Tower View Primary School
E-safety Policy September 2021

Roles and Responsibilities

The following section outlines the roles and responsibilities for e-safety of individuals and groups within the school:

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:

- regular meetings with the E-SafetyOfficer
- regular monitoring of e-safety incident logs
- regular monitoring of filtering / change control logs
- reporting to relevant Governors committee / meeting

See SSCB for further information –

http://www.staffsscb.org.uk/e-SafetyToolkit/Proformas/GovernorChecklist/

Headteacher and Senior Leaders:

- The Headteacher is responsible 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 Officers.
- The Headteacher / Senior Leaders are responsible for ensuring that the E-Safety Officers and other relevant staff receive suitable CPD to enable them to carry out their e-safety roles and to train other colleagues, as relevant
- The Headteacher / 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.
- The Senior Leadership Team / Senior Management Team will receive regular monitoring reports from the E-Safety Officers.
- The Headteacher and another members of the Senior Leadership Team / Senior Management 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 SSCB website for a flow chart on dealing with e-safety incidents – included in a later section – "Responding to incidents of misuse" and relevant Local Authority HR / disciplinary procedures)

E-Safety Officers:

- reports to Full Governors about E-Safety issues.
- 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
- liaises with school ICT technical staff
- receives reports of e-safety incidents and creates a log of incidents to inform future e-safety developments
- meets regularly with E-Safety Governor(Chair of Governors) to discuss current issues, review incident logs and filtering / change control logs

- attends relevant meeting / committee of Governors
- reports regularly to Senior Leadership Team

Technical staff:

The ICT Technician is responsible for ensuring:

- that the school's ICT infrastructure is secure and is not open to misuse or malicious attack
- that the school meets the e-safety technical requirements outlined in the Staffordshire Security Policy and Acceptable Usage Policy and any relevant Local Authority E-Safety Policy and guidance
- that users may only access the school's networks through a properly enforced password protection policy
- Staffordshire Learning Network provide schools with the RM solution 'Safety Net Plus'. The software is categorised into nine sections i.e. pornography, SMS messaging etc, by default several sections and websites are filtered and access is denied. Schools are able to control their own permissions and add/amend to the defaults. Staffordshire Learning Technologies can be contacted if schools require assistance with this.
- that he / she keeps 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 / Virtual Learning Environment (VLE) / remote access / email is regularly monitored in order that any misuse / attempted misuse can be reported to the E-Safety Officers /Headteacher / Senior Leader / Head of ICT / ICT Co-ordinator / Class teacher for investigation / action / sanction
- that monitoring software / systems are implemented and updated as agreed in school policies

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 school Staff Acceptable Use Policy / Agreement (AUP)
- they report any suspected misuse or problem to the E-Safety Officers /Headteacher / Senior Leader / Head of ICT / ICT Co-ordinator / Class teacher for investigation / action / sanction
- digital communications with children (email / Virtual Learning Environment (VLE) / voice) 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 school activities
- children understand and follow the school e-safety and acceptable use policy
- children have a good understanding of research skills and the need to avoid plagiarism and uphold copyright regulations
- they monitor ICT activity in lessons, extra curricular and extended school activities
- they are aware of e-safety issues related to the use of mobile phones, cameras and hand held devices and that they monitor their use and implement current school policies with regard to these devices
- in lessons where internet use is pre-planned children 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 Officer

should be trained in e-safety issues and be aware of the potential for serious child protection issues to arise from:

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

Children:

- are responsible for using the school ICT systems in accordance with the Child 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 school policies on the use of mobile phones, digital cameras and hand held devices. They should also know and understand school 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. Research shows that many parents and carers do not fully understand the issues and are less experienced in the use of ICT than their children. The school will therefore take every opportunity to help parents understand these issues through *parents' evenings, newsletters, letters, website / VLE and information about national / local e-safety campaigns / literature.* Parents and carers will be responsible for:

- accessing the school website / VLE / on-line student / pupil records in accordance with the relevant school Acceptable Use Policy.

  (We are aware of the need to consider how parental access will be covered in the e-safety policy in preparation for the introduction of online reporting to parents / carers in the coming years.)

Training

The education of children in e-safety is an essential part of the school's e-safety provision. Children and young people need the help and support of the school to recognise and avoid e-safety risks and build their resilience.
E-Safety education will be provided in the following ways:

- A planned e-safety programme should be provided as part of ICT / PHSE / other lessons and should be regularly revisited – this will cover both the use of ICT and new technologies in school and outside school
- Key e-safety messages should be reinforced as part of a planned programme of assemblies and tutorial / pastoral activities
- Children 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
- Children should be helped to understand the need for the child AUP and encouraged to adopt safe and responsible use of ICT, the internet and mobile devices both within and outside school
- Children should be taught to acknowledge the source of information used and to respect copyright when using material accessed on the internet
- Rules for use of ICT systems / internet will be posted in all rooms and displayed on log-on screens
- Staff should act as good role models in their use of ICT, the internet and mobile devices

Education – parents / carers

Many parents and carers have only a limited understanding of e-safety risks and issues, yet they play an essential role in the education of their children and in the monitoring / regulation of the children's on-line experiences. Parents often either underestimate or do not realise how often children and young people come across potentially harmful and inappropriate material on the internet and are often unsure about what they would do about it. "There is a generational digital divide". (Byron Report).
Tower View will therefore seek to provide information and awareness to parents and carers through:

- Letters, newsletters, web site, VLE
- Parents evenings

Education & Training – Staff

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

- A planned programme of formal e-safety training (pre-dominantly on-line given current Covid-19 situation) will be made available to staff. An audit of the e-safety training needs of all staff will be carried out regularly. It is expected that some staff will identify e-safety as a training need within the performance management process.
- 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 Policies

- The E-Safety Officers will receive regular updates through attendance at LA / other information / training sessions and by reviewing guidance documents released by BECTA / LA and others.
- This E-Safety policy and its updates will be presented to and discussed by staff in staff / team meetings / INSET days.
- The E-Safety Officer will provide advice / guidance / training as required to individuals as required

Training – Governors

Governors should take part in e-safety training / awareness sessions, with particular importance for those who are members of any sub committee / group involved in ICT / 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.
- Participation in school training / information sessions for staff or parents

Technical – infrastructure/equipment, filtering and monitoring

Tower View will be responsible for ensuring that the school infrastructure / network is as safe and secure as is reasonably possible and that policies and procedures approved within this policy are implemented. It will also need to ensure that the relevant people named in the above sections will be effective in carrying out their e-safety responsibilities:

- School ICT systems will be managed in ways that ensure that the school meets the e-safety technical requirements outlined in the LA Security Policy and Acceptable Usage Policy and any relevant Local Authority E-Safety Policy and guidance
- There will be regular reviews and audits of the safety and security of school ICT systems
- Servers, wireless systems and cabling must be securely located and physical access restricted

- All users will have clearly defined access rights to school ICT systems.
- All users will be provided with a username and password
- The “master / administrator” passwords for the school ICT system, used by the Network Manager (or other person) must also be available to the Headteacher or other nominated senior leader and kept in a secure place (eg school safe)
- Users will be made responsible for the security of their username and password, must not allow other users to access the systems using their log on details and must immediately report any suspicion or evidence that there has been a breach of security.
- We will maintains and supports the managed filtering service provided by the LA
- We have provided enhanced user-level filtering through the use of the Securus filtering programme.
- In the event of the ICT Manager (or other person) needing to switch off the filtering for any reason, or for any user, this must be logged and carried out by a process that is agreed by the Headteacher (or other nominated senior leader).
- Any filtering issues should be reported immediately to SLT (Staffordshire Learning Technologies).
- Requests from staff for sites to be removed from the filtered list will be considered by the ICT Manager and SLT. If the request is agreed, this action will be recorded and logs of such actions shall be reviewed regularly by the E-Safety Committee
- School ICT technical staff regularly monitor and record the activity of users on the school ICT systems and users are made aware of this in the Acceptable Use Policy.
- a log will be placed in the ICT suite for users to report any actual / potential e-safety incident to the ICT Manager or E-Safety Officers.
- Appropriate security measures are in place to protect the servers, firewalls, routers, wireless systems, work stations, hand held devices etc from accidental or malicious attempts which might threaten the security of the school systems and data.
- Tower View’s infrastructure and individual workstations are protected by up to date virus software.

Curriculum

E-safety should be a focus in all areas of the curriculum and staff should reinforce e-safety messages in the use of ICT across the curriculum:

- in lessons where internet use is pre-planned, it is best practice that children 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 children are allowed to freely search the internet, eg using search engines, 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, students 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 ICT Manager 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. Requests for website release should be made on an appropriate request pro-forma.
- Children 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
- Children should be taught to acknowledge the source of information used and to respect copyright when using material accessed on the internet and to be aware of the potential consequences of plagiarism, particularly with respect to examination coursework.

- The curriculum is supplemented by extra awareness sessions through assemblies, plays, special weeks to periodically highlight E-safety issues.

Use of digital and video images – Photographic and Video

The development of digital imaging technologies has created significant benefits to learning, allowing staff and children instant use of images that they have recorded themselves or downloaded from the internet. However, staff and children need to be aware of the risks associated with sharing images and with posting digital images on the internet. Those images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term. There are many reported incidents of employers carrying out internet searches for information about potential and existing employees. The school will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm:

- When using digital images, staff should inform and educate children 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.
- Staff are allowed to take digital / video images to support educational aims, but must follow school policies and the school handbook 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 children are appropriately dressed and are not participating in activities that might bring the individuals or the school into disrepute.
- Children must not take, use, share, publish or distribute images of others without their permission
- Photographs published on the website, or elsewhere that include children will be selected carefully and will comply with good practice guidance on the use of such images.
- Children's' 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 children are published on the school website

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.

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.

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 (many memory sticks / cards and other mobile devices cannot 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

Communications

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

Please tick ✓	Staff & other adults				Students / Pupils			
Communication Technologies	Allowed	Allowed at certain times	Allowed for selected staff	Not allowed	Allowed	Allowed at certain times	Allowed with staff permission	Not allowed
Mobile phones may be brought to school	✓	✓				✓		✓
Use of mobile phones in lessons		✓						✓
Use of mobile phones in social time	✓							✓
Taking photos on mobile phones or other camera devices				✓				✓
Use of hand held devices eg PDAs, PSPs	✓						✓	
Use of personal email addresses in school, or on school network		✓						✓
Use of school email for personal emails		✓						✓
Use of chat rooms / facilities		✓					✓	
Use of instant messaging	✓						✓	
Use of social networking sites		✓					✓	
Use of blogs				✓	✓			

Moodle is a chat room facility with instant messaging that is run in conjunction with Abbott Beyne. (children have access to this whilst under supervision).

When using communication technologies Tower View considers the following as good practice:

- The official school email service may be regarded as safe and secure and is monitored.
- To utilize school WhatsApp groups as a key communication system.
- Users need to be aware that email communications may be monitored
- Users must immediately report, to the nominated person – in accordance with the school policy, the receipt of any email that makes them feel uncomfortable, is offensive, threatening or bullying in nature and must not respond to any such email.
- Any digital communication between staff and students / children / carers (email, chat, VLE etc) must be professional in tone and content.
- All children will be provided with individual school email addresses for educational use.
- Children should be taught about email safety issues, such as the risks attached to the use of personal details. They should also be taught strategies to deal with inappropriate emails and be reminded of the need to write emails clearly and correctly and not include any unsuitable or abusive material.
- Personal information should not be posted on the school website and only official email addresses should be used to identify members of staff.

Unsuitable / inappropriate / illegal activities

Tower View believes that the activities referred to in the following section would be inappropriate in a school context and that users, as defined below, should not engage in these activities in school or outside school when using school equipment or systems. The school policy restricts certain internet usage as follows:

User Actions		Acceptable	Acceptable at certain times	Acceptable for nominated users	Unacceptable	Unacceptable and illegal
Users shall not visit Internet sites, make, post, download, upload, data transfer, communicate or pass on, material, remarks, proposals or comments that contain or relate to:	child sexual abuse images					✓
	promotion or conduct of illegal acts, e.g. under the child protection, obscenity, computer misuse and fraud legislation					✓
	adult material that potentially breaches the Obscene Publications Act in the UK					✓
	criminally racist material in UK					✓
	pornography				✓	
	promotion of any kind of discrimination				✓	
	promotion of racial or religious hatred				✓	
	threatening behaviour, including promotion of physical violence or mental harm				✓	
	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				✓	
Using school systems to run a private business					✓	
Use systems, applications, websites or other mechanisms that bypass the filtering or other safeguards employed by SWGfL and / or the school					✓	
Uploading, downloading or transmitting commercial software or any copyrighted materials belonging to third parties, without the necessary licensing permissions					✓	
Revealing or publicising confidential or proprietary information (eg financial / personal information, databases, computer / network access codes and passwords)					✓	
Creating or propagating computer viruses or other harmful files					✓	
Carrying out sustained or instantaneous high volume network traffic (downloading / uploading files) that causes network congestion and hinders others in their use of the internet					✓	
On-line gaming (educational)					✓	
On-line gaming (non educational)					✓	
On-line gambling					✓	
On-line shopping / commerce					✓	
File sharing					✓	
Use of social networking sites				✓		
Use of video broadcasting eg Youtube				✓		

Responding to incidents of misuse

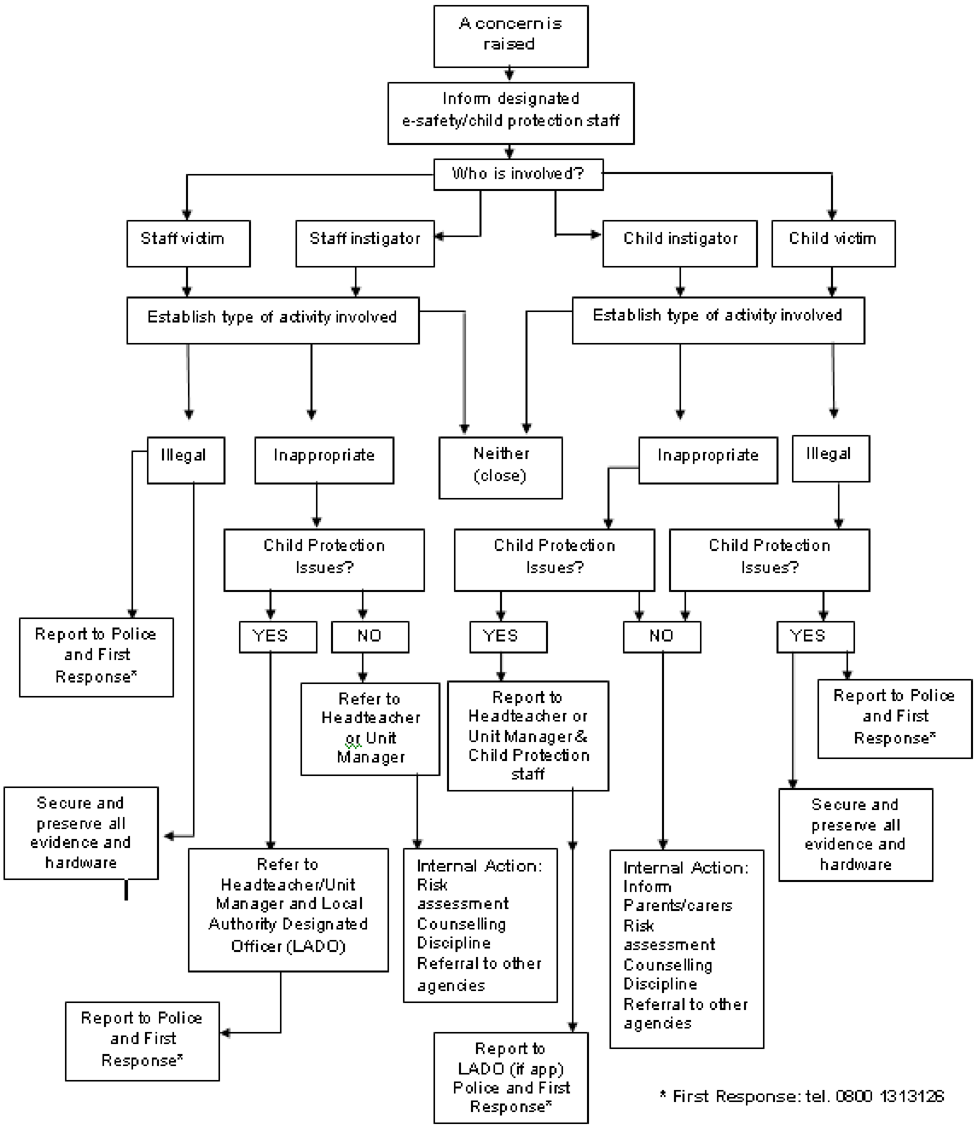
It is hoped that all members of the school community will be responsible users of ICT, who understand and follow this policy. However, there may be times when infringements of the policy could take place, through careless or irresponsible or, very rarely, through deliberate misuse. Listed below are the responses that will be made to any apparent or actual incidents of misuse:

If any apparent or actual misuse appears to involve illegal activity ie.

- child sexual abuse images
- adult material which potentially breaches the Obscene Publications Act
- criminally racist material
- other criminal conduct, activity or materials

The flow chart from the Staffordshire Safeguarding Children's board– below and http://www.staffsscb.org.uk/e-SafetyToolkit/IncidentResponse/ should be consulted and actions followed in line with the flow chart, in particular the sections on reporting the incident to the police and the preservation of evidence.

Staffordshire Local Safeguarding Children Board


A concern is raised
Inform designated e-safety/child protection staff
Who is involved?
Staff victim
Staff instigator
Child instigator
Child victim
Establish type of activity involved
Establish type of activity involved
Illegal
Inappropriate
Neither (close)
Inappropriate
Illegal
Child Protection Issues?
Child Protection Issues?
Child Protection Issues?
Report to Police and First Response*
YES
NO
YES
NO
YES
Refer to Headteacher or Unit Manager
Report to Headteacher or Unit Manager & Child Protection staff
Report to Police and First Response*
Secure and preserve all evidence and hardware
Refer to Headteacher/Unit Manager and Local Authority Designated Officer (LADO)
Internal Action: Risk assessment Counselling Discipline Referral to other agencies
Internal Action: Inform Parents/carers Risk assessment Counselling Discipline Referral to other agencies
Secure and preserve all evidence and hardware
Report to Police and First Response*
Report to LADO (if app) Police and First Response*
* First Response: tel. 0800 1313126

If members of staff suspect that misuse might have taken place, but that the misuse is not illegal (as above) it is essential that correct procedures are used to investigate, preserve evidence and protect those carrying out the investigation. In such event the contact the Staffordshire Safeguarding Children's Board

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:

Children Actions / Sanctions

Incidents:	Refer to class teacher	Refer to SLT	Refer to Headteacher	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 handheld device	✓							✓	
Unauthorised use of social networking / instant messaging / 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 child'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 instant 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

Incidents:	Refer to Headteacher	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).	✓	✓	✓		✓	✓	✓
Excessive or inappropriate personal use of the internet / social networking sites / instant messaging / personal email	✓				✓		
Unauthorised downloading or uploading of files	✓				✓		
Allowing others to access school network by 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 instant 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 children	✓	✓			✓		
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	✓	✓	✓	✓	✓	✓	✓

Legislation

Tower View is 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 Harassment Act 1997

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

Protection of Children Act 1978

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is 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 Headteachers, to such extent as is reasonable, to regulate the behaviour of students / pupils when they are off the school site and empowers members of staff to impose disciplinary penalties for inappropriate behaviour.

We also use P.C.E. software to track internet use in the school and this is directly used for all networked machines and is currently being rolled out to staff laptops and IPADs.

Written by E-Safety Officers (following guidance from Staffordshire LA): A. Ridout, R.Holford (ICT Leader)

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Please refer directly to Staff Handbook for code of conduct.