

# Moat Farm Junior School

## Online Safety Policy

## Development / Monitoring / Review of this Policy

This Online Safety policy has been developed by

- Headteacher / Principal / Senior Leaders
- Online Safety Officer / Coordinator
- Staff – including Teachers, Support Staff, Technical staff
- Governors / Board

## Schedule for Development / Monitoring / Review

This Online Safety policy was approved by the Governing Body:	<i>25/03/2020</i>
The implementation of this Online Safety policy will be monitored by the:	<i>Senior Leadership Team, and subject leaders for computing</i>
Monitoring will take place at regular intervals:	<i>termly</i>
The Governing Body will receive a report on the implementation of the Online Safety Policy generated by the monitoring group (which will include anonymous details of online safety incidents) at regular intervals:	<i>Termly as part of the safeguarding report to governors</i>
The Online Safety Policy will be reviewed annually, or more regularly in the light of any significant new developments in the use of the technologies, new threats to online safety or incidents that have taken place. The next anticipated review date will be:	<i>January 2021</i>
Should serious online safety incidents take place, the following external persons / agencies should be informed:	<i>LA Children’s Trust: 0121 569 3100 Police: 101 / 999</i>

The school will monitor the impact of the policy using:

- Logs of reported incidents
- Monitoring logs of internet activity (including sites visited) / filtering using Impero
- Surveys / questionnaires of
  - students / pupils
  - parents / carers
  - staff

## Scope of the Policy

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

The Education and Inspections Act 2006 empowers Headteachers / Principals 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. This is pertinent to incidents of online-bullying or other Online Safety incidents covered by this policy, which may take place outside of the *school*, but is linked to membership of the school. The 2011 Education Act increased these powers with regard to the searching for and of electronic devices and the deletion of data (see appendix for template policy). In the case of both acts, action can only be taken over issues covered by the published Behaviour Policy.

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

## Roles and Responsibilities

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

### Governors

*Governors* are responsible for the approval of the Online Safety Policy and for reviewing the effectiveness of the policy. This will be carried out by the *Governors* receiving regular information about online safety incidents and monitoring reports. A member of the *Governing Body* has taken on the role of *Online Safety Governor* ([at Moat Farm this role has been combined with that of the Child Protection / Safeguarding Governor](#)). The role of the *Online Safety Governor* will include:

- regular meetings with the computing leads
- attendance at Online Safety Group meetings
- reporting to relevant Governors meeting

### Headteacher and Senior Leaders

- The *Headteacher* has a duty of care for ensuring the safety (including online safety) of members of the school community, though the day to day responsibility for online safety will be delegated to the *computing leads*.

- The Headteacher and (at least) another member of the Senior Leadership Team / Senior Management Team should be aware of the procedures to be followed in the event of a serious online safety allegation being made against a member of staff. (see flow chart on dealing with online safety incidents – included in a later section – “Responding to incidents of misuse” and relevant *Local Authority other relevant body* disciplinary procedures).
- *The Headteacher and Senior Leaders are responsible for ensuring that the computing leads receive suitable training to enable them to carry out their online safety roles and to train other colleagues, as relevant.*
- *The Senior Leadership Team will receive regular monitoring reports from the computing Leads.*

## Online Safety Officer / Lead

The computing Leads have delegated responsibility for online safety at Moat Farm, this role involves the following:

- leads the Online Safety Group
- takes day to day responsibility for online safety issues and has a leading role in establishing and reviewing the school online safety policies / documents
- ensures that all staff are aware of the procedures that need to be followed in the event of an online safety incident taking place.
- provides training and advice for staff
- liaises with the Local Authority body
- liaises with school technical staff
- receives reports of online safety incidents and creates a log of incidents to inform future online safety developments,
- meets regularly with Online Safety *Governor* to discuss current issues, review incident logs and filtering / change control logs
- attends relevant meeting of *Governors*
- reports regularly to Senior Leadership Team

## Network Manager / Technical staff

The Technical Staff from CSE, the school’s ICT Technician and the computing leads are responsible for ensuring:

- **that the *school’s* technical infrastructure is secure and is not open to misuse or malicious attack**
- **that the *school* meets required online safety technical requirements.**

- **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 (if it has one), is applied and updated on a regular basis.*
- that they keep up to date with online safety technical information in order to effectively carry out their online safety role and to inform and update others as relevant
- that the use of the *network / internet / Learning Platform / remote access / email* is regularly monitored in order that any misuse / attempted misuse can be reported to the *Headteacher and Senior Leaders* for investigation.
- *that monitoring software / systems are implemented and updated.*

## Teaching and Support Staff

Are responsible for ensuring that:

- **they have an up to date awareness of online safety matters and of the current *school* Online Safety Policy and practices**
- **they have read, understood and signed the Staff Acceptable Use Policy.**
- **they report any suspected misuse or problem to the *Headteacher or computing leads* 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***
- online safety issues are embedded in all aspects of the curriculum and other activities
- students / pupils understand and follow the Online Safety Policy and acceptable use policies
- students / 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 students / 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*

## Designated Safeguarding Lead / Designated Person / Officer

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

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

- online-bullying

## Students / Pupils:

- **are responsible for using the *school* digital technology systems in accordance with the Pupil Acceptable Use Agreement**
- have a good understanding of research skills and the need to avoid plagiarism and uphold copyright regulations
- need to understand the importance of reporting abuse, misuse or access to inappropriate materials and know how to do so
- will be expected to know and understand policies on the use of mobile devices and digital cameras. They should also know and understand policies on the taking / use of images and on online-bullying.
- should understand the importance of adopting good online safety practice when using digital technologies out of school and realise that the *school's* Online Safety Policy covers their actions out of school, if related to their membership of the school

## Parents / Carers

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

- digital and video images taken at school events.
- access to parents' sections of the website .
- *their children's personal devices in the school.*

## Policy Statements

### Education – Students / Pupils

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

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

- A planned online safety curriculum should be provided as part of Computing lessons and should be regularly revisited
- Key online 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 online and be guided to validate the accuracy of information.
- Pupils should be taught to acknowledge the source of information used and to respect copyright when using material accessed on the internet
- Pupils should be supported in building resilience to radicalisation by providing a safe environment for debating controversial issues and helping them to understand how they can influence and participate in decision-making
- 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 students 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 students 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, 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 Technical Staff (or other relevant designated person) can temporarily remove those sites from the filtered list for the period of study. Any request to do so, should be auditable, with clear reasons for the need.

## Education – Parents / Carers

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

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

- *Curriculum activities*
- *Letters, newsletters, web site,*
- *Parents / Carers evenings / sessions*
- *High profile events / campaigns e.g. Safer Internet Day*
- *Reference to the relevant web sites / publications e.g. [swgfl.org.uk](http://swgfl.org.uk) [www.saferinternet.org.uk/](http://www.saferinternet.org.uk/)  
<http://www.childnet.com/parents-and-carers>*

## Education & Training – Staff / Volunteers

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

- **All new staff should receive online safety training as part of their induction programme, ensuring that they fully understand the school / academy Online Safety Policy and Acceptable Use Agreements.**
- *It is expected that some staff will identify online safety as a training need within the performance management process.*
- *The computing Leads 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 Online Safety Policy and its updates will be presented to and discussed by staff in staff / team meetings / INSET days.*
- *The computing Leads will provide advice / guidance / training to individuals as required.*

## Training – Governors

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

## Technical – infrastructure / equipment, filtering and monitoring

The school 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 online safety responsibilities:

- **School technical systems will be managed in ways that ensure that the school meets recommended technical requirements.**
- **There will be regular reviews and audits of the safety and security of school technical systems**
- **Servers, wireless systems and cabling must be securely located and physical access restricted**
- **All users will have clearly defined access rights to school technical systems and devices.**
- **All users will be provided with a username and secure password by ICT technician / CSE who will keep an up to date record of users and their usernames. Users are responsible for the security of their username and password and will be required to change their password regularly.**
- The “master / administrator” passwords for the school ICT systems, used by the Network Manager must also be available to the *Headteacher and Business Director.*



- [ICT technician and Business Director](#) are 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 using LGFL filtering and monitored by Impero software.** Illegal content (child sexual abuse images) is filtered by the broadband or filtering provider by actively employing the Internet Watch Foundation CAIC list. 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 ([ICT technician must contact LGFL to have sites unblocked, they have a password and LGFL will only deal with them this prevents anyone calling up and having sites unblocked](#)).
- **Internet filtering / monitoring should ensure that children are safe from terrorist and extremist material when accessing the internet.**
- *School technical staff (ICT technician and Business Director) 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. The school uses software called Impero that monitors and records inappropriate internet access,*
- Appropriate security measures are in place ([the school uses Sophos software](#)) 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 ([visitors upon request can have the password for guest wifi for a limited period of time](#)) for the provision of temporary access of “guests” (eg trainee teachers, supply teachers, visitors) onto the school systems.
- [School devices are for the sole use of school work only and must not be used of any other purpose or other software downloaded onto them, This is set out in the AUP.](#)
- *An agreed in the GDPR policy sensitive pupil **data cannot be sent over the internet or taken off the school site unless safely encrypted or otherwise secured.** [Memory sticks are not to be use in school devices.](#)*

## Mobile Technologies

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

All users should understand that the primary purpose of the use mobile devices in a school context is educational. Any personal mobile devices are not allowed to be used in school for any school related activity (see AUP, Staff Code of Conduct).

- Staff may use mobile phones at the start and end of the day when there are no pupils present and only in the staff room during the school day.
- Personal devices must never be used to take photographs of pupils or to access or store sensitive pupil information.
- Work emails must not be accessed on personal devices. Staff must not automatically connect to the school wifi on personal devices either as this may impact on the capability of the network through the day. Students on placement may not use their own computers for work, school will provide them with a laptop for their placement.

## Use of digital and video images

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

- **When using digital images, staff should inform and educate pupils about the risks associated with the taking, use, sharing, publication and distribution of images. In particular they should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.**
- **Written permission from parents or carers will be obtained before photographs of students / pupils are published on the school website / social media / local press [using the consent to digital images consent from.](#)**
- 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 is not covered by the Data Protection Act). To respect everyone's privacy and in some cases protection, these images should not be published / made publicly available on social networking sites, nor should parents / carers comment on any activities involving other *pupils* in the digital / video images.
- Staff and volunteers are allowed to take digital / video images to support educational aims, but must follow school policies concerning the sharing, distribution and publication of those images. Those images should only be taken on school equipment, the personal equipment of staff should not be used for such purposes.
- Care should be taken when taking digital / video images that pupils are appropriately dressed and are not participating in activities that might bring the individuals or the school / academy 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.
- Pupil's work can only be published with the permission of the student / pupil and parents or carers.

## Data Protection

Personal data will be recorded, processed, transferred and made available according to the current data protection legislation. Please see the schools Data Protection Policy.

The school must ensure that:

- It has a Data Protection Policy.
- It has paid the appropriate fee to the Information Commissioner's Office (ICO).
- It has appointed a Data Protection Officer (DPO).
- 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.
- Data held must be accurate and up to date. Inaccuracies are corrected without unnecessary delay.
- The lawful basis for processing personal data (including, where relevant, consent) has been identified and documented and details provided in a Privacy Notice. (see the school's privacy notice for pupils / staff and visitors)
- Where special category data is processed, a lawful basis and a separate condition for processing have been identified.
- Data Protection Impact Assessments (DPIA) are carried out.
- It has clear and understood arrangements for access to and the security, storage and transfer of personal data, including, where necessary, adequate contractual clauses or safeguards where personal data is passed to third parties e.g. cloud service providers.
- Procedures must be in place to deal with the individual rights of the data subject i.e. a Subject Access Requests to see all or a part of their personal data held by the data controller.
- There are clear and understood data retention policies and routines for the deletion and disposal of data.
- There is a policy for reporting, logging, managing and recovering from an information risk incident which recognises the requirement to report relevant data breaches to the ICO within 72 hours of the breach, where feasible.
- Consideration has been given to the protection of personal data when accessed using any remote access solutions.
- All schools must have a Freedom of Information Policy which sets out how it will deal with FOI requests.
- All staff receive data handling awareness / data protection training and are made aware of their responsibilities.

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.**

When personal data is stored on any portable computer system, 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.**

## Social Media - Protecting Professional Identity

All schools have a duty of care to provide a safe learning environment for pupils and staff. Schools could be held responsible, indirectly for acts of their employees in the course of their employment. Staff members who harass, engage in online bullying, discriminate on the grounds of sex, race or disability or who defame a third party may render the *school* liable to the injured party. Reasonable steps to prevent predictable harm must be in place.

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 the implementation of the social networking policy.

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* or local authority.
- Security settings on personal social media profiles are regularly checked to minimise risk of loss of personal information

Monitoring of Public Social Media

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

## Dealing with unsuitable / inappropriate activities

Some internet activity e.g. accessing child abuse images or distributing racist material is illegal and would obviously be banned from school and all other technical systems. Other activities e.g. cyber-bullying would be banned and could lead to criminal prosecution. There are however a range of activities which may, generally, be legal but would be inappropriate in a school context, either because of the age of the users or the nature of those activities.

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

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

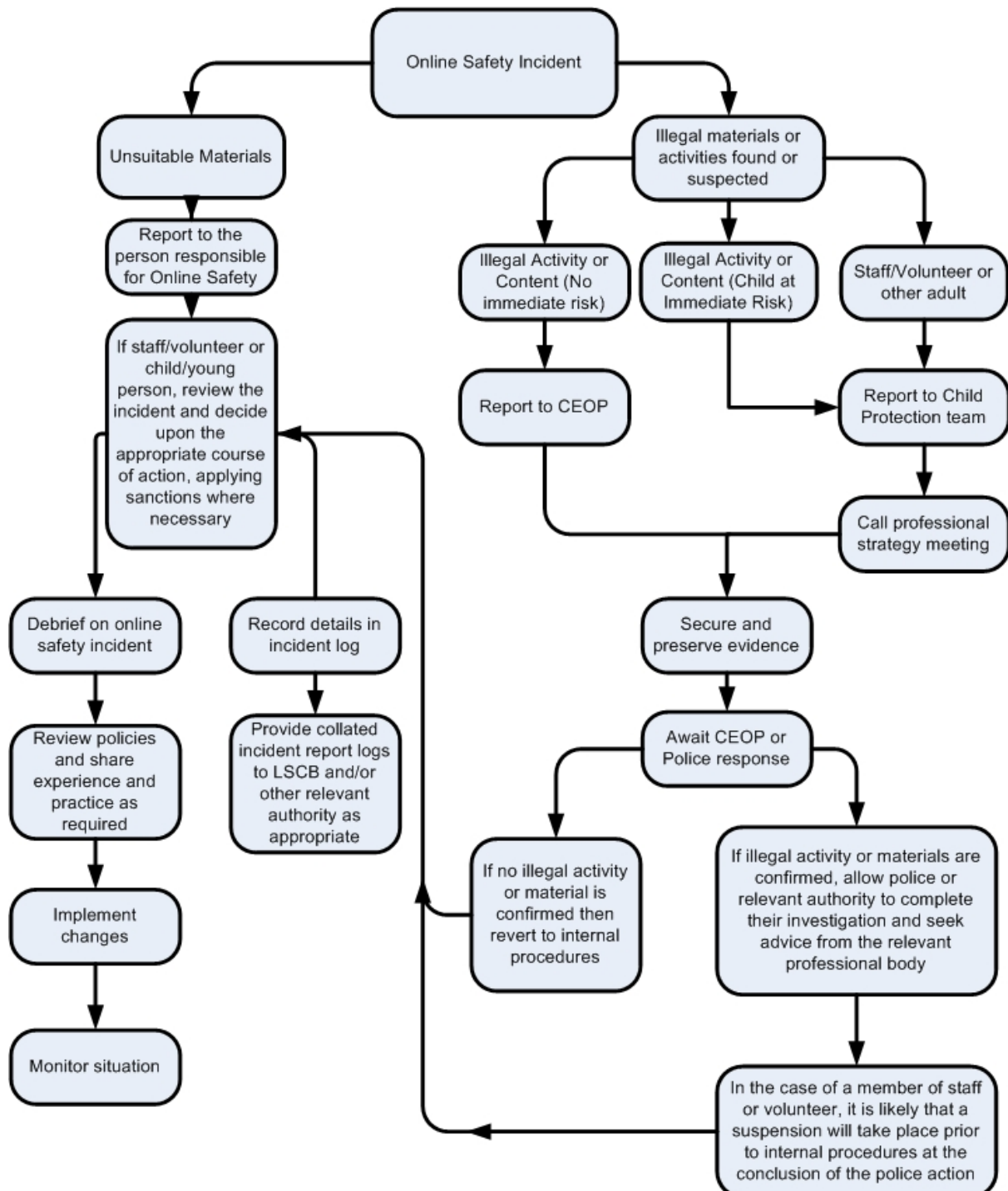
Infringing copyright				X	
Revealing or publicising confidential or proprietary information (eg financial / personal information, databases, computer / network access codes and passwords)				X	
Creating or propagating computer viruses or other harmful files				X	
Unfair usage (downloading / uploading large files that hinders others in their use of the internet)				X	
On-line gaming (educational)				X	
On-line gaming (non-educational)				X	
On-line gambling				X	
On-line shopping / commerce				X	
File sharing				X	
Use of social media				X	
Use of messaging apps				X	
Use of video broadcasting e.g. Youtube				X	

## Responding to incidents of misuse

This guidance is intended for use when staff need to manage incidents that involve the use of online services.

## Illegal Incidents

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



## Other Incidents

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

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

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

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



## School Actions & Sanctions

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

## Acknowledgements

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- Members of the SWGfL Online Safety Group
- Avon and Somerset Police
- Representatives of SW Local Authorities
- Plymouth University Online Safety
- NEN / Regional Broadband Grids

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Every effort has been made to ensure that the information included in this document is accurate, as at the date of publication in April 2018. However, SWGfL cannot guarantee its accuracy, nor can it accept liability in respect of the use of the material.



## Legislation

Schools should be aware of the legislative framework under which this Online 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 anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison

## Sexual Offences Act 2003

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

## Public Order Act 1986

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

## Obscene Publications Act 1959 and 1964

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

## Human Rights Act 1998

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

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

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

### The Education and Inspections Act 2006

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

### The Education and Inspections Act 2011

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

### The Protection of Freedoms Act 2012

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

### The School Information Regulations 2012

Requires schools to publish certain information on its website:

<https://www.gov.uk/guidance/what-maintained-schools-must-publish-online>

### Serious Crime Act 2015

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

## Links to other organisations or documents

The following links may help those who are developing or reviewing a school online safety policy:

### UK Safer Internet Centre

Safer Internet Centre – <https://www.saferinternet.org.uk/>

South West Grid for Learning - <https://swgfl.org.uk/products-services/online-safety/>

Childnet – <http://www.childnet-int.org/>

Professionals Online Safety Helpline - <http://www.saferinternet.org.uk/about/helpline>

Internet Watch Foundation - <https://www.iwf.org.uk/>

### CEOP

CEOP - <http://ceop.police.uk/>

ThinkUKnow - <https://www.thinkuknow.co.uk/>

### Others

[LGfL – Online Safety Resources](#)

[Kent – Online Safety Resources page](#)

INSAFE / Better Internet for Kids - <https://www.betterinternetforkids.eu/>

UK Council for Child Internet Safety (UKCCIS) - [www.education.gov.uk/ukccis](http://www.education.gov.uk/ukccis)

Netsmartz - <http://www.netsmartz.org/>

### Tools for Schools

Online Safety BOOST – <https://boost.swgfl.org.uk/>

360 Degree Safe – Online Safety self-review tool – <https://360safe.org.uk/>

360Data – online data protection self review tool: [www.360data.org.uk](http://www.360data.org.uk)

### Bullying / Online-bullying / Sexting / Sexual Harrassment

Enable – European Anti Bullying programme and resources (UK coordination / participation through SWGfL & Diana Awards) - <http://enable.eun.org/>

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

Scottish Government - Better relationships, better learning, better behaviour -

<http://www.scotland.gov.uk/Publications/2013/03/7388>

DfE - Cyberbullying guidance -

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/374850/Cyberbullying\\_Advice\\_for\\_Headteachers\\_and\\_School\\_Staff\\_121114.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/374850/Cyberbullying_Advice_for_Headteachers_and_School_Staff_121114.pdf)

Childnet – Cyberbullying guidance and practical PSHE toolkit:

<http://www.childnet.com/our-projects/cyberbullying-guidance-and-practical-toolkit>

[Childnet – Project deSHAME – Online Sexual Harrassment](#)

[UKSIC – Sexting Resources](#)

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

[Ditch the Label – Online Bullying Charity](#)

[Diana Award – Anti-Bullying Campaign](#)

## Social Networking

Digizen – [Social Networking](#)

UKSIC - [Safety Features on Social Networks](#)

[Children’s Commissioner, TES and Schillings – Young peoples’ rights on social media](#)

## Curriculum

[SWGfL Digital Literacy & Citizenship curriculum](#)

[UKCCIS – Education for a connected world framework](#)

Teach Today – [www.teachtoday.eu/](http://www.teachtoday.eu/)

Insafe - [Education Resources](#)

## Mobile Devices / BYOD

Cloudlearn Report [Effective practice for schools moving to end locking and blocking](#)

NEN - [Guidance Note - BYOD](#)

## Data Protection

[360data - free questionnaire and data protection self review tool](#)

[ICO Guide for Organisations \(general information about Data Protection\)](#)

[ICO Guides for Education \(wide range of sector specific guides\)](#)

[DfE advice on Cloud software services and the Data Protection Act](#)

[ICO Guidance on Bring Your Own Device](#)

[ICO Guidance on Cloud Computing](#)

[ICO - Guidance we gave to schools - September 2012](#)

[IRMS - Records Management Toolkit for Schools](#)

[NHS - Caldicott Principles \(information that must be released\)](#)

[ICO Guidance on taking photos in schools](#)

[Dotkumo - Best practice guide to using photos](#)

## Professional Standards / Staff Training

[DfE – Keeping Children Safe in Education](#)

DfE - [Safer Working Practice for Adults who Work with Children and Young People](#)

[Childnet – School Pack for Online Safety Awareness](#)

[UK Safer Internet Centre Professionals Online Safety Helpline](#)

## Infrastructure / Technical Support

[UKSIC – Appropriate Filtering and Monitoring](#)

Somerset - [Questions for Technical Support](#)

NEN – [Advice and Guidance Notes](#)

## Working with parents and carers

[SWGfL Digital Literacy & Citizenship curriculum](#)

[Online Safety BOOST Presentations - parent’s presentation](#)

[Vodafone Digital Parents Magazine](#)

[Childnet Webpages for Parents & Carers](#)

[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](#)

## Research

[EU Kids on Line Report - "Risks and Safety on the Internet" - January 2011](#)

[Futurelab - "Digital participation - its not chalk and talk any more!"](#)

[Ofcom –Media Literacy Research](#)



# Glossary of Terms

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

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