Acceptable Use and E-Safety Policy

Adopted by the Governing Body of St Pauls Community Primary School & Nursery

Introduction

Computing/ Information and Communications Technology (ICT) in the 21st Century is an essential resource to support learning and teaching. It has a key and dominant role in the everyday lives of children, young people and adults. Schools need to build in the use of a wide range of technologies in order to enable children to access life-long learning and future employment.

Computing/ ICT covers a wide range of resources including web-based and mobile learning. It is important to recognise the constant and fast-paced evolution of ICT within society. Currently, internet technologies children and young people are using both inside and outside of the classroom include:

- Websites
- Email and Instant Messaging
- Chat Rooms and Social Networking
- Blogs, Vlogs and Wikis
- Podcasting
- Video Broadcasting
- Music Downloading
- Gaming
- Learning Platforms and Virtual Learning Environments
- Mobile/ Smart phones with text, video and/ or web functionality
- Other mobile devices with web functionality

Whilst exciting and beneficial both in and out of the context of education, much ICT, particularly web-based resources, are not consistently policed by their creators. All users need to be aware of and learn about the range of risks associated with the use of these Internet technologies and what to do with something inappropriate.

At St Pauls, we understand our responsibility to educate our pupils on E-Safety issues. We ensure we teach appropriate behaviours and critical thinking skills to enable pupils to remain both safe and legal when using the internet and related technologies, in and beyond the context of the classroom.

Both this policy and the Acceptable Use Agreement (for all staff, governors, visitors and pupils) are inclusive of fixed and mobile internet technologies provided by the school (such as PCs, laptops, iPads, webcams, whiteboards, digital video equipment, etc).

Disclaimer: Due to the constant changes taking place within technology, this policy may not contain the most recent developments.

Roles and Responsibilities

As E-Safety is an important aspect of strategic leadership within the school, the Headteacher and governors have ultimate responsibility to ensure that the policy and practices are embedded and monitored.

The governor responsible for ICT and E-Safety will:

- Ensure regular meetings with the E-Safety & ICT Leader
- Ensure regular monitoring of E-Safety incident logs
- Ensure regular monitoring of filtering / change control logs
- Ensure reporting to Governors

The Headteacher and Senior Leaders will:

• The Headteacher is responsible for ensuring the safety (including E-Safety) of all members of the school community.

• The Headteacher and Senior Leaders are responsible for ensuring that relevant staff receive suitable CPD to enable them to carry out their e-safety roles and to train other colleagues, as relevant.

• The Headteacher and Senior Leaders will ensure that there is a system in place to allow for rigorous monitoring and support of everyone in school regarding e-safety.

• The Senior Leadership Team will receive regular monitoring reports from the Headteacher as E-Safety Leader.

• The Headteacher and all members of staff will be aware of the procedures to be followed in the event of a serious e-safety allegation being made against a member of staff and/or a child or parent (also see Child Protection Policy, Complaints Policy, Staff Code of Conduct etc).

The named ICT subject leader in our school is Leela Norman and the person responsible for E-Safety provision is Kira Nicholls (DSL). All members of the school community have been made aware of who holds this post. It is the role of the subject leader to keep abreast of current issues and guidance through organisations such as CEOP (Child Exploitation and Online Protection).

The Computing & ICT Subject Leader & E-Safety Leader will:

- lead all staff in all aspects of ICT and e-safety
- take day to day responsibility for e-safety issues and take a lead role in establishing and reviewing the school e-safety policies and documents
- ensure that all staff are aware of the procedures that need to be followed in the event of an e-safety incident taking place.
- provide training and advice for staff
- liaise with the Local Authority where appropriate
- liaise with school's technology technical staff
- receive reports of e-safety incidents and create a log of incidents to inform future e-safety developments.
- meet regularly to discuss current issues, review incident logs and filtering / change control logs
- report regularly to Senior Leadership Team of matters arising and training

Technical staff will:

- ensure that the school's technological infrastructure is secure and is not open to misuse or malicious attack
- ensure that the school meets the e-safety technical requirements outlined in the relevant Local Authority E-Safety Policy and guidance
- ensure that users may only access the school's networks through a properly enforced password protection pathways
- ensure that the school's filtering policy is applied and updated on a regular basis and that its implementation is not the sole responsibility of any single person
- ensure that they keep up to date with e-safety technical information in order to effectively carry out their e-safety role and to inform and update others as relevant
- ensure that the use of the network / Virtual Learning Environment (VLE) / remote access / email is regularly monitored in order that any misuse / attempted misuse can be reported to the E-Safety Leader /Headteacher for investigation / action / sanction
- ensure that monitoring software / systems are implemented and updated as agreed in school policies

Teaching and Support Staff are responsible for ensuring that:

- they have an up to date awareness of e-safety matters and of the current school e-safety policy and practices
- they have read, understood and signed the school Staff Acceptable Use Policy / Agreement (AUP)
- they report any suspected misuse or problem to the E-Safety Leader /Headteacher for investigation / action / sanction
- digital communications with pupils (email / voice/video conferencing etc) should be on a professional level and only carried out using official school systems
- E-safety issues are embedded in all aspects of the curriculum and other school activities
- students / pupils understand and follow the school's E-safety and Acceptable Use Policy
- students / pupils have a good understanding of research skills and the need to avoid plagiarism and uphold copyright regulations
- they monitor ICT activity in lessons, extra-curricular and extended school activities
- they are aware of e-safety issues related to the use of mobile phones, cameras and hand held devices and that they monitor their use and implement current school policies with regard to these devices
- in lessons, where internet use is pre-planned, pupils must 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

Senior Management and Governors are updated by the Headteacher/ subject leader 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 (appendices), is to protect the interests and safety of the whole school community. It is linked to the following school policies: child protection, health and safety, behaviour policy and PSHE.

E-Safety skills development for staff

- Our staff receive information and training on E-Safety issues in the form of staff meetings and notices.
- New staff receive information on the school's Acceptable Use Policy.
- All staff are made aware of individual responsibilities relating to the safeguarding of children within the context of E-Safety and know what to do in the event of misuse of technology by any member of the school community (appendix E).
- All staff are required to incorporate E-Safety activities and awareness within their teaching of ICT.

Managing the school E-Safety messages

- We endeavour to embed E-Safety messages across the curriculum whenever the internet and/or related technologies are used.
- E-safety posters will be prominently displayed (Appendix F).
- Children in all year groups will be able to talk confidently about how to keep themselves safe online.
- Our E-safety ambassadors and Mini Police will also promote e-safety through their work in school.

E-Safety in the Curriculum

- The school embeds the teaching of E-Safety across the curriculum.
- Educating pupils on the dangers of technologies that maybe encountered outside school is done as part of the on-going E-Safety and wider curriculum.
- Pupils are aware of the relevant legislation when using the internet, such as data protection, which may limit action but serves to protect them.
- Through discussion, modelling and activities, pupils are taught about copyright and respecting information belonging to others e.g images, uploaded documentation.
- Pupils are aware of the impact of online bullying and know how to seek help if they are affected by this issue. 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 adult, or an organisation such as Childline/ 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 ICT curriculum.

Password Security

- All users read and sign an Acceptable Use Agreement to demonstrate that they have understood the school's e-safety Policy.
- Pupils are not allowed to deliberately access on-line materials or files on the school network, of their peers, teachers or others.
- Staff are aware of their individual responsibilities to protect the security and confidentiality of school networks, including ensuring that passwords are not shared and are changed periodically.
- Due consideration should be given to security when logging on to the server.

Data Security

The accessing of school data, under the GDPR act is something that the school takes very seriously. Staff are aware of their responsibility when accessing school data.

They must not;

- access data outside of school
- take copies of the data
- allow others to view the data
- edit the data, unless specifically requested to do so by the Headteacher.

Managing the Internet

The internet is an open communication medium, available to all, 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. Whenever any inappropriate use of the internet is detected, it will be followed up.

- The school maintains students will have supervised access (where reasonable) to Internet resources through the school's fixed and mobile internet technology.
- Staff will preview any recommended sites before use.
- Raw image searches are discouraged when working with pupils.
- 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.

Infrastructure

- School internet access is controlled through a web filtering service.
- St Pauls fulfils its responsibility when monitoring staff communication under current legislation and takes into account; General Data Protection Regulations (2018), The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, Regulation of Investigatory Powers Act 2000, Human Rights Act 1998.
- Staff and pupils are made aware that school-based email and internet activity can be monitored and explored further if required.
- If staff or pupils discover an unsuitable site, the screen must be switched off/ closed and the incident reported immediately to the teacher and then to the ICT subject leader.
- It is the responsibility of the school, by delegation to the network manager, to ensure that Anti-virus protection is installed 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 or the network manager's responsibility to install or maintain virus protection on personal systems.
- Pupils and staff are not permitted to download programs or files on school based technologies.
- If there are any issues related to viruses or anti-virus software, the E-Safety Leader should be informed.

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. Many existing mobile technologies such as portable media players, gaming devices, mobile and Smart phones, are readily familiar to children outside of school too. They are often provided with 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 certain circumstances, the school allows a member of staff to contact a pupil or parent/ carer using their personal device, for example when on a trip.
- The school is not responsible for the loss, damage or theft of any personal mobile device.
- The sending of inappropriate text messages or images between any member of the school community is not allowed.
- Permission must be sought before any image or sound recordings are made and/or shared 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 and images between any member of the school community is not allowed.
- Permission must be sought before any image or sound recordings are made and/or shared on the devices of any member of the school community.
- Staff and pupil will take images of learning within classroom and outdoor contexts, as part of building evidence towards learning journeys, particularly in the Early Years and for the school's displays, website or social media platforms. Within EYFS, images are stored on an external server run by Tapestry and, access to an individual's profile, can only be accessed by parents through a password-protected login. Images taken externally to this must be deleted from a device once used for its intended purpose, or saved on the school's internal server. Any images added to the school's website and/or social media site is managed by the Headteacher.

Managing 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. We recognise that pupils need to understand how to style an email in relation to their age and curriculum expectations state that pupils should experience sending and receiving emails.

- The school gives all staff their own email account to use for all school business. This is to minimise the risk of receiving unsolicited or malicious emails and avoids the risk of personal profile information being revealed.
- 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. This 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. School email addresses, for the use of parents, are set up to support parent/ staff relationships. Any misuse/ abuse of this facility MUST be reported to the Headteacher immediately and contacts may be blocked from future use.
- The school requires a standard disclaimer to be attached to all email correspondence, stating that, "the views expressed are not necessarily those of the school or the LA". The responsibility for adding this disclaimer lies with the account holder.
- E-mail sent to an external organisation should be written carefully before sending, in the same way as a letter written on school headed paper.
- Pupils may only use school approved accounts on the school system and only under direct teacher supervision for educational purposes.
- All e-mail users are expected to adhere to the generally accepted rules of network etiquette (netiquette) particularly in relation to the use of appropriate language, not revealing any personal details about themselves or others in e-mail communication, not arranging to meet anyone without specific permission and virus checking attachments.
- Pupils must immediately tell a teacher/ trusted adult if they receive an offensive e-mail.
- Staff must inform the ICT subject leader/ Headteacher if they receive an offensive e-mail.
- Pupils are introduced to email as part of the ICT curriculum.

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.
- With the written consent of parents (on behalf of pupils) and staff, the school permits the appropriate taking of images by staff and pupils with school equipment.
- 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 head teacher, images can be taken provided they are transferred immediately and solely to the school's network and deleted from the staff device.

Publishing pupils' images and work

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

- on the internet, such as the school website and the social media platform of choice
- general media appearances, eg local/ national media/ press releases sent to the press highlighting an activity (sent using traditional methods or electronically)
- correspondence, such as brochures and leaflets

- Sporting event publicity
- Within learning journeys on Tapestry in the Early Years.

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, eg divorce of parents, custody issues, etc.
Parents/ carers may withdraw permission, in writing, at any time. Consent has to be given by both parents in order for it to be deemed valid.
E-mail and postal addresses of pupils will not be published.

Storage of Images

- Curriculum-based evidence of work e.g. images/ films of children are stored on the server or within the designated server for Tapestry.
- Pupils and staff are not permitted to use personal portable media for storage of images (e.g., USB sticks).
- Rights of access to this material are restricted to staff and pupils within the confines of the school network. Parents only have access to Tapestry through secure links and individual passwords.
- Under GDPR, each member of staff has the responsibility of deleting stored items when they are no longer required, or the pupil has left the school.

Webcams and CCTV

- We do not use publicly accessible webcams in school.
- Webcams in school are only ever used for specific learning purposes, i.e. monitoring hens' eggs and never use images of children or adults.
- Misuse of the webcam by any member of the school community will result in sanctions (as listed under the "inappropriate materials" section of this document)

Video Conferencing (Currently not applicable)

- Permission is sought from parents and carers if their children are involved in video conferences
- Permission is sought from parents and carers 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
- All pupils are supervised by a member of staff when video conferencing with end-points beyond the school.
- Approval from the Headteacher is sought prior to all video conferences within school.
- The school conferencing equipment is not set to auto-answer and is only switched on for scheduled and approved conferences.
- No part of any video conference is recorded in any medium without the written consent of those taking part.

Additional points to consider:
- Participants in conferences offered by 3rd party organisations may not be CRB 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.

Misuse and Infringements

Complaints
Complaints relating to E-Safety should be made to the Headteacher. Incidents should be logged and the Chart for Managing an E-Safety Incident should be followed (see appendix E).

Inappropriate material
- All users are aware of the procedures for reporting accidental access to inappropriate materials. The breach must be immediately reported to the Headteacher.
- Deliberate access to inappropriate materials by any user will lead to the incident being logged by the Headteacher, depending on the seriousness of the offence; investigation by the Headteacher/ governors, immediate suspension, possibly leading to dismissal and involvement of police for very serious offences (see appendix E)
- Any issues regarding inappropriate material will be reported to relevant Governors by the Headteacher
- Complaints from parents regarding misuse by other parents should also be referred to the Headteacher and investigated.

Equal Opportunities

Pupils with additional needs

The school endeavours to create a consistent message with parents for all pupils and this in turn should aid establishment and future development of the school's E-Safety rules.
However, staff are aware that some pupils may require additional teaching including reminders, prompts and further explanation to reinforce their existing knowledge and understanding of E-Safety issues.
Where a pupil has poor social understanding, careful consideration is given to group interactions when raising awareness of E-Safety. Internet activities are planned and well managed for these children and young people and may involve the sharing of issues with parents and carers.

Parental Involvement
- Parents/ carers and pupils are actively encouraged to contribute to the school E-Safety policy by letter and by reporting unsuitable sites etc to the E-Safety Leader.
- Parents/ carers are asked to read through and sign Acceptable Use Agreements on behalf of their child.
- Parents should actively discourage their children from bringing mobile devices into school, especially during discos and school trips.
- The Acceptable Use Policy will need to be signed and returned to school before a child is allowed to access the internet at school.
- Parents will be actively encouraged NOT to use photos from school events, especially by putting them on social networking sites.
- The school disseminates information to parents relating to E-Safety where appropriate in the form of;
    - Website
    - Newsletter items
    - Parent information evenings/workshops

Writing and Reviewing this Policy

Stakeholder involvement in policy creation and review

- Governors have been involved in creating this E-Safety policy
- Staff have been involved in reviewing the E-Safety policy through staff meetings and scrutiny from the E-Safety Leader and the ICT/ Computing Leader.

Review Procedure
There will be an on-going opportunity for staff to discuss with the E-Safety leader any issues regarding E-Safety, which concern them.

This policy will be reviewed every year 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.

Date approved by staff: _____

Date approved by Governors: _____

Signed: _____

Review date: _____

Appendix A

St Pauls Acceptable Use Agreement/Code of Conduct: Staff, Governors and Visitors

ICT 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 sign this policy and adhere at all times to its contents. Any concerns or clarification should be discussed with the school E-Safety Leader (Headteacher).

Deliberate access to inappropriate materials by any user will lead to the incident being logged by the E-Safety Leader, depending on the seriousness of the offence; investigation by the head teacher/ governors, immediate suspension, possibly leading to dismissal and involvement of police for very serious offences.

- I will only use the school's email / Internet / Intranet / Learning Platform and any related technologies for professional purposes or for uses deemed 'reasonable' by the head teacher 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 and personal email address, to pupils or parents.
- I will only use the approved, secure email system(s) for any school business.
- I will ensure that personal data is kept secure and is used appropriately, whether in school, or accessed remotely. Personal data can only be accessed remotely when authorised by the head teacher or Governing Body.
- I will not install any hardware or software without seeking permission from the Headteacher.
- 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 head teacher.
- 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 head teacher.
- I will respect copyright and intellectual property rights.
- I will ensure that my online activity, both in school and outside school, will not bring my professional role into disrepute.
- I will support and promote the school's E-Safety and AUP policies and help pupils to be safe and responsible in their use of ICT and related technologies.

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

Signature ……Date ……

Full Name ……..... (printed) Job title . . . . . .

Appendix B

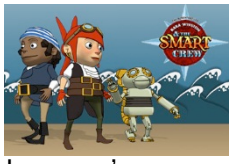
St Paul's School Pupil Acceptable Use Agreement / E- Safety Rules

- ✓ I will only use ICT in school for school purposes.
- ✓ I will only use the 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 any of 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 deliberately 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 bring mobile devices on site for school trips and discos and will hand any device into the main school office for safe keeping if I need to bring one in.
- ✓ I will not give out my own details such as my name, phone number or home address. I will not arrange to meet someone I do not know.
- ✓ I will be responsible for my behaviour when using ICT because I know that these rules are to keep me safe.
- ✓ I will not access any websites that are designed for children who are older than me.
- ✓ I know that my use of ICT can be checked and that my parent/ carer will be contacted if a member of school staff is concerned about my ESafety.

Name……

Signed…….. Date ……

Be SMART online



SAFE Keep safe by being careful not to give out personal information when you're chatting or posting online. Personal information includes your email address, phone number and password.

MEET Meeting someone you have only been in touch with online can be dangerous. Remember; online friends are still strangers, even if you have been talking to them for a long time.

ACCEPTING Accepting emails, or opening files, pictures or texts from people you don't know or trust can lead to problems – they may contain viruses or nasty messages!

RELIABLE Someone online might lie about who they are and information on the internet may not be true or reliable. Always check information with other websites, books or someone who knows. If you like chatting online it's best to only chat to your 'real world' friends and family.

TELL Always tell a parent, carer or a trusted adult if someone or something makes you feel uncomfortable or worried. Or if you or someone you know is being bullied online.

Appendix C

Dear Parent/ Carer

Role xxxxxxxxxxxxxx

ICT, including the internet, email and mobile technologies is an integral part of learning at St Paul's. We work hard to ensure that all of our children are safe and responsible when using any aspect of ICT.

Please read and discuss these E-Safety rules with your child. Sign and return the slip at the bottom of the page. The slip below will need to be signed and returned to school before your child is allowed to access the internet at school. If you have any concerns or would like further explanation please do not hesitate to contact me.

Yours sincerely

K Nicholls
Headteacher

……

Parent/Carer Signature

We have discussed this and …… (child's name) agrees to follow the E-Safety rules and to support the safe use of ICT at St Pauls.

Parent/Carer Signature ……. with legal responsibility.

Class …… Date……

Appendix D

St Pauls E-Safety Incident Log

Details of ALL E-Safety incidents are to be recorded. This incident log will be monitored by the Headteacher

Date & Time	Name of pupil or staff	Male Or Female	Computer or Class	Details of incident (including evidence)	Actions and Reasons

Appendix E

Managing an E-Safety incident

1. Is it legal? Was illegal material or activity found?

No-

- Record the incident in the log
- Keep any evidence
- Was the perpetrator a pupil or a member of staff?

Child-

- Follow Behaviour Policy
- Inform parents
- Review school policies and procedures

Staff-

- Was it accidental or deliberate?
- Does a child need support?
- Is the member of staff unsafe to work with children?
- Is it a disciplinary issue?

Yes-

- Inform police and follow instructions
- Confiscate school laptops and computers
- Disable user account
- Save evidence but do not view or copy
- If a child is involved, inform Child Protection Officer
- Contact designated officer for allegations

Appendix F

Internet Safety Poster
SMART E-Safety Rules to be displayed in school

Appendix G

Current Legislation

Acts relating to monitoring of staff email

General Data Protection Regulations 2018
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.

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

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.
For more information
www.teachernet.gov.uk

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 Appendix 10

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

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.