ICT and internet acceptable use policy

**The Tutorial Foundation**

|  |  |  |
| --- | --- | --- |
| **Approved by:** | Julia Low | **Date:** 30/11/21 |
| **Last reviewed on:** | 30/11/21 | |
| **Next review due by:** | 30/11/22 | |

**Contents**

[1. Introduction and aims 3](#_Toc11142661)

[2. Relevant legislation and guidance 4](#_Toc11142662)

[3. Definitions 4](#_Toc11142663)

[4. Unacceptable use 4](#_Toc11142664)

[5. Staff (including governors, volunteers and contractors) 5](#_Toc11142665)

[6. Pupils 8](#_Toc11142666)

[7. Parents 9](#_Toc11142667)

[8. Data security 10](#_Toc11142668)

[9. Protection from cyber attacks 11](#_Toc11142668)

[10. Internet access 12](#_Toc11142669)

[11. Monitoring and review 12](#_Toc11142670)

[12. Related policies 13](#_Toc11142671)

[Appendix 1: Facebook cheat sheet for staff 14](#_Toc11142672)

[Appendix 2: Acceptable use of the internet: agreement for parents and carers 16](#_Toc11142673)

[Appendix 3: Acceptable use agreement for older pupils 17](#_Toc11142674)

[Appendix 4: Acceptable use agreement for younger pupils 18](#_Toc11142675)

[Appendix 5: Acceptable use agreement for staff, governors, volunteers and visitors 19](#_Toc11142676)

[Appendix 6: Cyber security glossary……………………………………………………………………………..20](#_Appendix_6:_Glossary)

# 1. Introduction and aims

Information and communications technology (ICT) is an integral part of the way our school works, and is a critical resource for pupils, staff (including senior leadership teams), The Advisory Board, volunteers and visitors. It supports teaching and learning, pastoral and administrative functions of the school.

However, the ICT resources and facilities our school uses also pose risks to data protection, online safety and safeguarding.

This policy aims to:

* Set guidelines and rules on the use of school ICT resources for staff, pupils, parents and governors
* Establish clear expectations for the way all members of the school community engage with each other online
* Support the school’s policy on data protection, online safety and safeguarding
* Prevent disruption to the school through the misuse, or attempted misuse, of ICT systems
* Support the school in teaching pupils safe and effective internet and ICT use

This policy covers all users of our school’s ICT facilities, including governors, staff, pupils, volunteers, contractors and visitors.

Breaches of this policy may be dealt with under our Behaviour for Learning Policy and Staff Code of Conduct.

# 2. Relevant legislation and guidance

This policy refers to, and complies with, the following legislation and guidance:

* [Data Protection Act 2018](http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted)
* [The General Data Protection Regulation](https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32016R0679)
* [Computer Misuse Act 1990](https://www.legislation.gov.uk/ukpga/1990/18/contents)
* [Human Rights Act 1998](https://www.legislation.gov.uk/ukpga/1998/42/contents)
* [The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000](https://www.legislation.gov.uk/uksi/2000/2699/regulation/3/made)
* [Education Act 2011](http://www.legislation.gov.uk/ukpga/2011/21/section/2/enacted)
* [Freedom of Information Act 2000](https://www.legislation.gov.uk/ukpga/2000/36/contents)
* [The Education and Inspections Act 2006](https://www.legislation.gov.uk/ukpga/2006/40/part/7/chapter/1)
* [Keeping Children Safe in Education 2021](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2)
* [Searching, screening and confiscation: advice for schools](https://www.gov.uk/government/publications/searching-screening-and-confiscation)
* [National Cyber Security Centre (NCSC)](https://www.ncsc.gov.uk/section/education-skills/cyber-security-schools)
* [Education and Training (Welfare of Children Act) 2021](https://bills.parliament.uk/bills/2633)

# 3. Definitions

* **“ICT facilities”:** includes all facilities, systems and services including but not limited to network infrastructure, desktop computers, laptops, tablets, phones, music players or hardware, software, websites, web applications or services, and any device system or service which may become available in the future which is provided as part of the ICT service
* **“Users”:** anyone authorised by the school to use the ICT facilities, including governors, staff, pupils, volunteers, contractors and visitors
* **“Personal use”:** any use or activity not directly related to the users’ employment, study or purpose
* **“Authorised personnel”:** employees authorised by the school to perform systems administration and/or monitoring of the ICT facilities
* **“Materials”:** files and data created using the ICT facilities including but not limited to documents, photos, audio, video, printed output, web pages, social networking sites and blogs

See appendix 6 for a glossary of cyber security terminology.

# 4. Unacceptable use

The following is considered unacceptable use of the school’s ICT facilities by any member of the school community. Any breach of this policy may result in disciplinary or behaviour proceedings (see section 4.2 below).

Unacceptable use of the school’s ICT facilities includes:

* Using the school’s ICT facilities to breach intellectual property rights or copyright
* Using the school’s ICT facilities to bully or harass someone else, or to promote unlawful discrimination
* Breaching the school’s policies or procedures
* Any illegal conduct, or statements which are deemed to be advocating illegal activity
* Online gambling, inappropriate advertising, phishing and/or financial scams
* Accessing, creating, storing, linking to or sending material that is pornographic, offensive, obscene or otherwise inappropriate or harmful
* Consensual and non-consensual sharing of nude and semi-nude images and/or videos and/or livestreams (also known as sexting or youth-produced sexual imagery)
* Activity which defames or disparages the school, or risks bringing the school into disrepute
* Sharing confidential information about the school, its pupils, or other members of the school community
* Connecting any device to the school’s ICT network without approval from authorised personnel
* Setting up any software, applications or web services on the school’s network without approval by authorised personnel, or creating or using any program, tool or item of software designed to interfere with the functioning of the ICT facilities, accounts or data
* Gaining, or attempting to gain, access to restricted areas of the network, or to any password-protected information, without approval from authorised personnel
* Allowing, encouraging or enabling others to gain (or attempt to gain) unauthorised access to the school’s ICT facilities
* Causing intentional damage to ICT facilities
* Removing, deleting or disposing of ICT equipment, systems, programs or information without permission by authorised personnel
* Causing a data breach by accessing, modifying, or sharing data (including personal data) to which a user is not supposed to have access, or without authorisation
* Using inappropriate or offensive language
* Promoting a private business, unless that business is directly related to the school
* Using websites or mechanisms to bypass the school’s filtering mechanisms
* Engaging in content or conduct that is radicalised, extremist, racist, anti-Semitic or discriminatory in any other way

This is not an exhaustive list. The school reserves the right to amend this list at any time. The Senior Leadership Team will use professional judgement to determine whether any act or behaviour not on the list above is considered unacceptable use of the school’s ICT facilities.

4.1 Exceptions from unacceptable use

Where the use of school ICT facilities (on the school premises and/or remotely) is required for a purpose that would otherwise be considered an unacceptable use, exemptions to the policy may be granted at the headteacher’s discretion.

4.2 Sanctions

Pupils and staff who engage in any of the unacceptable activity listed above may face disciplinary action in line with the school’s policies on Behaviour for Learning.

If a student refuses to put away their mobile phone, the parents/carers will be phoned. This may result in the phone being confiscated for the day or for a longer period if necessary.

# 5. Staff (including governors, volunteers, and contractors)

5.1 Access to school ICT facilities and materials

The school’s ICT Team manages access to the school’s ICT facilities and materials for school staff. That includes, but is not limited to:

* Computers, tablets, mobile phones and other devices
* Access permissions for certain programmes or files

Staff will be provided with unique log-in/account information and passwords that they must use when accessing the school’s ICT facilities.

Staff who have access to files they are not authorised to view or edit, or who need their access permissions updated or changed, should contact the ICT Team.

**5.1.1 Use of phones and email**

The school provides each member of staff with an email address.

This email account should be used for work purposes only. Staff should enable multi-factor authentication on their email accounts.

All work-related business should be conducted using the email address the school has provided.

Staff must not share their personal email addresses with parents and pupils, and must not send any work-related materials using their personal email account.

Staff must take care with the content of all email messages, as incorrect or improper statements can give rise to claims for discrimination, harassment, defamation, breach of confidentiality or breach of contract.

Email messages are required to be disclosed in legal proceedings or in response to requests from individuals under the Data Protection Act 2018 in the same way as paper documents. Deletion from a user’s inbox does not mean that an email cannot be recovered for the purposes of disclosure. All email messages should be treated as potentially retrievable.

Staff must take extra care when sending sensitive or confidential information by email. Any attachments containing sensitive or confidential information should be encrypted so that the information is only accessible by the intended recipient.

If staff receive an email in error, the sender should be informed and the email deleted. If the email contains sensitive or confidential information, the user must not make use of that information or disclose that information.

If staff send an email in error that contains the personal information of another person, they must inform the ICT Team immediately and follow our data breach procedure.

Staff must not give their personal phone numbers to parents or pupils. Staff must use phones provided by the school to conduct all work-related business.

School phones must not be used for personal matters.

Staff who are provided with mobile phones as equipment for their role must abide by the same rules for ICT acceptable use as set out in section 4.

The school can record in-coming and out-going phone conversations.

All non-standard recordings of phone conversations must be pre-approved and consent obtained from all parties involved.

5.2 Personal use

Staff are permitted to occasionally use school ICT facilities for personal use subject to certain conditions set out below. Personal use of ICT facilities must not be overused or abused. The ICT Team may withdraw permission for it at any time or restrict access at their discretion.

Personal use is permitted provided that such use:

* Does not take place during contact time, teaching time
* Does not constitute ‘unacceptable use’, as defined in section 4
* Takes place when no pupils are present
* Does not interfere with their jobs, or prevent other staff or pupils from using the facilities for work or educational purposes

Staff may not use the school’s ICT facilities to store personal non-work-related information or materials (such as music, videos or photos).

Staff should be aware that use of the school’s ICT facilities for personal use may put personal communications within the scope of the school’s ICT monitoring activities (see section 5.5). Where breaches of this policy are found, disciplinary action may be taken.

Staff are also permitted to use their personal devices (such as mobile phones or tablets) in line with the school’s mobile phone policy.

Staff should be aware that personal use of ICT (even when not using school ICT facilities) can impact on their employment by, for instance, putting personal details in the public domain, where pupils and parents could see them.

Staff should take care to follow the school’s guidelines on social media (see appendix 1) and use of email (see section 5.1.1) to protect themselves online and avoid compromising their professional integrity.

**5.2.1 Personal social media accounts**

Members of staff should ensure their use of social media, either for work or personal purposes, is appropriate at all times.

The school has guidelines for staff on appropriate security settings for Facebook accounts (see appendix 1).

5.3 Remote access

We allow staff to access the school’s ICT facilities and materials remotely.

Our remote system is managed by an outsourced ICT provider who makes all the necessary security arrangements.

Staff accessing the school’s ICT facilities and materials remotely must abide by the same rules as those accessing the facilities and materials on-site. Staff must be particularly vigilant if they use the school’s ICT facilities outside the school and take such precautions as may be required.

Our ICT facilities contain information which is confidential and/or subject to data protection legislation. Such information must be treated with extreme care and in accordance with our data protection policy.

Our data protection policy can be found on the website.

5.4 School social media accounts

The school has an official Twitter page, managed by Katy Harris Staff members who have not been authorised to manage, or post to, the account, must not access, or attempt to access the account.

The school has guidelines for what can and cannot be posted on its social media accounts. Those who are authorised to manage the account must ensure they abide by these guidelines at all times.

5.5 Monitoring of school network and use of ICT facilities

The school reserves the right to monitor the use of its ICT facilities and network. This includes, but is not limited to, monitoring of:

* Internet sites visited
* Bandwidth usage
* Email accounts
* Telephone calls
* User activity/access logs
* Any other electronic communications

Only authorised ICT staff may inspect, monitor, intercept, assess, record and disclose the above, to the extent permitted by law.

The school monitors ICT use in order to:

* Obtain information related to school business
* Investigate compliance with school policies, procedures and standards
* Ensure effective school and ICT operation
* Conduct training or quality control exercises
* Prevent or detect crime
* Comply with a subject access request, Freedom of Information Act request, or any other legal obligation

# 6. Pupils

6.1 Access to ICT facilities

These ICT facilities are available to staff:

Computers and equipment in the school are available to pupils only under the supervision of staff. Pupils are provided with an account linked to the school’s virtual learning environment, from which they can access from any devise by using their own Tutorial Foundation account.

6.2 Search and deletion

Under the Education Act 2011, and in line with the Department for Education’s [guidance on searching, screening and confiscation](https://www.gov.uk/government/publications/searching-screening-and-confiscation), the school has the right to search pupils’ phones, computers or other devices for pornographic images or any other data or items banned under school rules or legislation.

The school can, and will, delete files and data found on searched devices if we believe the data or file has been, or could be, used to disrupt teaching or break the school’s rules.

Staff members may also confiscate devices for evidence to hand to the police, if a pupil discloses that they are being abused and that this abuse contains an online element.

6.3 Unacceptable use of ICT and the internet outside of school

The school will sanction pupils, in line with the Behaviour Policy, if a pupil engages in any of the following **at any time** (even if they are not on school premises):

* Using ICT or the internet to breach intellectual property rights or copyright
* Using ICT or the internet to bully or harass someone else, or to promote unlawful discrimination
* Breaching the school’s policies or procedures
* Any illegal conduct, or statements which are deemed to be advocating illegal activity
* Accessing, creating, storing, linking to or sending material that is pornographic, offensive, obscene or otherwise inappropriate
* Consensual and non-consensual sharing of nude and semi-nude images and/or videos and/or livestreams (also known as sexting or youth produced sexual imagery)
* Activity which defames or disparages the school, or risks bringing the school into disrepute
* Sharing confidential information about the school, other pupils, or other members of the school community
* Gaining or attempting to gain access to restricted areas of the network, or to any password protected information, without approval from authorised personnel
* Allowing, encouraging, or enabling others to gain (or attempt to gain) unauthorised access to the school’s ICT facilities
* Causing intentional damage to ICT facilities or materials
* Causing a data breach by accessing, modifying, or sharing data (including personal data) to which a user is not supposed to have access, or without authorisation
* Using inappropriate or offensive language

# 7. Parents

7.1 Access to ICT facilities and materials

Parents do not have access to the school’s ICT facilities as a matter of course.

However, parents working for, or with the school in an official capacity (for instance, as a volunteer or as a member of the PTA) may be granted an appropriate level of access, or be permitted to use the school’s facilities at the headteacher’s discretion.

Where parents are granted access in this way, they must abide by this policy as it applies to staff.

7.2 Communicating with or about the school online

We believe it is important to model for pupils, and help them learn, how to communicate respectfully with, and about, others online.

Parents play a vital role in helping model this behaviour for their children, especially when communicating with the school through our website and social media channels.

We ask parents to sign the agreement in appendix 2.

# 8. Data security

The school is responsible for making sure it has the appropriate level of security protection and procedures in place. It therefore takes steps to protect the security of its computing resources, data and user accounts. However, the school cannot guarantee security. Staff, pupils, parents and others who use the school’s ICT facilities should use safe computing practices at all times.

8.1 Passwords

All users of the school’s ICT facilities should set strong passwords for their accounts and keep these passwords secure.

Users are responsible for the security of their passwords and accounts, and for setting permissions for accounts and files they control.

Members of staff or pupils who disclose account or password information may face disciplinary action. Parents or volunteers who disclose account or password information may have their access rights revoked.

All staff will use a password manager to help them store their passwords securely. Teachers will generate passwords for pupils using a password manager/generator and keep these in a secure location in case pupils lose or forget their passwords.

We allocate passwords

8.2 Software updates, firewalls and anti-virus software

All of the school’s ICT devices that support software updates, security updates and anti-virus products will be configured to perform such updates regularly or automatically.

Users must not circumvent or make any attempt to circumvent the administrative, physical and technical safeguards we implement and maintain to protect personal data and the school’s ICT facilities.

Any personal devices using the school’s network must all be configured in this way.

8.3 Data protection

All personal data must be processed and stored in line with data protection regulations and the school’s data protection policy.

Please refer to our Data Protection Policy.

8.4 Access to facilities and materials

All users of the school’s ICT facilities will have clearly defined access rights to school systems, files and devices.

These access rights are managed by Cortec.

Users should not access, or attempt to access, systems, files or devices to which they have not been granted access. If access is provided in error, or if something a user should not have access to is shared with them, they should alert Cortec immediately.

Users should always log out of systems and lock their equipment when they are not in use to avoid any unauthorised access. Equipment and systems should always be logged out of and closed down completely at the end of each working day.

8.5 Encryption

The school ensures that its devices and systems have an appropriate level of encryption.

School staff may only use personal devices (including computers and USB drives) to access school data, work remotely, or take personal data (such as pupil information) out of school if they have been specifically authorised to do so by the headteacher.

Use of such personal devices will only be authorised if the devices have appropriate levels of security and encryption, as defined by the ICT Team.

# 9. Protection from cyber attacks

Please see the glossary (appendix 6) to help you understand cyber security terminology.

The school will:

* Work with governors and the IT department to make sure cyber security is given the time and resources it needs to make the school secure
* Provide annual training for staff (and include this training in any induction for new starters, if they join outside of the school’s annual training window) on the basics of cyber security, including how to:
  + Check the sender address in an email
  + Respond to a request for bank details, personal information or login details
  + Verify requests for payments or changes to information
* Make sure staff are aware of its procedures for reporting and responding to cyber security incidents
* Investigate whether our IT software needs updating or replacing to be more secure
* Not engage in ransom requests from ransomware attacks, as this would not guarantee recovery of data
* Put controls in place that are:
  + **‘Proportionate’**: the school will verify this using a third-party audit to objectively test that what it has in place is up to scratch
  + **Multi-layered**: everyone will be clear on what to look out for to keep our systems safe
  + **Up-to-date:** with a system in place to monitor when the school needs to update its software
  + **Regularly reviewed and tested**: to make sure the systems are as up to scratch and secure as they can be

Back up critical and store these backups on cloudbased backup systems/external hard drives that aren’t connected to the school network and which can be stored off the school premises.

* Delegate specific responsibility for maintaining the security of our management information system (MIS) to Cortec.
* Make sure staff:
  + Dial into our network using a virtual private network (VPN) when working from home
  + Enable multi-factor authentication where they can, on things like school email accounts
  + Store passwords securely using a password manager
* Make sure ICT staff conduct regular access reviews to make sure each user in the school has the right level of permissions and admin rights
* Have a firewall in place that is switched on
* Check that its supply chain is secure, for example by asking suppliers about how secure their business practices are and seeing if they have the [Cyber Essentials](https://www.ncsc.gov.uk/cyberessentials/overview) certification
* Develop, review and test an incident response plan with the IT department, for example, including how the school will communicate with everyone if communications go down, who will be contacted when, and who will notify [Action Fraud](https://www.actionfraud.police.uk/) of the incident. This will be reviewed and tested oncer every 6 months and after a significant event has occurred, using the NCSC’s ‘[Exercise in a Box’](https://www.ncsc.gov.uk/information/exercise-in-a-box)

# 10. Internet access

The school wireless internet connection is secured.

10.1 Pupils

The students are not allowed access to the wifi.

10.2 Parents and visitors

Parents and visitors to the school will not be permitted to use the school’s wifi unless specific authorisation is granted by the headteacher.

The headteacher will only grant authorisation if:

* Parents are working with the school in an official capacity (e.g. as a volunteer or as a member of the PTA)
* Visitors need to access the school’s wifi in order to fulfil the purpose of their visit (for instance, to access materials stored on personal devices as part of a presentation or lesson plan)

Staff must not give the wifi password to anyone who is not authorised to have it. Doing so could result in disciplinary action.

# 11. Monitoring and review

The headteacher and ICT Team monitor the implementation of this policy, including ensuring it is updated to reflect the needs and circumstances of the school.

This policy will be reviewed every year.

The Advisory Board is responsible for approving this policy.

# 12. Related policiy

This policy should be read alongside the school’s policies on:

* Online safety
* Safeguarding and child protection
* Behaviour
* Staff discipline
* Data protection
* Remote learning
* Mobile phone usage

### Appendix 1: Facebook cheat sheet for staff

Don’t accept friend requests from pupils on social media

10 rules for school staff on Facebook

1. Change your display name – use your first and middle name, use a maiden name, or put your surname backwards instead
2. Change your profile picture to something unidentifiable, or if not, ensure that the image is professional
3. Check your privacy settings regularly
4. Be careful about tagging other staff members in images or posts
5. Don’t share anything publicly that you wouldn’t be just as happy showing your pupils
6. Don’t use social media sites during school hours
7. Don’t make comments about your job, your colleagues, our school or your pupils online – once it’s out there, it’s out there
8. Don’t associate yourself with the school on your profile (e.g. by setting it as your workplace, or by ‘checking in’ at a school event)
9. Don’t link your work email address to your social media accounts. Anyone who has this address (or your personal email address/mobile number) is able to find you using this information
10. Consider uninstalling the Facebook app from your phone. The app recognises wifi connections and makes friend suggestions based on who else uses the same wifi connection (such as parents or pupils)

Check your privacy settings

* Change the visibility of your posts and photos to **‘Friends only’**, rather than ‘Friends of friends’. Otherwise, pupils and their families may still be able to read your posts, see things you’ve shared and look at your pictures if they’re friends with anybody on your contacts list
* Don’t forget to check your **old posts and photos** – go to [bit.ly/2MdQXMN](https://www.facebook.com/help/iphone-app/236898969688346?helpref=uf_permalink) to find out how to limit the visibility of previous posts
* The public may still be able to see posts you’ve **‘liked’**, even if your profile settings are private, because this depends on the privacy settings of the original poster
* **Google your name** to see what information about you is visible to the public
* Prevent search engines from indexing your profile so that people can’t **search for you by name** – go to [bit.ly/2zMdVht](https://www.facebook.com/help/124518907626945?helpref=faq_content) to find out how to do this
* Remember that **some information is always public**; your display name, profile picture, cover photo, user ID (in the URL for your profile), country, age range and gender

What to do if…

**A pupil adds you on social media**

* In the first instance, ignore and delete the request. Block the pupil from viewing your profile
* Check your privacy settings again, and consider changing your display name or profile picture
* If the pupil asks you about the friend request in person, tell them that you’re not allowed to accept friend requests from pupils and that if they persist, you’ll have to notify senior leadership and/or their parents. If the pupil persists, take a screenshot of their request and any accompanying messages
* Notify the senior leadership team or the headteacher about what’s happening

**A parent adds you on social media**

* It is at your discretion whether to respond. Bear in mind that:
* Responding to one parent’s friend request or message might set an unwelcome precedent for both you and other teachers at the school
* Pupils may then have indirect access through their parent’s account to anything you post, share, comment on or are tagged in
* If you wish to decline the offer or ignore the message, consider drafting a stock response to let the parent know that you’re doing so

**You’re being harassed on social media, or somebody is spreading something offensive about you**

* **Do not** retaliate or respond in any way
* Save evidence of any abuse by taking screenshots and recording the time and date it occurred
* Report the material to Facebook or the relevant social network and ask them to remove it
* If the perpetrator is a current pupil or staff member, our mediation and disciplinary procedures are usually sufficient to deal with online incidents
* If the perpetrator is a parent or other external adult, a senior member of staff should invite them to a meeting to address any reasonable concerns or complaints and/or request they remove the offending comments or material
* If the comments are racist, sexist, of a sexual nature or constitute a hate crime, you or a senior leader should consider contacting the police

### Appendix 2: Acceptable use of the internet: agreement for parents and carers

|  |  |
| --- | --- |
| **Acceptable use of the internet: agreement for parents and carers** | |
| **Name of parent/carer:**  **Name of child:** | |
| Online channels are an important way for parents/carers to communicate with, or about, our school.  The school uses the following channels:   * Our official Facebook page * Email/text groups for parents (for school announcements and information) * Our virtual learning platform   Parents/carers also set up independent channels to help them stay on top of what’s happening in their child’s class. For example, class/year Facebook groups, email groups, or chats (through apps such as WhatsApp). | |
| When communicating with the school via official communication channels, or using private/independent channels to talk about the school, I will:   * Be respectful towards members of staff, and the school, at all times * Be respectful of other parents/carers and children * Direct any complaints or concerns through the school’s official channels, so they can be dealt with in line with the school’s complaints procedure   I will not:   * Use private groups, the school’s Facebook page, or personal social media to complain about or criticise members of staff. This is not constructive and the school can’t improve or address issues if they aren’t raised in an appropriate way * Use private groups, the school’s Facebook page, or personal social media to complain about, or try to resolve, a behaviour issue involving other pupils. I will contact the school and speak to the appropriate member of staff if I’m aware of a specific behaviour issue or incident * Upload or share photos or videos on social media of any child other than my own, unless I have the permission of other children’s parents/carers | |
| **Signed:** | **Date:** |

### Appendix 3: Acceptable use agreement for older pupils

|  |  |
| --- | --- |
| **Acceptable use of the school’s ICT facilities and internet: agreement for pupils and parents/carers** | |
| **Name of pupil:** | |
| **When using the school’s ICT facilities and accessing the internet in school, I will not:**   * Use them for a non-educational purpose * Use them without a teacher being present, or without a teacher’s permission * Use them to break school rules * Access any inappropriate websites * Access social networking sites (unless my teacher has expressly allowed this as part of a learning activity) * Use chat rooms * Open any attachments in emails, or follow any links in emails, without first checking with a teacher * Use any inappropriate language when communicating online, including in emails * Share any semi-nude or nude images, videos or livestreams, even if I have the consent of the person or people in the photo * Share my password with others or log in to the school’s network using someone else’s details * Bully other people   I understand that the school will monitor the websites I visit and my use of the school’s ICT facilities and systems.  I will immediately let a teacher or other member of staff know if I find any material which might upset, distress or harm me or others.  I will always use the school’s ICT systems and internet responsibly.  I understand that the school can discipline me if I do certain unacceptable things online, even if I’m not in school when I do them. | |
| **Signed (pupil):** | **Date:** |
| **Parent/carer agreement:** I agree that my child can use the school’s ICT systems and internet when appropriately supervised by a member of school staff. I agree to the conditions set out above for pupils using the school’s ICT systems and internet, and for using personal electronic devices in school, and will make sure my child understands these. | |
| **Signed (parent/carer):** | **Date:** |

### Appendix 4: Acceptable use agreement for younger pupils

|  |  |
| --- | --- |
| **Acceptable use of the school’s ICT facilities and internet: agreement for pupils and parents/carers** | |
| **Name of pupil:** | |
| **When I use the school’s ICT facilities (like computers and equipment) and get on the internet in school, I will not:**   * Use them without asking a teacher first, or without a teacher in the room with me * Use them to break school rules * Go on any inappropriate websites * Go on Facebook or other social networking sites (unless my teacher said I could as part of a lesson) * Use chat rooms * Open any attachments in emails, or click any links in emails, without checking with a teacher first * Use mean or rude language when talking to other people online or in emails * Send any photos, videos or livestreams of people (including me) who aren’t wearing all of their clothes * Share my password with others or log in using someone else’s name or password * Bully other people   I understand that the school will check the websites I visit and how I use the school’s computers and equipment. This is so that they can help keep me safe and make sure I’m following the rules.  I will tell a teacher or a member of staff I know immediately if I find anything on a school computer or online that upsets me, or that I know is mean or wrong.  I will always be responsible when I use the school’s ICT systems and internet.  I understand that the school can discipline me if I do certain unacceptable things online, even if I’m not in school when I do them. | |
| **Signed (pupil):** | **Date:** |
| **Parent/carer agreement:** I agree that my child can use the school’s ICT systems and internet when appropriately supervised by a member of school staff. I agree to the conditions set out above for pupils using the school’s ICT systems and internet, and for using personal electronic devices in school, and will make sure my child understands these. | |
| **Signed (parent/carer):** | **Date:** |

### Appendix 5: Acceptable use agreement for staff, governors, volunteers and visitors

|  |  |
| --- | --- |
| **Acceptable use of the school’s ICT facilities and the internet: agreement for staff, governors, volunteers and visitors** | |
| **Name of staff member/governor/volunteer/visitor:** | |
| When using the school’s ICT facilities and accessing the internet in school, or outside school on a work device, I will not:   * Access, or attempt to access inappropriate material, including but not limited to material of a violent, criminal or pornographic nature (or create, share, link to or send such material) * Use them in any way which could harm the school’s reputation * Access social networking sites or chat rooms * Use any improper language when communicating online, including in emails or other messaging services * Install any unauthorised software, or connect unauthorised hardware or devices to the school’s network * Share my password with others or log in to the school’s network using someone else’s details * Share confidential information about the school, its pupils or staff, or other members of the community * Access, modify or share data I’m not authorised to access, modify or share * Promote private businesses, unless that business is directly related to the school | |
| I understand that the school will monitor the websites I visit and my use of the school’s ICT facilities and systems.  I will take all reasonable steps to ensure that work devices are secure and password-protected when using them outside school, and keep all data securely stored in accordance with this policy and the school’s data protection policy.  I will let the designated safeguarding lead (DSL) and ICT manager know if a pupil informs me they have found any material which might upset, distress or harm them or others, and will also do so if I encounter any such material.  I will always use the school’s ICT systems and internet responsibly, and ensure that pupils in my care do so too. | |
| **Signed (staff member/governor/volunteer/visitor):** | **Date:** |

### Appendix 6: Glossary of cyber security terminology

These key terms will help you to understand the common forms of cyber attack and the measures the school will put in place. They’re from the National Cyber Security Centre (NCSC) [glossary](https://www.ncsc.gov.uk/information/ncsc-glossary).

| term | definition |
| --- | --- |
| **Antivirus** | Software designed to detect, stop and remove malicious software and viruses. |
| **Cloud** | Where you can store and access your resources (including data and software) via the internet, instead of locally on physical devices. |
| **Cyber attack** | An attempt to access, damage or disrupt your computer systems, networks or devices maliciously. |
| **Cyber incident** | Where the security of your system or service has been breached. |
| **Cyber security** | The protection of your devices, services and networks (and the information they contain) from theft or damage. |
| **Download attack** | Where malicious software or a virus is downloaded unintentionally onto a device without the user's knowledge or consent. |
| **Firewall** | Hardware or software that uses a defined rule set to constrain network traffic – this is to prevent unauthorised access to or from a network. |
| **Hacker** | Someone with some computer skills who uses them to break into computers, systems and networks. |
| **Malware** | Malicious software. This includes viruses, trojans or any code or content that can adversely impact individuals or organisations. |
| **Patching** | Updating firmware or software to improve security and/or enhance functionality. |
| **Pentest** | Short for penetration test. This is an authorised test of a computer network or system to look for security weaknesses. |
| **Phishing** | Untargeted, mass emails sent to many people asking for sensitive information (like bank details) or encouraging them to visit a fake website. |
| **Ransomware** | Malicious software that stops you from using your data or systems until you make a payment. |
| **Social engineering** | Manipulating people into giving information or carrying out specific actions that an attacker can use. |
| **Spear-phishing** | A more targeted form of phishing where an email is designed to look like it’s from a person the recipient knows and/or trusts. |
| **Trojan** | A type of malware/virus designed to look like legitimate software that can be used to hack a victim’s computer. |
| **Two-factor/multi-factor authentication** | Using 2 or more different components to verify a user’s identity. |
| **Virus** | Programs designed to self-replicate and infect legitimate software programs or systems. |
| **Virtual Private Network (VPN)** | An encrypted network which allows remote users to connect securely. |
| **Whaling** | Highly targeted phishing attacks (where emails are made to look legitimate) aimed at senior executives. |

**Contents**

1.Introduction ........................................................................................p.1.

2.Disciplinary procedure ........................................................................p.2

3.Severity of Disciplinary Action.............................................................p.3

4.First Written Warning .........................................................................p.3

5.Final Written Warnings and Dismissals...............................................p.3

6.Alternative Disciplinary Sanctions.......................................................p.4

7.Gross Misconduct................................................................................p.4

8.Behaviour Outside Working Hours......................................................p.5

9.Disciplinary Appeal Procedure ...........................................................p.5

1. **Introduction**

This Policy and procedure applies to all employees of the The Tutorial Foundation. It reflects the its current practices and employees are strongly encouraged to familiarise themselves with its content.

The Tutorial Foundation reserves the right to vary or amend its disciplinary policy and procedure depending on the particular circumstances of the case. Any changes will be advised to employees.

The Tutorial Foundation also reserves the right not to follow the Disciplinary Policy and Procedure in respect of employees with less than two year’s continuous service.

These procedures are designed to help promote fairness and consistency in the treatment of individuals. It is the aim of the rules and procedures to emphasise and encourage improvement in the conduct of individuals where they are failing to meet the required standard. However, it is recognised that where improvement is not possible dismissal may result.

Every reasonable effort will be made to ensure that any action taken under this procedure will be fair and all employees will be given the opportunity to state his or her case and appeal against any decision he or she considers to be unjust.

The following principles will be adhered to when following the disciplinary process:

• All employees are made fully aware of the standards of performance, action and behaviour required of them;

• Disciplinary action, where necessary, will be taken without unreasonable delay and in a fair, uniform and consistent manner;

• An employee will only be subject to disciplinary action once there has been a thorough investigation into the facts;

• The employee will have an opportunity to present his or her side of the case at a formal disciplinary hearing convened under this policy and procedure;

• All employees will have the right to be accompanied by a fellow employee or an accredited trade union official at any disciplinary or appeal hearing. Please note that an investigatory interview prior to a disciplinary hearing, should it take place, is not a formal stage in the disciplinary process;

• During any disciplinary hearing the employee will have a full and fair opportunity to state his or her case and answer any allegations that have been made;

• During any hearing, the employee will also be allowed to ask questions, present evidence, and be given an opportunity to raise points about any information provided by witnesses or relevant documentation;

• Requests to call witnesses or cross examine witnesses will be considered and accommodated where reasonable, practicable and proportionate in the circumstances of the case and where this does not conflict with any overriding duty the The Tutorial Foundation may owe to another employee;

• Normally, no employee will be dismissed for a first breach of discipline except in the case of gross misconduct;

• If an employee is subject to the disciplinary process, he or she will receive both an explanation of the penalty or disciplinary action imposed and will be entitled to appeal against the penalty in accordance with the appeals process set out in this policy and procedure.

1. **Disciplinary Procedure**

In all but a few straightforward cases, The Tutorial Foundation will first investigate all the allegations of potential disciplinary offences to establish the facts before deciding whether to involve the formal Disciplinary Procedure of the The Tutorial Foundation.

It may be necessary for the School to suspend an employee whilst an investigation is taking place. Any suspension will be no longer than is reasonably necessary and will be on full pay. Suspension does not in itself constitute disciplinary action or imply any decision or judgment as to the outcome. If The Tutorial Foundation Trust School decides to involve the formal disciplinary procedure it will adhere to the following procedure:

a. The School will write to the employee inviting them to attend a disciplinary hearing.

b. In the invitation letter, the School will set out the issues or allegations that are to be considered, the basis for them, indicate how seriously these are being viewed, the potential consequences and detail any intention to call witnesses.

c. The School will attach any relevant documentation including any relevant witness statements to the invitation letter.

d. The letter will also detail the employee’s statutory right to be accompanied by either a work colleague or a trade union representative and confirm how this right can be exercised.

e. The School will give the employee reasonable notice of the requirement to attend the disciplinary hearing in order to allow them a reasonable period of time to prepare their case.

f. Disciplinary hearings where dismissal is not contemplated as a potential disciplinary sanction should the allegation(s) be proved will usually be conducted and determined by a member of the Senior Leadership Team or the Headteacher or in the case of disciplinary proceedings involving the Headteacher, the Chair of Advisory Board. Disciplinary hearings where dismissal may be contemplated as a potential disciplinary sanction should the allegation(s) be proved will usually be conducted and determined by the Headteacher or a panel from Senior Leadership Team and or Advisory Board.

Any disciplinary hearing will be conducted in a manner to ensure that:

a. The employee will be given a full and fair opportunity to answer any allegations against them and to present his or her case and any relevant evidence he or she wishes to be considered and on which he or she would like to rely.

b. The hearing will be minuted by a note taker and the employee will be supplied with a copy of the minutes as soon as is reasonably practicable after the hearing and an opportunity to clarify any note that has been recorded.

c. No decisions will be reached during the hearing itself. The School will need to consider all the evidence together with the representations the employee has made, and in some cases may need to carry out further investigations before a decision can be reached.

d. Once a decision has been reached, the School will write to the employee to confirm the outcome of the hearing.

e. Where the decision has been to take formal disciplinary against an employee, he or she will be informed of the nature of the disciplinary sanction, the reasons behind the decision and any other conditions that he or she may be required to satisfy as a result of the disciplinary process.

f. Where a disciplinary sanction has been imposed, he or she will also be informed of his or her right to appeal and the process to be followed should the employee wish to exercise this right in relation to the disciplinary decision reached.

1. **Severity of Disciplinary Action**

The severity of disciplinary action (if any) will be determined by the severity of the offence and any prior “live” disciplinary sanctions in the employee’s history. Due consideration will be given to any bona fide mitigating circumstances raised during the disciplinary process.

The following is provided as guidance only.

1. **First Written Warning**

This will generally be applied as the first step of formal corrective action following unsatisfactory performance or conduct offences.

A first written warning imposed as an outcome to the disciplinary process will be placed on the employee’s personnel file for a specified period of time (at least 12 months) which will be notified to the employee in the disciplinary outcome letter.

The School will also specify, in the case of performance issues, reasonable and clear targets for improvement that the employee is required to attain within a reasonable review period.

1. **Final Written Warnings and Dismissals**

For more serious first offences, such as serious misconduct, the School may impose a final written warning. Alternatively, where an employee persists with an offence in relation to which they have a current and active first written warning or where an employee fails to achieve the required improvements within the review period specified in a previous disciplinary outcome, the School may impose a final written warning having followed the disciplinary procedure in respect of any persisting or additional offences. Continued failure to improve or repeat offences during an active period of a current final written warning may result in dismissal with notice or payment in lieu of notice.

Where an allegation of gross misconduct is upheld the School will normally dismiss summarily i.e. without notice or payment in lieu of notice. Employees should refer to the non-exhaustive list of examples of conduct that The Tutorial Foundation would normally regard as constituting gross misconduct. (This list should be given to staff as part of their contract of employment pack).

1. **Alternative Disciplinary Sanctions**

The Tutorial Foundation may also consider and impose, having followed the Disciplinary Procedure in each case, additional or alternative sanctions including, but not limited to, demotion, disciplinary transfer, loss of seniority/pay or suspension without pay, as an alternative to dismissal.

1. **Gross Misconduct**

An employee may be liable to summary dismissal without notice or pay in lieu of notice if he or she is found guilty of gross misconduct.

The following are examples of issues which might constitute gross misconduct. These are illustrative only and do not constitute an exhaustive list.

• A fundamental and/or wilful breach of The Tutorial Foundation School rules, regulations and policies;

• Gross negligence or dangerous behaviour, which causes or might cause unacceptable loss, damage or injury;

• Grossly indecent or immoral behaviour;

• Threatening or violent behaviour, fighting or physical assault;

• Deliberate falsification of any records (e.g. Sickness Self-Certification Form and time-sheets) in respect of the employee or any fellow employee;

• Undertaking private work on the premises and/or during working hours and wilful disregard of duties or of instructions;

• Deliberate and serious breach of confidence relating to the The Tutorial Foundation school’s or its students’ affairs;

• Theft or misappropriation of money or property whether belonging to the School, another employee or a third party;

• Unauthorised consumption of alcohol on the premises, or reporting for work under the influence of alcohol or controlled drugs;

• Any taking or possession of controlled drugs or stimulants, which have not been prescribed by a registered medical practitioner;

• Destruction/sabotage of School property or any other property on the premises;

• Serious Health and Safety breaches;

• Gross insubordination and/or refusal to obey legitimate instructions given by any members of the Senior Leadership Team;

• Any breach of a legal statute which has a direct effect on the employee’s ability to undertake stated duties and/or on the desired characteristics of his or her position;

• Allowing or assisting any unauthorised person to gain entry to the premises;

• Repeated absences from duty without authorisation;

• Any fundamental and/or substantial breach of trust or unauthorised disclosure of information relating to the School’s affairs to third parties.

• A substantial failure to meet expected standards of work and/or behaviour amounting to serious neglect of duty;

• Deliberately driving on School business without an appropriate licence and/or the appropriate insurance;

• Discrimination or harassment or other breach of the The Tutorial Foundation’s Equality & Diversity Policy;

• Failure to inform the Headteacher of any criminal charges/convictions or police cautions that are relevant to the employee’s employment;

• Serious breaches of the The Tutorial Foundation’s Staff Code of Conduct

• Serious breaches of the The Tutorial Foundation’s Safeguarding and Child Protection Policies and Procedure;

• Serious breaches of the School’s Social Media and Networking policy;

• In respect of teaching staff, serious breach of the standards of professional conduct as set out in the Teacher’s Standards.

1. **Behaviour Outside Working Hours**

The The Tutorial Foundation demands of employees the highest integrity and expects all employees to maintain high standards outside working hours. Any outside activities, which could reasonably be regarded as detrimental to the reputation of the Trust or School, may lead to dismissal.

As a condition of employment, employees are required to notify the School immediately of any criminal charges, cautions or conviction, plea of guilty or not guilty in respect of a criminal offence.

1. **Disciplinary Appeal Procedure**

The Disciplinary Rules and Procedures, incorporate an employee’s right to lodge an appeal in respect of any disciplinary action taken against them.

If an employee wishes to exercise this right of appeal, he or she should write in the first instance to the Headteacher who will liaise with the Advisory Board to convene an appeal hearing with three nominated Advisory Board members, within 10 working days of the decision he or she is complaining against, setting out the grounds and basis for the appeal.

Disciplinary appeals will usually be conducted and determined by a panel of three members of the Advisory Board. In the event of the Advisory Board having formed a panel for a disciplinary hearing, the appeal will involve three Advisory Board members with no prior involvement in the disciplinary matter.