**The Renfrewshire Council position on mobile phones / devices**

The benefits of mobile phones are recognised. Many young people and their parents regard them as an essential means of communication.

**Mobile phones can be brought into schools however the following limitations will apply in Renfrewshire schools and establishments:**

* All phones should be turned off and kept out of sight during the school day within the school campus.
* Photographing or recording of sound or images of staff, other pupils or visitors to the school is not allowed at any time within the school campus or on school transport.
* Mobile phones may be confiscated where these rules are broken.
* Any recordings made on school premises or school transport found on confiscated phones will have to be deleted on their return.
* Any photographs or recordings of staff in any situation, whether taken on school premises or elsewhere, found on confiscated phones will have to be deleted from phones on their return.
* Education and leisure services expects that schools will, through normal collegiate procedures, develop or review existing policies on the use of mobiles phones that take account of the views of all staff, parents and pupils.
* Schools should ensure that pupils, parents and staff are aware that should a pupil breach the policy they will be disciplined in line with the school’s positive behaviour/discipline policy.
* Individual school policies should clearly state for the benefit of staff, pupils, parent and visitors any variations from the restrictions on use of mobile phones set out below.
* Pupils and parents should be notified that mobile phones will be confiscated where these limitations are breached.
* An increasing range and variety of mobile phones possess the ability to access the Internet and to use Bluetooth technology to communicate. These technologies provide unparalleled sophistication and complexity which can provide access to a wealth of online resources and possibilities. Pupils and parents should be aware that this also leaves pupils open to dangers such as cyberbullying, grooming and access to inappropriate material. Reference should be made to Renfrewshire’s anti-bullying policy for further guidance in this area.
* Staff should not delete photographs or recordings from confiscated mobile phones.
* When staff confiscate mobile phones or other devices they should ensure that these are retained in a safe place that cannot be accessed by others. This may be a lockable drawer or cupboard, a base area or a delegated area in the school office. Confiscated mobile phones should normally be passed to the school office or senior member of staff as soon as possible after confiscation.

Legal Aspects

* There are a number of aspects of the law that may apply to mobile phone misuse and the responses to that misuse. In the most serious cases there may be a crime involved – an incident that is being filmed might be an assault or breach of the peace. The misuse of a mobile phone might be an offence under the Communications Act 2003, if it involves a call or message that is grossly offensive or is of an indecent, obscene or menacing character; and, the distribution of certain pornography might be an offence under the Civic Government (Scotland) Act 1982.
* In situations which are so serious that a school might call in the police it is for the police, not the school, to consider what, if any, criminal offence may apply.

These restrictions on use apply equally during any school activity that takes place off campus.

Pupils breaking the rules will be disciplined in line with the school’s behaviour policy.