South Pennine Academies

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# Mobile Devices Policy

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| Reviewer | Education Director |
| Date approved by Directors | June 2026 |
| Date implemented | September 2026 |
| Date of next review | June 2027 |

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**Statement of intent**

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

Beaumont Primary Academy accepts that personal mobile phones and tablets are often given to students by their parents to ensure their safety and personal security; however, such devices pose inherent risks and may jeopardise the learning environment.

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

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

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

**1. Legal framework**

This policy has due regard to all relevant legislation, Government guidance, statutory and good practice guidance, it should also be read in conjunction with our other academy policies.

**2. Roles and responsibilities**

The Executive Team will be responsible for:

- Holding the academy accountable for the implementation of the policy and procedures.
- Evaluating the effectiveness of the policy and procedures.
- Ensuring that the policy, as written, does not discriminate on any grounds.

The principal will be responsible for:

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

Staff members will be responsible for:

- Negotiating incidents of cyberbullying in conjunction with the principal, in line with the Anti-bullying Policy and the Behaviour Policy.
- Applying this policy consistently and proportionately, including confiscating devices where appropriate.

- Reporting any safeguarding concerns to the DSL, or deputy, where misuse indicates risk of harm.
- Avoiding use of their mobile phones in front of students for any non-work related issues.
- Teaching students about the risks associated with mobile phones, other devices and social media, both in academy and more broadly.

The DSL will be responsible for:

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

Students are responsible for:

- Adhering to the provisions outlined in this policy.

**3. Ownership and responsibility**

Students are responsible for their own belongings. The academy accepts no responsibility for replacing property that is lost, stolen or damaged either on academy premises or travelling to and from academy, and at academy events.

Staff will be protected against liability in any proceedings brought against them for any loss or damage to personal devices that have been confiscated as an appropriate sanction, provided that they have acted lawfully.

Students are responsible for replacing academy property they lose, damage or steal, including electronic devices.

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

**4. Acceptable use**

Where students are bringing personal electronic devices into academy, they will be expected to make their parents aware of this. Students will remain responsible for the safety and security of any personal devices brought into academy and the academy will not accept responsibility for loss, theft or damage.

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

## 5. Unacceptable use

If a student brings personal devices into the Academy they should be handed to the teacher and stored in the teachers desk.

Students will be encouraged to avoid bringing phones to academy; however, if phones are brought to academy they will be switched off, handed to the teacher and stored in the teachers desk, at the beginning of the academy day, unless an agreed exception applies.

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

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

The academy will consider the risks that may be posed to students who do not have access to their mobile phone when organising travel to and from academy. Parents will be consulted with to consider ways to mitigate any concerns around the issue of travel to and from academy. Students will be able to access their personal devices when travelling to and from academy; however, they should not be used to arrange travel during the course of the academy day.

Staff members will be required to model expectations surrounding the use of personal devices when they are in front of students throughout the academy day, and only use their personal devices where required for work or safeguarding purposes.

Files, images, and data will not be sent between mobile devices, and Bluetooth and Wi-Fi functions will be disabled while on academy premises.

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

Under no circumstances will personal electronic devices be taken into examinations. Devices will be kept in bags or lockers, or handed to a member of staff for safekeeping during the examination. Under no circumstances will mobile devices be used in changing rooms or toilets.

Personal electronic devices will not be plugged into outlets on the academy premises without the express permission of the principal, and they will have an up-to-date portable appliance test (PAT).

Staff will not give out their personal contact details to students. If correspondence is needed between staff members and students for homework or exams, staff should provide their academy contact details.

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

A "specified purpose" is namely:

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

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

## 6. Adaptations and reasonable adjustments

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

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

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

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

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

## 7. Cyberbullying

All personal electronic devices will be used in line with our Online Safety Policy. Incidents of cyberbullying will be dealt with and reported in line with the anti-bullying policy and the behaviour Policy.

As part of the academy's ongoing commitment to the prevention of cyberbullying, regular teaching and discussion about online safety will take place as part of PSHE lessons.

## 8. Searching students

Academy students have a right for their private life to be respected under article 8 of the European Convention on Human Rights (ECHR). This right is not absolute, and the academy can interfere with this right as long as it is justified, proportionate, and aligns with the powers to search in the Education Act 1996.

Searches will only be carried out where appropriate, in line with Department for Education guidance, and with due regard to safeguarding, dignity, privacy and the welfare of pupil

The principal, and other authorised staff members, will have the power to search a student or their possessions where they have reasonable grounds to suspect that a student is in possession of a prohibited item. Mobile phones and similar devices will be deemed as prohibited items that may be searched for in line with the Behaviour Policy.

In all cases the authorised member of staff will always:

- Seek the co-operation of the student before conducting a search.
- Ensure the student understands the reason for the search and how it will be conducted.
- Give the student the opportunity to ask any questions so that their agreement is informed.
- Have due regard to the DfE's 'Searching, screening and confiscation' guidance.

Staff may search a student's outer clothing, pockets, possessions, desks, or lockers, but must not require the student to remove any clothing, in accordance with the DfE searching, screening and confiscation guidance.

A staff member may ask a student to show them what they are doing on their mobile phone or tablet if they reasonably believe that the student is using the device to cause harm. If it is judged reasonable, the staff member may inspect the files or data on a student's electronic device and delete them if necessary.

Staff members will ensure they have a good reason to examine and delete data on a student's electronic device. When determining a good reason to examine data, staff members will ensure they reasonably suspect that the data has been, or could be, used to cause harm, undermine the safe environment of the academy and disrupt teaching, or be used to commit an offence.

When determining a good reason to delete data, staff members will consider whether the material found may constitute evidence relating to a suspected offence and if so, choose not to delete the data. The data may be deleted if it is found likely to cause harm to any person, and the student and/or parent refuses to delete the data themselves.

If a search uncovers a device that is being used to cause harm, or which contains prohibited material such as pornography, a staff member can confiscate the device. If a staff member finds child pornography, it must be given to the police as soon as reasonably practicable. Where staff find stolen items like mobile devices, they must be given to the police as soon as reasonably practicable.

The staff member conducting the search must be the same sex as the student being searched. A witness to the search must be present; this should also be a staff member of the same sex as the student being searched.

Students are required to comply with any request to check their electronic device.

Students are required to comply with any request to disable the screen lock function of their electronic device and show any staff member what they are doing. Any student who refuses to comply with these requests will be disciplined in line with the Behaviour Policy.

## 9. Sanctions

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

Where this policy is clearly breached, for example where a device is used, seen, or heard ringing, staff will feel confident to confiscate mobile phones or similar devices as a disciplinary penalty. Confiscated devices may be retained for a proportionate length of time, as determined by the Principal and in consideration of the circumstances, including the student's age, SEND, and any agreed exceptions or reasonable adjustments.

Additional sanctions may include detentions or other disciplinary measures in accordance with the Behaviour Policy.

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

Confiscated personal electronic devices will be locked away securely.

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

## 10. Monitoring and review

This policy is reviewed annually unless significant changes are brought about by changes in regulations, guidance of the law whereby the policy will be reviewed sooner, by the Education Director and consulted on with Principals, behaviour leads and DSLs.