# Codicote C of E Primary School
# Policy for E safety & Acceptable use of ICT

**This policy was written in consultation with the staff and governors and reviewed in October 2025 to include up to date guidance.**

ICT in the 21st Century is seen as an essential resource to support learning and teaching, as well as playing an important role in the everyday lives of children, young people and adults. Consequently, schools need to build in the use of these technologies in order to arm our young people with the skills to access life-long learning and employment.

Information and Communications Technology covers a wide range of resources including; web-based and mobile learning. It is also important to recognise the constant and fast paced evolution of ICT within our society as a whole. Currently the internet technologies children and young people are using both inside and outside of the classroom include:

- Websites
- Apps
- Email, Instant Messaging and chat rooms
- Social Media, including Facebook and Twitter
- Mobile/ Smart phones with text, video and/ or web functionality
- Other mobile devices including tablets and gaming devices
- Online Games
- Learning Platforms and Virtual Learning Environments
- Blogs and Wikis
- Podcasting
- Video sharing
- Downloading
- On demand TV and video, movies and radio / Smart TVs

Whilst exciting and beneficial both in and out of the context of education, much ICT, particularly web-based resources, are not consistently policed. All users need to be aware of the range of risks associated with the use of these Internet technologies and that some have minimum age requirements (13 years in most cases).

At Codicote School, we understand the responsibility to educate our pupils on eSafety Issues; teaching them the appropriate behaviours and critical thinking skills to enable them to remain both safe and legal when using the internet and related technologies, in and beyond the context of the classroom.

Schools hold personal data on learners, staff and others to help them conduct their day-to-day activities. Some of this information is sensitive and could be used by another person or criminal organisation to cause harm or distress to an individual. The loss of sensitive information can result in media coverage, and potentially damage the reputation of the school. This can make it more difficult for your school to use technology to benefit learners.

Everybody in the school community has a shared responsibility to secure any sensitive information used in their day to day professional duties and even staff not directly involved in data handling should be made aware of the risks and threats and how to minimise them.

Both this policy and the Acceptable Use Agreement (for all staff, governors, regular visitors [for regulated activities] and pupils) are inclusive of both fixed and mobile internet; technologies provided by the school (such as PCs, laptops, mobile devices, webcams, whiteboards, voting systems, digital video equipment, etc); and technologies owned by pupils and staff, but brought onto school premises (such as laptops, mobile phones and other mobile devices).

**Monitoring**

Authorised ICT staff may inspect any ICT equipment owned or leased by the school at any time without prior notice. If you are in doubt as to whether the individual requesting such access is authorised to do so, please ask for their identification badge and contact their department. Any ICT authorised staff member will be happy to comply with this request.

ICT authorised staff may, without prior notice, access the email or voicemail account where applicable, of someone who is absent in order to deal with any business-related issues retained on that account.

All monitoring, surveillance or investigative activities are conducted by ICT authorised staff and comply with the Data Protection Act 1998, the Human Rights Act 1998, the Regulation of Investigatory Powers Act 2000 (RIPA) and the Lawful Business Practice Regulations 2000.

Please note that personal communications using School ICT may be unavoidably included in any business communications that are monitored, intercepted and/or recorded.

All internet activity is logged by the school's internet provider. These logs may be monitored by that provider (e.g. Herts for Learning Ltd).

**Breaches**

A breach or suspected breach of policy by a school employee, contractor or pupil may result in the temporary or permanent withdrawal of school ICT hardware, software or services from the offending individual.

For staff any policy breach is grounds for disciplinary action in accordance with the school Disciplinary Procedure or, for Support Staff, in their Probationary Period as stated.

Policy breaches may also lead to criminal or civil proceedings.

The Information Commissioner's powers to issue monetary penalties came into force on 6 April 2010, allowing the Information Commissioner's office to serve notices requiring organisations to pay up to £500,000 for serious breaches of the Data Protection Act.

The data protection powers of the Information Commissioner's Office are to:

- Conduct assessments to check organisations are complying with the Act;
- Serve information notices requiring organisations to provide the Information Commissioner's Office with specified information within a certain time period;

- Serve enforcement notices and 'stop now' orders where there has been a breach of the Act, requiring organisations to take (or refrain from taking) specified steps in order to ensure they comply with the law;
- Prosecute those who commit criminal offences under the Act;
- Conduct audits to assess whether organisations' processing of personal data follows good practice,
- Report to Parliament on data protection issues of concern

For pupils, reference will be made to the school's behaviour policy.incident Reporting

Any security breaches or attempts, loss of equipment and any unauthorised use or suspected misuse of ICT must be immediately reported to the school's relevant responsible person. Additionally, all security breaches, lost/stolen equipment or data (including remote access SecureID tokens and PINs), virus notifications, unsolicited emails, misuse or unauthorised use of ICT and all other policy non-compliance must be reported to the relevant responsible person. The relevant responsible individuals in the school are as follows: Liz Pollard – Head, Kevin Browne – Deputy, Kate Grainger – Senior Leader and Jo Pearce – Office Manager.

Please refer to the relevant section on Incident Reporting, eSafety Incident Log & Infringements.

# Primary Pupil Acceptable Use
## Agreement / eSafety Rules

- I will only use ICT in school for school purposes
- I will only use my class email address or my own school email address when emailing
- I will only open email attachments from people I know, or who my teacher has approved
- I will not tell other people my ICT passwords
- I will only open/delete my own files
- I will make sure that all ICT contact with other children and adults is responsible, polite and sensible
- I will not look for, save or send anything that could be unpleasant or nasty. If I accidentally find anything like this I will tell my teacher immediately
- I will not give out my own/others details such as name, phone number or home address. I will not arrange to meet someone or send my image unless this is part of a school project approved by my teacher and a responsible adult comes with me
- I will be responsible for my behaviour when using ICT because I know that these rules are to keep me safe
- I will support the school approach to online safety and not upload or add any images, video, sounds or text that could upset any member of the school community
- I know that my use of ICT can be checked and my parent/carer contacted if a member of school staff is concerned about my safety
- I will not sign up for any online service unless this is an agreed part of a school project approved by my teacher
- I will not bring a Smart Watch to school because I am not allowed to wear one during the school day
- I will not sign up to online services until I am old enough

Dear Parent/ Carer

ICT including the internet, email and mobile technologies has become an important part of learning in our school. We expect all children to be safe and responsible when using any ICT.

Please read and discuss these eSafety rules with your child and return the slip at the bottom of this page. If you have any concerns or would like some explanation please contact Liz Pollard – Headteacher or Kevin Browne – Deputy Headteacher.

Please take care to ensure that appropriate systems are in place at home to protect and support your child/ren.

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# Staff, Governor and Visitor
# Acceptable Use Agreement / Code of Conduct

ICT (including data) and the related technologies such as email, the internet and mobile devices are an expected part of our daily working life in school. This policy is designed to ensure that all staff are aware of their professional responsibilities when using any form of ICT. All staff are expected to adhere to this policy at all times. Any concerns or clarification should be discussed with Liz Pollard – Head, Kevin Browne – Deputy, Kate Grainger – Senior Leader or Jo Pearce – Office Manager.

I will only use the school's email / Internet / Intranet / Learning Platform and any related technologies for professional purposes or for uses deemed acceptable by the Head or Governing Body

- I will comply with the ICT system security and not disclose any passwords provided to me by the school or other related authorities
- I will ensure that all electronic communications with pupils and staff are compatible with my professional role
- I will not give out my own personal details, such as mobile phone number, personal email address, personal Twitter account, or any other social media link, to pupils
- I will only use the approved, secure email system(s) for any school business
- I will ensure that personal data (such as data held on MIS software) is kept secure and is used appropriately, whether in school, taken off the school premises or accessed remotely. Personal data can only be taken out of school or accessed remotely when authorised by the Head or Governing Body. Personal or sensitive data taken off site must be encrypted, e.g. on a password secured laptop or memory stick
- I will not install any hardware or software without permission of the head or deputy.
- I will not browse, download, upload or distribute any material that could be considered offensive, illegal or discriminatory
- Images of pupils and/ or staff will only be taken, stored and used for professional purposes in line with school policy and with written consent of the parent, carer or staff member
- Images will not be distributed outside the school network without the permission of the parent/ carer, member of staff or Headteacher
- I will support the school approach to online safety and not upload or add any images, video, sounds or text linked to or associated with the school or its community'
- I understand that all my use of the Internet and other related technologies can be monitored and logged and can be made available, on request, to my Line Manager or Headteacher
- I will respect copyright and intellectual property rights
- I will ensure that my online activity, both in school and outside school, will not bring the school, my professional reputation, or that of others, into disrepute
- I will support and promote the school's e-Safety and Data Security policies and help pupils to be safe and responsible in their use of ICT and related technologies
- I understand this forms part of the terms and conditions set out in my contract of employment

**User Signature**

I agree to follow this code of conduct and to support the safe and secure use of ICT throughout the school

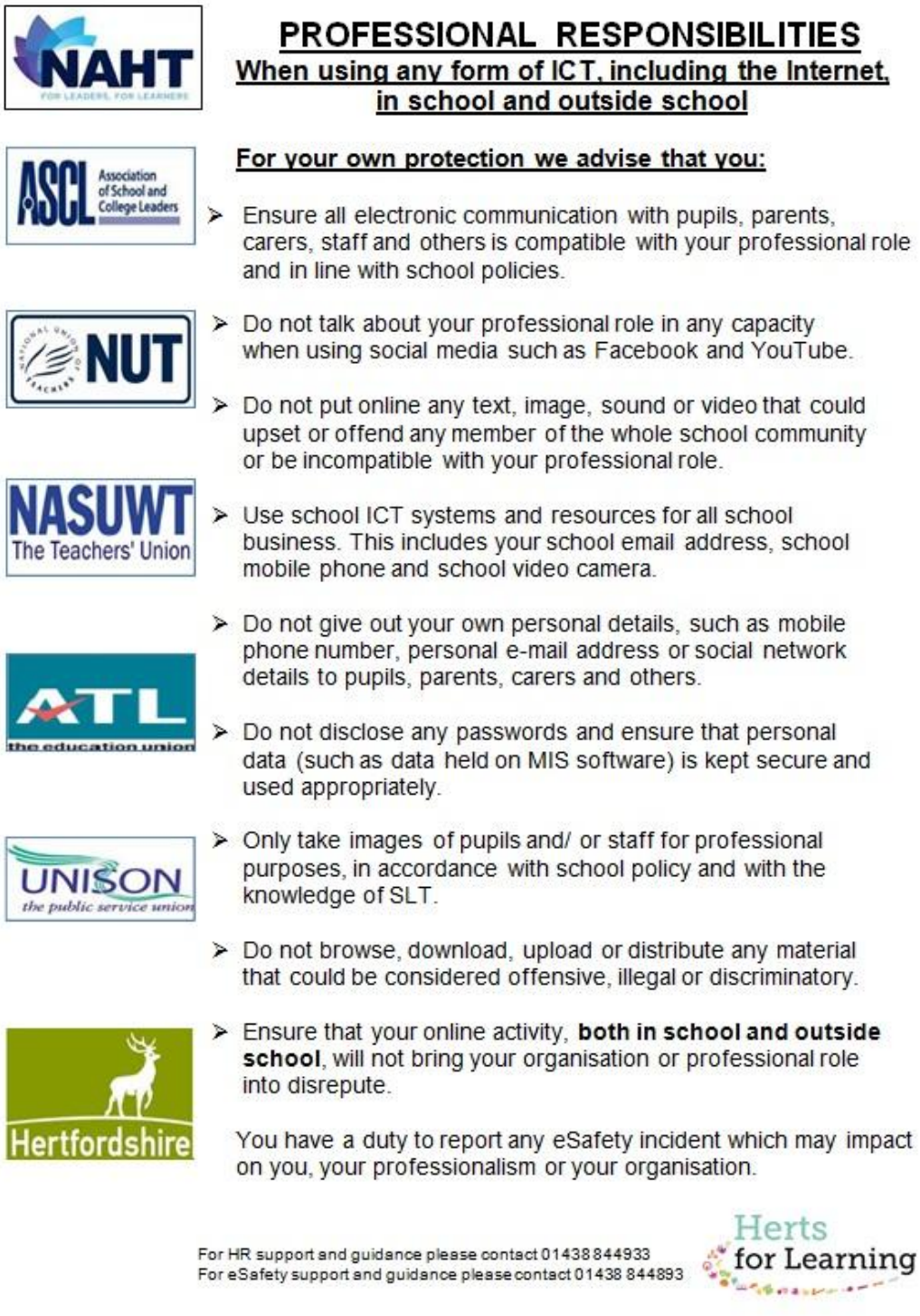
Signature …….…… Date ……

Full Name ……..... (printed)

Job title ……

**Staff Professional Responsibilities**

The HSCB eSafety subgroup group have produced a clear summary of **professional responsibilities related to the use of ICT** which has been endorsed by unions. To download visit http://www.thegrid.org.uk/eservices/safety/policies.shtml



**Computer Viruses**

- All files downloaded from the Internet, received via email or on removable media such as a memory stick must be checked for any viruses using school provided anti-virus software before being used.
- Never interfere with any anti-virus software installed on school ICT equipment.
- If your machine is not routinely connected to the school network, you must make provision for regular virus updates through your IT team.
- If you suspect there may be a virus on any school ICT equipment, stop using the equipment and contact your ICT support provider immediately. The ICT support provider will advise you what actions to take and be responsible for advising others that need to know.

**Data Security**

**Data Protection: key responsibilities for School Heads and Governors**

The accessing and appropriate use of school data is taken very seriously. HCC guidance documents can be found at:

http://www.thegrid.org.uk/info/dataprotection/index.shtml#data

Security

- The school gives relevant staff access to its Management Information System, with a unique username and password
- It is the responsibility of everyone to keep passwords secure
- Staff are aware of their responsibility when accessing school data
- Staff have been issued with the relevant guidance documents and the Policy for ICT Acceptable Use
- Staff keep all school related data secure. This includes all personal, sensitive, confidential or classified data
- Staff should avoid leaving any portable or mobile ICT equipment or removable storage media in unattended vehicles. Where this is not possible, keep it locked out of sight
- Staff should always carry portable and mobile ICT equipment or removable media as hand luggage, and keep it under your control at all times
- It is the responsibility of individual staff to ensure the security of any personal or sensitive information contained in documents faxed, copied, scanned or printed. This is particularly important when shared mopiers (multi-function print, fax, scan and copiers) are used
- Anyone sending a confidential or sensitive fax should notify the recipient before it is sent

**Protective Marking of Official Information**

Staff must be trained to understand that they are personally responsible for securely handling any information that is entrusted to them.

- There is no requirement to mark routine OFFICIAL information.
- Optional descriptors can be used to distinguish specific type of information.
- Use of descriptors is at an organisation's discretion.
- Existing information does not need to be remarked.

In such cases where there is a clear and justifiable requirement to reinforce the 'need to know', assets should be conspicuously marked: '**OFFICIAL–SENSITIVE'**

**Relevant Responsible Persons**

Senior members of staff are familiar with information risks and the school's response. The Head and deputy head:

- lead on the information risk policy and risk assessment
- advise school staff on appropriate use of school technology
- act as an advocate for information risk management

The Office of Public Sector Information has produced *Managing Information Risk*, [http://www.nationalarchives.gov.uk/services/publications/information-risk.pdf] to support relevant responsible staff members in their role.

**Disposal of Redundant ICT Equipment Policy**

All redundant ICT equipment will be disposed of through an authorised agency. This should include a written receipt for the item including an acceptance of responsibility for the destruction of any personal data

All redundant ICT equipment that may have held personal data will have the storage media over written multiple times to ensure the data is irretrievably destroyed. Or if the storage media has failed it will be physically destroyed. We will only use authorised companies who will supply a written guarantee that this will happen
Disposal of any ICT equipment will conform to:
The Waste Electrical and Electronic Equipment Regulations 2006
The Waste Electrical and Electronic Equipment (Amendment) Regulations 2007
http://www.environment-agency.gov.uk/business/topics/waste/32084.aspx
http://www.opsi.gov.uk/si/si2006/uksi_20063289_en.pdf
http://www.opsi.gov.uk/si/si2007/pdf/uksi_20073454_en.pdf?lang=_e

Data Protection Act 1998
https://ico.org.uk/for-organisations/education/
Electricity at Work Regulations 1989
http://www.opsi.gov.uk/si/si1989/Uksi_19890635_en_1.htm

The school maintains a comprehensive inventory of all its ICT equipment including a record of disposal
The school's disposal record includes:

- Date item disposed of
- Authorisation for disposal, including:
- verification of software licensing
- any personal data likely to be held on the storage media
- How it was disposed of e.g. waste, gift, sale
- Name of person & / or organisation who received the disposed item

Any redundant ICT equipment being considered for sale / gift will have been subject to a recent electrical safety check and hold a valid PAT certificate

**Waste Electrical and Electronic Equipment (WEEE) Regulations**

**Environment Agency web site**

Introduction

http://www.environment-agency.gov.uk/business/topics/waste/32084.aspx
The Waste Electrical and Electronic Equipment Regulations 2006
http://www.opsi.gov.uk/si/si2006/uksi_20063289_en.pdf
The Waste Electrical and Electronic Equipment (Amendment) Regulations 2007
http://www.opsi.gov.uk/si/si2007/pdf/uksi_20073454_en.pdf?lang=_e

**Information Commissioner website**

https://ico.org.uk/

**Data Protection Act – data protection guide, including the 8 principles**

https://ico.org.uk/for-organisations/education/

**PC Disposal – SITSS Information**

http://www.thegrid.org.uk/info/traded/sitss/services/computer_management/pc_disposal

**email**

The use of email within most schools is an essential means of communication for both staff and pupils. In the context of school, email should not be considered private. Educationally, email can offer significant benefits including; direct written contact between schools on different projects, be they staff based or pupil based, within school or international. We recognise that pupils need to understand how to style an email in relation to their age and how to behave responsible online.

Staff and governors should use a school email account for all official communication to ensure that children are protected through the traceability of all emails through the school email system. In addition, it is important that governors are protected against possible allegations of inappropriate contact with children. This is to help mitigate the chance of issues occurring and is an essential element of the safeguarding agenda.

**Managing email**

- The school gives all staff & relevant governors their own email account to use for all school business as a work based tool This is to protect staff, minimise the risk of receiving unsolicited or malicious emails and avoids the risk of personal profile information being revealed
- Staff & governors should use their school email for all professional communication.
- It is the responsibility of each account holder to keep the password secure. For the safety and security of users and recipients, all mail is filtered and logged; if necessary email histories can be traced. The school email account should be the account that is used for all school business
- Under no circumstances should staff contact pupils, parents or conduct any school business using personal email addresses
- All emails should be written and checked carefully before sending, in the same way as a letter written on school headed paper
- Staff sending emails to external organisations, parents or pupils are advised to cc. the Headteacher or Office manager
- Pupils may only use school approved accounts on the school system and only under direct teacher supervision for educational purposes
- Emails created or received as part of your school job will be subject to disclosure in response to a request for information under the Freedom of Information Act 2000. You must therefore actively manage your email account as follows:
- Delete all emails of short-term value
- Organise email into folders and carry out frequent house-keeping on all folders and archives
- All pupil email users are expected to adhere to the generally accepted rules of responsible online behaviour particularly in relation to the use of appropriate language and not revealing any personal details about themselves or others in email communication, or arrange to meet anyone without specific permission, virus checking attachments
- Pupils must immediately tell a teacher/ trusted adult if they receive an offensive or upsetting email
- Staff must inform (the eSafety coordinator or line manager) if they receive an offensive email
- Pupils are introduced to email as part of the Computing Programme of Study
- However you access your school email (whether directly, through webmail when away from

the office or on non-school hardware) all the school email policies apply

**Sending emails**

- If sending emails containing personal, confidential, classified or financially sensitive data to external third parties or agencies, refer to the Section
- 
- Emailing Personal or Confidential **Information**
- Use your own school email account so that you are clearly identified as the originator of a message
- Keep the number and relevance of email recipients, particularly those being copied, to the minimum necessary and appropriate
- Do not send or forward attachments unnecessarily. Whenever possible, send the location path to the shared drive rather than sending attachments
- School email is not to be used for personal advertising Receiving email
- Check your email regularly
- Activate your 'out-of-office' notification when away for extended periods
- Never open attachments from an untrusted source; consult your network manager first
- Do not use the email systems to store attachments. Detach and save business related work to the appropriate shared drive/folder
- The automatic forwarding and deletion of emails is not allowed

**Emailing Personal or Confidential Information**

Where your conclusion is that email must be used to transmit such data:

- Use Schoolsfx, Hertsfx or Hertfordshire's web-based Secure File Exchange portal that enables schools to send and receive confidential files securely http://www.thegrid.org.uk/eservices/schoolsfx.shtml
- Encrypt and password protect. See http://www.thegrid.org.uk/info/dataprotection/#securedata
- Verify the details, including accurate email address, of any intended recipient of the information
- Verify (by phoning) the details of a requestor before responding to email requests for information
- Do not copy or forward the email to any more recipients than is absolutely necessary
- Do not send the information to any person whose details you have been unable to separately verify (usually by phone)
- Send the information as an encrypted document **attached** to an email
- Provide the encryption key or password by a **separate** contact with the recipient(s)
- Do not identify such information in the subject line of any email
- Request confirmation of safe receipt

**Equal Opportunities**

**Pupils With Additional Needs**

The School endeavours to create a consistent message with parents/carers for all pupils and this in turn should aid establishment and future development of the schools' eSafety rules.
However, staff are aware that some pupils may require additional support or teaching including reminders, prompts and further explanation to reinforce their existing knowledge and understanding of eSafety issues.

Where a pupil has poor social understanding, careful consideration is given to group interactions when raising awareness of eSafety. Internet activities are planned and well managed for these children and young people.

**eSafety - Roles and Responsibilities**

As eSafety is an important aspect of strategic leadership within the school, the Head and governors have ultimate responsibility to ensure that the policy and practices are embedded and monitored. The named eSafety co-ordinator in this school is Liz Pollard who has been designated this role as a member of the senior leadership team. All members of the school community have been made aware of who holds this post. It is the role of the eSafety co-ordinator to keep abreast of current issues and guidance through organisations such as HCC, Herts for Learning Ltd, CEOP (Child Exploitation and Online Protection) and Childnet.

Senior Management and governors are updated by the Head/ eSafety co-ordinator and all governors have an understanding of the issues and strategies at our school in relation to local and national guidelines and advice.

This policy, supported by the school's acceptable use agreements for staff, governors, visitors and pupils, is to protect the interests and safety of the whole school community. It is linked to the following mandatory school policies: child protection, health and safety, home–school agreements, and behaviour/pupil discipline (including the anti-bullying) policy and PSHCE.

**eSafety in the Curriculum**

ICT and online resources are increasingly used across the curriculum. We believe it is essential for eSafety guidance to be given to the pupils on a regular and meaningful basis. eSafety is embedded within our curriculum and we continually look for new opportunities to promote eSafety.

- The school has a framework for teaching internet skills in Computing and PSHE lessons
- The school provides opportunities within a range of curriculum areas to teach about eSafety.
- eSafety Days are held regularly, and guides are distributed to parents.
- Pupils are aware of the relevant legislation when using the internet such as data protection and intellectual property which may limit what they want to do but also serves to protect them
- Pupils are taught about copyright, respecting other people's information, safe use of images and other important areas through discussion, modeling and appropriate activities
- Pupils are aware of the impact of Cyberbullying and know how to seek help if they are affected by any form of online bullying. Pupils are also aware of where to seek advice or help if they experience problems when using the internet and related technologies; i.e. parent/ carer, teacher/ trusted staff member, or an organisation such as Childline or the 'CEOP report abuse' button
- Pupils are taught to critically evaluate materials and learn good searching skills through cross curricular teacher models, discussions and via the Computing curriculum eSafety

**Skills Development for Staff**

- Our staff receive regular information and training on eSafety and how they can promote the 'Stay Safe' online messages in the form of staff meetings updates and focused training.
- New staff receive information on the school's acceptable use policy as part of their induction
- All staff have been made aware of their individual responsibilities relating to the safeguarding of children within the context of eSafety and know what to do in the event of misuse of technology by any member of the school community (see eSafety Coordinator)

- All staff are encouraged to incorporate eSafety activities and awareness within their curriculum areas and ensure they are adequately informed with up-to-date areas of concern.

**Managing the School eSafety Messages**

- We endeavour to embed eSafety messages across the curriculum whenever the internet and/or related technologies are used
- The eSafety policy will be introduced to the pupils at the start of each school year. eSafety posters will be prominently displayed
- The key eSafety advice will be promoted widely through school displays, newsletters, class activities and so on

**Incident Reporting, eSafety Incident Log and Infringements**

Any security breaches or attempts, loss of equipment and any unauthorised use or suspected misuse of ICT must be immediately reported to the school's relevant responsible person or eSafety Co-ordinator. Additionally, all security breaches, lost/stolen equipment or data (including remote access SecureID tokens and PINs), virus notifications, unsolicited emails, misuse or unauthorised use of ICT and all other policy non-compliance must be reported to your Information Asset Owner.

**eSafety Incident Log**

Keeping an incident log can be a good way of monitoring what is happening and identify trends or specific concerns. This can be downloaded
http://www.thegrid.org.uk/eservices/safety/incident.shtml

**Misuse and Infringements**

**Complaints**

Complaints and/ or issues relating to eSafety should be made to the eSafety co-ordinator or Headteacher. Incidents should be logged and the **Hertfordshire Flowcharts for Managing an eSafety Incident** should be followed.

**Inappropriate Material**

- All users are aware of the procedures for reporting accidental access to inappropriate materials. The breach must be immediately reported to the eSafety co-ordinator
- Deliberate access to inappropriate materials by any user will lead to the incident being logged by the relevant responsible person, and an investigation by the Headteacher Depending on the seriousness of the offence, sanctions could include immediate suspension, possibly leading to dismissal and involvement of police for very serious offences (see flowchart)
- Users are made aware of sanctions relating to the misuse or misconduct by distribution of the policy.

**Flowcharts for Managing an eSafety Incident**

These three flowcharts have been developed by the HSCB eSafety subgroup and are designed to help schools successfully manage eSafety incidents
http://www.thegrid.org.uk/eservices/safety/incident.shtml

# Hertfordshire Flowchart to support decisions related to an illegal eSafety Incident
## For Headteachers, Senior Leaders and eSafety Coordinators

**Following an Incident the eSafety Coordinator and/or Headteacher will need to decide quickly if the incident**

If you are not sure if the incident has any illegal aspects, contact for advice:

- Herts eSafety Adviser 01438 844893 - Richard Maskrey.
- Youth Crime Reduction Officer.
- Local Safe Neighbourhood Officer.

Illegal means something against the law such as:

- Downloading child pornography
- Passing onto others images or video containing child pornography
- Inciting racial or religious hatred
- Extreme cases of Cyberbullying
- Promoting illegal acts

Was illegal material or activity found or suspected?

**Yes**

1. Inform police and the Herts eSafety Adviser (above). Follow any advice given by the police otherwise:
2. Confiscate any laptop or other device and if related to school network disable user account
3. Save **ALL** evidence but **DO NOT** view or copy. Let the Police review the evidence

☎ If a pupil is involved inform the Child Protection School Liaison Officer (CSPLO) on 01992 588182.

☎ If a member of staff, contact the Local Authority Designated Officer for Allegations Management (LADO) on 01992 5556979

**No**

If the incident **did not** involve any **illegal activity** then follow the **next flowchart** relating to non-illegal incidents

Users must know to switch off their monitor or close laptop if they find something unpleasant or frightening and then talk to a member of staff or the eSafety Coordinator

If the incident **did not** involve and illegal activity then follow this flowchart

# Hertfordshire Managing an eSafety Incident Flowchart

## For Headteachers, Senior Leaders and eSafety Coordinators

**The eSafety Coordinator and/ or Headteacher should:**

- **Record in the school eSafety Incident Log**
- **Keep any evidence**

Did the incident involve a member of staff?

**Yes**

If member of staff has:

- Behaved in a way that has harmed a child, or may have harmed a child.
- Possibly committed a criminal offence against or related to a child; or
- Behaved towards a child or children in a way that indicates he or she would pose a risk of harm if they work regularly or closely with children.

**Contact the LADO on**: **01992 556979** If the incident **does not** satisfy the criteria in **10.1.1** of the **HSCB procedures 2007**, then follow the bullet points below:

- Review the evidence and determine if the incident is accidental or deliberate
- Decide upon the appropriate course of action
- Follow the school disciplinary procedures (if deliberate) and contact school HR, Rachel Hurst or Christopher Williams at HfL on 01438 845111

Incident could be:

- Using another person's user name and password
- Accessing websites which are against school policy e.g. games, social networks
- Using a mobile phone to take video during a lesson
- Using the technology to upset or bully (in extreme cases could be illegal) – talk to Herts. Anti-Bullying Adviser Karin Hutchinson at HfL on 01438 845111

**No**

Was the child the victim or the instigator?

**Pupil as victim**

In – school action to support pupil by one or more of the following:

- Class teacher
- eSafety Coordinator
- Senior Leader or Headteacher
- Designated Senior Person for Child Protection (DSP)
- School PCSO

Inform parents/ carer as appropriate

**If the child is at risk inform CSPLO immediately**

Confiscate the device, if appropriate.

**Pupil as instigator**

- Review incident and identify if other pupils were involved
- Decide appropriate sanctions and/ or support based on school rules/ guidelines
- Inform parents/ carers if serious or persistent incident
- In serious incidents consider informing the CPSLO as the child instigator could be at risk
- Review school procedures/ policies to develop best practice

Users must know to switch off their monitor or close laptop if they find something unpleasant or frightening and then talk to a member of staff or the eSafety Coordinator

# Hertfordshire Managing an eSafety Incident Flowchart involving staff as victims

# For Headteachers, Senior Leaders and eSafety Coordinators

**All incidents should be reported to the Headteacher and/ or Governors who will:**

- Record in the school eSafety Incident Log
- Keep any evidence – printouts and/ screen shots
- Use the 'Report Abuse' button, if appropriate
- Consider including the Chair of Governors and/ or reporting the incident to the Governing Body

If you feel unable to report an incident to your HT you could talk to a member of SLT or contact the Hertfordshire eSafety Adviser at HfL on 01438 845111 richard.maskrey@hertsforlearning.co.uk

Parents/ carers as instigators
Follow some of the steps below:

- Contact the person and invite into school and discuss using some of the examples below:
  - You have become aware of discussions taking place online…
  - You want to discuss this
  - You have an open door policy so disappointed they did not approach you first
  - They have signed the Home School Agreement which clearly states …
  - Request the offending material be removed.
- If this does not solve the problem:
  - Consider involving the Chair of Governors
- You may also wish to send a letter to the parent

Staff as instigator
Follow some of the steps below:

- Contact Schools HR for initial advice and/ or contact Schools eSafety Adviser in all serious cases this is the first step.
- Contact the member of staff and request the offending material be removed immediately. (In serious cases you may be advised not to discuss the incident with the staff member)
- Refer to the signed ICT Acceptable Use Agreement, Professional Code of Conduct and consider if this incident has an impact on the Contract of Employment of the member of staff.

Pupils as instigators
Follow some of the steps below:

- Identify the pupil involved
- Ask pupil to remove offensive material. Refer to the signed Acceptable Use Agreement.

If the perpetrator refuses to remove the material and is under 13 contact the Social Network who will close the account

- Take appropriate actions in line with school policies/ rules
- Inform parents/ carers if serious or persistent incident

For serious incidents or further advice:

- Inform your Local Police Neighbourhood Team
- Anti-Bullying Adviser Karin Hutchinson at HfL on 01438 845111
- If the child is at risk talk to your school DSP (Child Protection Officer) who may decide to contact LADO

Further contact to support staff include**:**

- District School Effectiveness Adviser DSEA
- Schools eSafety Adviser
- Schools HR
- School Governance
- Hertfordshire Police
- HCC Legal Helpline 01992 555536

The HT or Chair of Governors can be the single point of contact to coordinate responses.

- The member of staff may also wish to take advice from their union

**Internet Access**

The internet is an open worldwide communication medium, available to everyone, at all times. Anyone can view information, send messages, discuss ideas and publish material which makes it both an invaluable resource for education, business and social interaction, as well as a potential risk to young and vulnerable people. All internet use through the HICS network (Hertfordshire Internet Connectivity Service) is logged and the logs are randomly but regularly monitored. Whenever any inappropriate use is detected it will be followed up.

**Managing the Internet**

- The school provides pupils with supervised access to Internet resources (where reasonable) through the school's fixed and mobile internet connectivity
- Staff will preview any recommended sites, online services, software and apps before use
- Searching for images through open search engines is discouraged when working with pupils
- If Internet research is set for homework, specific sites may be suggested that have previously been checked by the teacher. It is advised that parents supervise this work. Parents will be advised to supervise any further research
- All users must observe software copyright at all times. It is illegal to copy or distribute school software or illegal software from other sources
- All users must observe copyright of materials from electronic resources

**Internet Use**

- You must not post personal, sensitive, confidential or classified information or disseminate such information in any way that may compromise the intended restricted audience
- Do not reveal names of colleagues, pupils, others or any other confidential information acquired through your job on any social networking site or other online application
- On-line gambling or gaming is not allowed

It is at the Headteacher's discretion as to what internet activities are permissible for staff and pupils and how this is disseminated.

**Infrastructure**

- Schools subscribing to the HICS web filtering service have the benefit of monitored web activity. For further information relating to filtering please go to http://www.thegrid.org.uk/eservices/safety/filtered.shtml
- Codicote School is aware of its responsibility when monitoring staff communication under current legislation and takes into account; Data Protection Act 1998, The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, Regulation of Investigatory Powers Act 2000, Human Rights Act 1998
- Staff and pupils are aware that school based email and internet activity can be monitored and explored further if required
- The school does not allow pupils access to internet logs
- The school uses management control tools for controlling and monitoring workstations
- If staff or pupils discover an unsuitable site, the screen must be switched off/ closed and the incident reported immediately to the e-safety coordinator or teacher as appropriate
- It is the responsibility of the school, by delegation to the network manager, to ensure

that anti-virus protection is installed and kept up-to-date on all school machines

- Pupils and Staff using personal removable media are responsible for measures to protect against viruses, for example making sure that additional systems used have up-to-date virus protection software. It is not the school's responsibility nor the network manager's to install or maintain virus protection on personal systems. If pupils wish to bring in work on removable media it must be given to the teacher for a safety check first
- Pupils and staff are not permitted to download programs or files on school based technologies without seeking prior permission from the headteacher of deputy head.
- If there are any issues related to viruses or anti-virus software, the network manager should be informed

**Managing Other Online Technologies**

Online technologies, including social networking sites, if used responsibly both outside and within an educational context can provide easy to use, creative, collaborative and free facilities. However it is important to recognise that there are issues regarding the appropriateness of some content, contact, culture and commercialism. To this end, we encourage our pupils to think carefully about the way that information can be added and removed by all users, including themselves, from these sites.

- At present, the school endeavors to deny access to social networking and online games websites to pupils within school
- All pupils are advised to be cautious about the information given by others on such websites, for example users not being who they say they are
- Pupils are taught to avoid placing images of themselves (or details within images that could give background details) on such websites and to consider the appropriateness of any images they post due to the difficulty of removing an image once online
- Pupils are always reminded to avoid giving out personal details on websites which may identify them or where they are (full name, address, mobile/ home phone numbers, school details, IM/ email address, specific hobbies/ interests)
- Our pupils are advised to set and maintain their online profiles to maximum privacy and deny access to unknown individuals
- Pupils are encouraged to be wary about publishing specific and detailed private thoughts and information online
- Our pupils are asked to report any incidents of Cyberbullying to the school
- Staff may only create blogs, wikis or other online areas in order to communicate with pupils using the school learning platform or other systems approved by the Headteacher
- When signing up to online services that require the uploading of what could be deemed as **personal or sensitive** **data**, schools should check terms and conditions regarding the location of storage. Please see the Safe Harbor Agreement Statement http://www.thegrid.org.uk/info/dataprotection/#data
  Also: https://ico.org.uk/about-the-ico/news-and-events/news-and-blogs/2015/10/ico-response-to-ecj-ruling-on-personal-data-to-us-safe-harbor/

- Services such as Facebook and Instagram have a 13+ age rating which should not be ignored http://www.coppa.org/comply.htm

**Parental Involvement**

We believe that it is essential for parents/carers to be fully involved with promoting eSafety both in

and outside of school and to be aware of their responsibilities. We regularly consult and discuss eSafety with parents/ carers and seek to promote a wide understanding of the benefits of new technologies, together with the associated risks.

- Parents/carers are asked to read through and sign acceptable use agreements on behalf of their child on admission to the school
- Parents/carers are required to make a decision as to whether they consent to images of their child being taken and used in the public domain (e.g., on school website)
- Parents/carers are expected to sign a Home School agreement.
- The school disseminates information to parents relating to eSafety where appropriate in the form of;
    - Information evenings
    - Practical training sessions e.g. current eSafety issues
    - Posters
    - School website information
    - Newsletter items

**Passwords**
Please refer to the document on the grid for guidance on How to Encrypt Files which contains guidance on creating strong passwords and password security

**http://www.thegrid.org.uk/info/dataprotection/index.shtml#securedata**

- Always use your own personal passwords
- Make sure you enter your personal passwords each time you logon. Do not include passwords in any automated logon procedures
- Staff should change temporary passwords at first logon
- Change passwords whenever there is any indication of possible system or password compromise
- Do not record passwords or encryption keys on paper or in an unprotected file
- Only disclose your personal password to authorised ICT support staff when necessary, and never to anyone else. Ensure that all personal passwords that have been disclosed are changed once the requirement is finished
- Never tell a child or colleague your password
- If you aware of a breach of security with your password or account inform the headteacher or deputy headteacher immediately

If you think your password may have been compromised or someone else has become aware of your password report this to your ICT support team.

**Password Security**
Password security is essential for staff, particularly as they are able to access and use pupil data. Staff are expected to have secure passwords which are not shared with anyone. The pupils are expected to keep their passwords private and not to share with others, particularly their friends. Staff and pupils are regularly reminded of the need for password security.

- All users read and sign an Acceptable Use Agreement to demonstrate that they have understood the school's e-Safety Policy and Data Security
- Users are provided with an individual network, email, learning platform and Management Information System log-in username. Pupils are not permitted to deliberately access on-line materials or files on the school network or local storage devices of their peers, teachers or

others

- Staff are aware of their individual responsibilities to protect the security and confidentiality of the school networks, MIS systems and/or learning platform, including ensuring that passwords are not shared and are changed periodically. Individual staff users must also make sure that workstations are not left unattended and are locked.
  Due consideration should be given when logging into the school learning platform, virtual learning environment or other online application to the browser/cache options (shared or private computer)

**Personal or Sensitive Information**

Protecting Personal or Sensitive Information

- Ensure that any school information accessed from your own PC or removable media equipment is kept secure, and remove any portable media from computers when not attended.
- Ensure you lock your screen before moving away from your computer during your normal working day to prevent unauthorised access
- Ensure the accuracy of any personal or sensitive information you disclose or share with others
- Ensure that personal, sensitive, confidential or classified information is not disclosed to any unauthorised person
- Ensure the security of any personal or sensitive information contained in documents you fax, copy, scan or print. This is particularly important when shared mopiers (multi-function print, fax, scan and copiers) are used and when access is from a non-school environment
- Only download personal data from systems if expressly authorised to do so by your manager
- You must not post on the internet personal or sensitive information, or disseminate such information in any way that may compromise its intended restricted audience
- Keep your screen display out of direct view of any third parties when you are accessing personal, sensitive, confidential or classified information
- Ensure hard copies of data are securely stored and disposed of after use in accordance with the document labeling

**Storing/Transferring Personal or Sensitive Information Using Removable Media**

- Ensure removable media is purchased with encryption.
- Store all removable media securely
- Securely dispose of removable media that may hold personal data
- Use Schoolsfx for data transfers or encrypt all files containing personal or sensitive data
- Ensure hard drives from machines no longer in service are removed and stored securely or wiped clean

Please refer to the document on the grid for guidance on How to Encrypt Files

- http://www.thegrid.org.uk/info/dataprotection/index.shtml#securedata

**Safe Use of Images**

**Taking of Images and Film**

Digital images are easy to capture, reproduce and publish and, therefore, misuse. We must remember that it is not always appropriate to take or store images of any member of the school community or public, without first seeking consent and considering the appropriateness. HCC guidance can be found here: https://ico.org.uk/media/for-organisations/documents/1542/cctv-code-of-practice.pdf

- Staff are not permitted to use personal digital equipment, such as mobile phones and

cameras, to record images of pupils, this includes when on field trips. However with the express permission of the Headteacher, images can be taken provided they are transferred immediately and solely to the school's network and deleted from the staff device

- Pupils are not permitted to use personal digital equipment, including mobile phones and cameras, to record images of pupils, staff and others without advance permission from the Headteacher
- Pupils and staff must have permission from the Headteacher before any image can be uploaded for publication

**Publishing Pupil's Images and Work**

On a child's entry to the school, all parents/carers will be asked to give permission to use their child's work/photos in the following ways:

- on the school web site
- in the school prospectus and other printed publications that the school may produce for promotional purposes
- recorded/ transmitted on a video or webcam
- in display material that may be used in the school's communal areas
- in display material that may be used in external areas, i.e. exhibition promoting the school
- general media appearances, e.g. local/ national media/ press releases sent to the press highlighting an activity (sent using traditional methods or electronically)

This consent form is considered valid for the entire period that the child attends this school unless there is a change in the child's circumstances where consent could be an issue, e.g. divorce of parents, custody issues, etc.

Parents or carers may withdraw permission, in writing, at any time. Consent must also be given in writing and will be kept on record by the school.

Pupils' names will not be published alongside their image and vice versa. Email and postal addresses of pupils will not be published. Pupils' full names will not be published.

Only the headteacher or Website administrator has authority to upload to the internet.

For further information relating to issues associated with school websites and the safe use of images in Hertfordshire schools, see

**http://www.thegrid.org.uk/schoolweb/safety/index.shtml**
**http://www.thegrid.org.uk/info/csf/policies/index.shtml#images**

**Storage of Images**

- Images/ films of children are stored on the school's network
- Pupils and staff are not permitted to use personal portable media for storage of images (e.g., USB sticks) without the express permission of the Headteacher
- Rights of access to this material are restricted to the teaching staff and pupils within the confines of the school network or other online school resource

**Webcams and Surveillance Cameras**

- We do not use publicly accessible webcams in school

For further information relating to webcams and surveillance cameras, please see
**http://www.thegrid.org.uk/schoolweb/safety/webcams.shtml**

**Video Conferencing**

- Parents and carers are informed if their children are involved in video conferences with end-points outside of the school
- All pupils are supervised by a member of staff when video conferencing
- The school keeps a record of video conferences, including date, time and participants
- Approval from the Headteacher is sought prior to all video conferences within school to end-points beyond the school

Additional points to consider:

- Participants in conferences offered by 3rd party organisations may not be DBS checked
- Conference supervisors need to be familiar with how to use the video conferencing equipment, particularly how to end a call if at any point any person taking part becomes unhappy with the content of the conference

For further information and guidance relating to Video Conferencing, please see

**http://www.thegrid.org.uk/learning/ict/technologies/videoconferencing/index.shtml**

**School ICT Equipment**

- As a user of the school ICT equipment, you are responsible for your activity
- It is recommended that schools log ICT equipment issued to staff and record serial numbers as part of the school's inventory
- Do not allow your visitors to plug their ICT hardware into the school network points (unless special provision has been made). They should be directed to the wireless ICT facilities if available
- Ensure that all ICT equipment that you use is kept physically secure
- Do not attempt unauthorised access or make unauthorised modifications to computer equipment, programs, files or data. This is an offence under the Computer Misuse Act 1990
- It is imperative that you save your data on a frequent basis to the school's network. You are responsible for the backup and restoration of any of your data that is not held on the school's network
- Personal or sensitive data should not be stored on the local drives of desktop PC, laptop, USB memory stick or other portable device. If it is necessary to do so the local drive must be encrypted
- It is recommended that a time locking screensaver is applied to all machines. Any device accessing personal data must have a locking screensaver as must any user profiles
- Privately owned ICT equipment should not be used on a school network
- On termination of employment, resignation or transfer, return all ICT equipment to your Manager. You must also provide details of all your system logons so that they can be disabled
- It is your responsibility to ensure that any information accessed from your own PC or removable media equipment is kept secure, and that no personal, sensitive, confidential or classified information is disclosed to any unauthorised person
- All ICT equipment allocated to staff must be authorised by the appropriate Line Manager. Authorising Managers are responsible for:
  - maintaining control of the allocation and transfer within their unit
  - recovering and returning equipment when no longer needed
- All redundant ICT equipment is disposed of in accordance with Waste Electrical and Electronic Equipment (WEEE) directive and Data Protection Act (DPA)

**Portable & Mobile ICT Equipment**
This section covers such items as laptops, mobile devices and removable data storage devices. Please refer to the relevant sections of this document when considering storing or transferring personal or sensitive data

- All activities carried out on school systems and hardware will be monitored in accordance with the general policy
- Staff must ensure that all school data is stored on the school network, and not kept solely on the laptop. Any equipment where personal data is likely to be stored must be encrypted
- Equipment must be kept physically secure in accordance with this policy to be covered for insurance purposes. When travelling by car, best practice is to place the laptop in the boot of your car before starting your journey
- Synchronise all locally stored data, including diary entries, with the central school network server on a frequent basis
- Ensure portable and mobile ICT equipment is made available as necessary for anti-virus updates and software installations, patches or upgrades
- The installation of any applications or software packages must be authorised by the ICT support team, fully licensed and only carried out by your ICT support
- In areas where there are likely to be members of the general public, portable or mobile ICT equipment must not be left unattended and, wherever possible, must be kept out of sight
- Portable equipment must be transported in its protective case if supplies

**Mobile Technologies**
Many emerging technologies offer new opportunities for teaching and learning including a move towards personalised learning and 1:1 device ownership for children and young people. Mobile technologies such Smartphones, Blackberries, iPads, games players, are generally very familiar to children outside of school. They often provide a collaborative, well-known device with possible internet access and thus open up risk and misuse associated with communication and internet use. Emerging technologies will be examined for educational benefit and the risk assessed before use in school is allowed. Our school chooses to manage the use of these devices in the following ways so that users exploit them appropriately.

## *Personal Mobile Devices (including phones)*

- The school allows staff to bring in personal mobile phones and devices for their own use. Under no circumstances does the school allow a member of staff to contact a pupil or parent/ carer using their personal device
- Pupils are allowed to bring personal mobile devices/phones to school but must not use them for personal purposes within lesson time. At all times the device must be switched onto silent
- This technology may be used for educational purposes, as mutually agreed with the Headteacher. The device user, in this instance, must always ask the prior permission of the bill payer
- The school is not responsible for the loss, damage or theft of any personal mobile device
- The sending of inappropriate text messages between any member of the school community is not allowed
- Permission must be sought before any image or sound recordings are made on these devices of any member of the school community
- Users bringing personal devices into school must ensure there is no inappropriate or illegal content on the device

## School Provided Mobile Devices (including phones)

- The sending of inappropriate text messages between any member of the school community is not allowed
- Permission must be sought before any image or sound recordings are made on the devices of any member of the school community
- Never use a hand-held mobile phone whilst driving a vehicle

**Removable Media**

If storing or transferring personal, sensitive, confidential or classified information using Removable Media please refer to the section '**ance with the document labeling**

**Storing/Transferring Personal or Sensitive Information Using Removable Media**'

- Always consider if an alternative solution already exists
- Only use recommended removable media
- Encrypt and password protect
- Store all removable media securely
- Removable media must be disposed of securely by your ICT support team

**Servers**

- Always keep servers in a locked and secure environment
- Limit access rights
- Always password protect and lock the server
- Existing servers should have security software installed appropriate to the machine's specification
- Backup tapes should be encrypted by appropriate software
- Data must be backed up regularly
- Backup tapes/discs must be securely stored in a fireproof container
- Back up media stored off-site must be secure
- Remote backups should be automatically securely encrypted. SITSS provide an encrypted remote back up service. Please contact the SITSS helpdesk for further information – 01438 844777
- Newly installed Office Master PCs acting as servers and holding personal data should be encrypted, therefore password protecting data. At the moment SITSS do not encrypt servers, however Office PCs (including Office Master PCs) installed by SITSS are supplied with encryption software installed

**Smile and Stay Safe Poster**

# SMILE and stay safe

**S**taying safe means keeping your personal details private, such as full name, phone number, home address, photos or school. Never reply to ASL (age, sex, location)

**M**eeting up with someone you have met online can be dangerous. Only meet up if you have first told your parent or carer and they can be with you

**I**nformation online can be untrue, biased or just inaccurate. Someone online my not be telling the truth about who they are - they may not be a 'friend'

**L**et a parent, carer, teacher or trusted adult know if you ever feel worried, uncomfortable or frightened about something online or someone you have met or who has contacted you online

**E**mails, downloads, IM messages, photos and anything from someone you do not know or trust may contain a virus or unpleasant message. So do not open or reply

**Social Media, including Facebook and Twitter**

Facebook, Twitter and other forms of social media are increasingly becoming an important part of our daily lives.

- Pupils are not permitted to access social media accounts whilst at school
- Staff, governors, pupils, parents and carers are regularly provided with information on how to use social media responsibly and what to do if they are aware of inappropriate use by others
- Staff, governors, pupils, parents and carers are aware that the information, comments, images and video they post online can be viewed by others, copied and stay online forever
- Staff, governors, pupils, parents and carers are aware that their online behaviour should at all times be compatible with UK law

**Systems and Access**

- You are responsible for all activity on school systems carried out under any access/account rights assigned to you, whether accessed via school ICT equipment or your own PC
- Do not allow any unauthorised person to use school ICT facilities and services that have been provided to you
- Ensure you remove portable media from your computer when it is left unattended
- Use only your own personal logons, account IDs and passwords and do not allow them to be used by anyone else
- Keep your screen display out of direct view of any third parties when you are accessing personal, sensitive, confidential or classified information
- Ensure you lock your screen before moving away from your computer during your normal working day to protect any personal, sensitive, confidential or otherwise classified data and to prevent unauthorised access
- Ensure that you logoff from the PC completely when you are going to be away from the computer for a longer period of time
- Do not introduce or propagate viruses
- It is imperative that you do not access, load, store, post or send from school ICT any material that is, or may be considered to be, illegal, offensive, libelous, pornographic, obscene, defamatory, intimidating, misleading or disruptive to the school or may bring the school or HCC into disrepute. This includes, but is not limited to, jokes, chain letters, files, emails, clips or images that are not part of the school's business activities; sexual comments or images, nudity, racial slurs, gender specific comments, or anything that would offend someone on the basis of their age, sexual orientation, religious or political beliefs, national origin, or disability (in accordance with the Sex Discrimination Act, the Race Relations Act and the Disability Discrimination Act)
- Any information held on School systems, hardware or used in relation to School business may be subject to The Freedom of Information Act
- Where necessary, obtain permission from the owner or owning authority and pay any relevant fees before using, copying or distributing any material that is protected under the Copyright, Designs and Patents Act 1998
- It is essential that any hard drives which may have held personal or confidential data are 'scrubbed' in way that means the data can no longer be read. It is not sufficient to simply delete the files or reformat the hard drive. Whoever you appoint to dispose of the equipment must provide a written guarantee that they will irretrievably destroy the data by multiple over writing the data.

**Reviewing this Policy**

There will be on-going opportunities for staff to discuss with the eSafety coordinator any eSafety issue that concerns them

There will be on-going opportunities for staff to discuss with a member of SLT any issue of data security that concerns them

This policy will be reviewed every (24) months and consideration will be given to the implications for future whole school development planning

The policy will be amended if new technologies are adopted or Central Government change the orders or guidance in any way

**Further help and support**
Your organisation has a legal obligation to protect sensitive information under the Data Protection Act 1998. For more information visit the website of the Information Commissioner's Office https://ico.org.uk/

Advice on eSafety - http://www.thegrid.org.uk/eservices/safety/index.shtml

Further guidance - http://www.thegrid.org.uk/info/dataprotection/index.shtml#securedata

School's toolkit is available - Record Management Society website – http://www.rms-gb.org.uk/resources/848

Test your online safety skills http://www.getsafeonline.org

Data Protection Team – email - data.protection@hertfordshire.gov.uk

Information Commissioner's Office – www.ico.org.uk

Cloud (Educational Apps) Software Services and the Data Protection Act – Departmental advice for local authorities, school leaders, school staff and governing bodies, October 2015. This is an advice and information document issued by the Department for Education. The advice is non-statutory, and has been produced to help recipients understand some of the key principles and their obligations and duties in relation to the Data Protection Act 1998 (the DPA), particularly when considering moving some or all of their software services to internet-based "cloud" service provision – https://www.gov.uk/government/publications/cloud-software-services-and-the-data-protection-act

## Current Legislation

## Acts Relating to Monitoring of Staff email

### *Data Protection Act 1998*

The Act requires anyone who handles personal information to comply with important data protection principles when treating personal data relating to any living individual. The Act grants individuals rights of access to their personal data, compensation and prevention of processing.

http://www.hmso.gov.uk/acts/acts1998/19980029.htm

### *The Telecommunications (Lawful Business Practice)*

### *(Interception of Communications) Regulations 2000*

http://www.hmso.gov.uk/si/si2000/20002699.htm

### *Regulation of Investigatory Powers Act 2000*

Regulating the interception of communications and making it an offence to intercept or monitor communications without the consent of the parties involved in the communication. The RIP was enacted to comply with the Human Rights Act 1998. The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, however, permit a degree of monitoring and record keeping, for example, to ensure communications are relevant to school activity or to investigate or detect unauthorised use of the network. Nevertheless, any monitoring is subject to informed consent, which means steps must have been taken to ensure that everyone who may use the system is informed that communications may be monitored. Covert monitoring without informing users that surveillance is taking place risks breaching data protection and privacy legislation.

http://www.hmso.gov.uk/acts/acts2000/20000023.htm

### *Human Rights Act 1998*

http://www.hmso.gov.uk/acts/acts1998/19980042.htm

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## Other Acts Relating to eSafety

### *Racial and Religious Hatred Act 2006*

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.

### *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. Schools should already have a copy of "*Children & Families: Safer from Sexual Crime*" document as part of their child protection packs.

### *Communications Act 2003 (section 127)*

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.

### *The Computer Misuse Act 1990 (sections 1 – 3)*

Regardless of an individual's motivation, the Act makes it a criminal offence to gain:

- access to computer files or software without permission (for example using another person's password to access files)

- unauthorised access, as above, in order to commit a further criminal act (such as fraud)
- impair the operation of a computer or program

UK citizens or residents may be extradited to another country if they are suspected of committing any of the above offences.

### *Malicious Communications Act 1988 (section 1)*

This legislation makes it a criminal offence to send an electronic message (email) that conveys indecent, grossly offensive, threatening material or information that is false; or is of an indecent or grossly offensive nature if the purpose was to cause a recipient to suffer distress or anxiety.

### *Copyright, Design and Patents Act 1988*

Copyright is the right to prevent others from copying or using work without permission. Works such as text, music, sound, film and programs all qualify for copyright protection. The author of the work is usually the copyright owner, but if it was created during the course of employment it belongs to the employer. Copyright infringement is to copy all or a substantial part of anyone's work without obtaining them author's permission. Usually a licence associated with the work will allow a user to copy or use it for limited purposes. It is advisable always to read the terms of a licence before you copy or use someone else's material. It is also illegal to adapt or use software without a licence or in ways prohibited by the terms of the software licence.

### *Public Order Act 1986 (sections 17 – 29)*

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.

### *Protection of Children Act 1978 (Section 1)*

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.

### *Obscene Publications Act 1959 and 1964*

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

### *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.

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## Acts Relating to the Protection of Personal Data

### *Data Protection Act 1998*

http://www.opsi.gov.uk/acts/acts1998/ukpga_19980029_en_1

***The Freedom of Information Act 2000***

https://ico.org.uk/for-organisations/guide-to-freedom-of-information/

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## Counter-Terrorism and Security Act 2015 (Prevent), Anti-Radicalisation & Counter-Extremism Guidance

https://www.gov.uk/government/publications/preventing-extremism-in-schools-and-childrens-services