date: September 2018

Date for review: July 2019

School Policy: Electronic Devices - Searching & Deletion

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 Head teacher (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.

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.

The *Head Teacher* must publicise the school behaviour policy, in writing, to staff, parents / carers and students / pupils at least once a year. (There should therefore be clear links between the search etc. policy and the behaviour policy).

Relevant legislation:

- Education Act 1996
- Education and Inspections Act 2006
- Education Act 2011 Part 2 (Discipline)
- The School Behaviour (Determination and Publicising of Measures in Academies) Regulations 2012
- Health and Safety at Work etc. Act 1974
- Obscene Publications Act 1959
- Children Act 1989
- Human Rights Act 1998
- Computer Misuse Act 1990

This is not a full list of Acts involved in the formation of this advice. Further information about relevant legislation can be found via the above link to the DfE advice document.

Responsibilities

The *Head teacher* is responsible for ensuring that the school policies reflect the requirements contained within the relevant legislation. The formulation of these policies may be delegated to other individuals or groups. The policies will normally be taken to Governors for approval. The Head teacher will need to authorise those staff who are allowed to carry out searches.

This policy has been written by and will be reviewed by Mr.Murphy (Head teacher) and the SLT.

The *Head teacher* has authorised the SLT to carry out searches for and of electronic devices and the deletion of data / files on those devices.

The *Head teacher* may authorise other staff members in writing in advance of any search they may undertake, subject to appropriate training.

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 e-safety policy

Members of staff authorised by the Head teacher 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.

Policy Statements

Search:

The school Behaviour Policy refers to the policy regarding searches with and without consent for the wide range of items covered within the Education Act 2011 and lists those items. This policy refers only to the searching for and of electronic devices and the deletion of data / files on those devices.

Pupils are allowed to bring mobile phones or other personal electronic devices to school and use them only within the rules laid down by the school.

If pupils breach these roles:

The sanctions for breaking these rules can be found in the **Behaviour Policy.**

Authorised staff (defined in the responsibilities section above) 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.

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.

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 authorised member of staff should take care that, where possible, searches should not take place in public places eg 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.**

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.

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 examination of the data / files on the device should go only as far as is reasonably necessary to establish the facts of the incident.

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 criminal offence or a breach of school discipline) or 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**

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.

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.

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

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

*The school may wish to add a disclaimer to the relevant section of the Behaviour Policy which may assist in covering the school against damage / loss claims. *

Audit / Monitoring / Reporting / Review

The responsible person Mr. Murphy 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 records will be reviewed by *(E-Safety Officer / E-Safety Committee / E-Safety Governor)* at regular intervals.

This policy will be reviewed by the head teacher and governors annually and in response to changes in guidance and evidence gained from the records.

Legislation

Schools should be aware of the legislative framework under which this E-Safety Policy template 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 e 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.

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.

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 Harrassment 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 a 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

The new 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 Head teachers, 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 Head teachers (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:

http://www.education.gov.uk/schools/toolsandinitiatives/cuttingburdens/b0075738/reducing-bureaucracy/requirements/changestoschoolinformationregulations

Links to other organisations or documents

The following links may help those who are developing or reviewing a school e-safety policy.

UK Safer Internet Centre

Safer Internet Centre -

South West Grid for Learning

Childnet

Professionals Online Safety Helpline

Internet Watch Foundation

CEOP

http://ceop.police.uk/ ThinkUKnow

Others:

INSAFE - http://www.saferinternet.org/ww/en/pub/insafe/index.htm

UK Council for Child Internet Safety (UKCCIS) www.education.gov.uk/ukccis

Netsmartz http://www.netsmartz.org/index.aspx

Support for Schools

Specialist help and support SWGfL BOOST

Cyberbullying

Scottish Anti-Bullying Service, Respectme - http://www.respectme.org.uk/

Scottish Government Better relationships, better learning, better behaviour

DCSF - Cyberbullying guidance

DfE – Preventing & Tackling Bullying – Advice to school leaders, staff and Governing Bodies

Anti-Bullying Network - http://www.antibullying.net/cyberbullying1.htm

Cyberbullying.org - http://www.cyberbullying.org/

Social Networking

Digizen – Social Networking

SWGfL - Facebook - Managing risk for staff and volunteers working with children and young people

Connectsafely Parents Guide to Facebook

Facebook Guide for Educators

Curriculum

SWGfL Digital Literacy & Citizenship curriculum

Glow - http://www.educationscotland.gov.uk/usingglowandict/

Alberta, Canada - digital citizenship policy development guide.pdf

Teach Today – www.teachtoday.eu/

Insafe - Education Resources

Somerset - e-Sense materials for schools

Mobile Devices / BYOD

Cloudlearn Report Effective practice for schools moving to end locking and blocking

NEN - Guidance Note - BYOD

Data Protection

Information Commissioners Office:

Your rights to your information – Resources for Schools - ICO

ICO pages for young people

Guide to Data Protection Act - Information Commissioners Office

Guide to the Freedom of Information Act - Information Commissioners Office

ICO guidance on the Freedom of Information Model Publication Scheme

ICO Freedom of Information Model Publication Scheme Template for schools (England)

ICO - Guidance we gave to schools - September 2012 (England)

ICO Guidance on Bring Your Own Device

ICO Guidance on Cloud Hosted Services

Information Commissioners Office good practice note on taking photos in schools

ICO Guidance Data Protection Practical Guide to IT Security

ICO – Think Privacy Toolkit

ICO – Personal Information Online – Code of Practice

ICO – Access Aware Toolkit

ICO Subject Access Code of Practice

ICO – Guidance on Data Security Breach Management

SWGfL - Guidance for Schools on Cloud Hosted Services

LGfL - Data Handling Compliance Check List

Somerset - Flowchart on Storage of Personal Data

NEN - Guidance Note - Protecting School Data

Professional Standards / Staff Training

DfE - Safer Working Practice for Adults who Work with Children and Young People

Kent - Safer Practice with Technology

Childnet / TDA - Social Networking - a guide for trainee teachers & NQTs

Childnet / TDA - Teachers and Technology - a checklist for trainee teachers & NQTs

UK Safer Internet Centre Professionals Online Safety Helpline

Infrastructure / Technical Support

Somerset - Questions for Technical Support

NEN - Guidance Note - esecurity

Working with parents and carers

SWGfL / Common Sense Media Digital Literacy & Citizenship Curriculum

SWGfL BOOST Presentations - parents presentation

Connect Safely - a Parents Guide to Facebook

Vodafone Digital Parents Magazine

Childnet Webpages for Parents & Carers

DirectGov - Internet Safety for parents

Get Safe Online - resources for parents

Teach Today - resources for parents workshops / education

The Digital Universe of Your Children - animated videos for parents (Insafe)

Cerebra - Learning Disabilities, Autism and Internet Safety - a Parents' Guide

Insafe - A guide for parents - education and the new media

The Cybersmile Foundation (cyberbullying) - advice for parents

Research

EU Kids on Line Report - "Risks and Safety on the Internet" - January 2011

Futurelab - "Digital participation - its not chalk and talk any more!"

Glossary of terms

AUP	Acceptable Use Policy – see templates earlier in this document
CEOP	Child Exploitation and Online Protection Centre (part of UK Police, dedicated to protecting children from sexual abuse, providers of the Think U Know programmes.
CPC	Child Protection Committee
CPD	Continuous Professional Development
CYPS	Children and Young Peoples Services (in Local Authorities)
FOSI	Family Online Safety Institute
EA	Education Authority
ES	Education Scotland
HWB	Health and Wellbeing
ICO	Information Commissioners Office
ICT	Information and Communications Technology
ICTMark	Quality standard for schools provided by NAACE
INSET	In Service Education and Training
IP address	The label that identifies each computer to other computers using the IP (internet protocol)
ISP	Internet Service Provider
ISPA	Internet Service Providers' Association
IWF	Internet Watch Foundation
LA	Local Authority
LAN	Local Area Network
MIS	Management Information System
NEN	National Education Network – works with the Regional Broadband Consortia (e.g. SWGfL) to provide the safe broadband provision to schools across Britain.
Ofcom	Office of Communications (Independent communications sector regulator)
SWGfL	South West Grid for Learning Trust – the Regional Broadband Consortium of SW Local Authorities – is the provider of broadband and other services for schools and other organisations in the SW
TUK	Think U Know – educational e-safety programmes for schools, young people and parents.
VLE	Virtual Learning Environment (a software system designed to support teaching and learning in an educational setting,
WAP	Wireless Application Protocol