



School Policy Template - E-Safety Committee Terms of Reference

1. PURPOSE

To provide a consultative group that has wide representation from the [school] community, with responsibility for issues regarding e-safety and the monitoring the e-safety policy including the impact of initiatives. Depending on the size or structure of the school this committee may be part of the safeguarding group. The group will also be responsible for regular reporting to the Full Governing Body.

2. MEMBERSHIP

2.1 The e-safety committee will seek to include representation from all stakeholders.

The composition of the group should include (*NB in small schools one member of staff may hold more than one of these posts*):

[add/delete where appropriate]

- SLT member/s
- Child Protection/Safeguarding officer
- Teaching staff member
- Support staff member
- E-safety coordinator (not ICT coordinator by default)
- Governor
- Parent / Carer
- ICT Technical Support staff (where possible)
- Community users (where appropriate)
- *Student / pupil representation – for advice and feedback. Student / pupil voice is essential in the make up of the e-safety committee, but students / pupils would only be expected to take part in committee meetings where deemed relevant.*

2.2 Other people may be invited to attend the meetings at the request of the Chairperson on behalf of the committee to provide advice and assistance where necessary.

2.3 Committee members must declare a conflict of interest if any incidents being discussed directly involve themselves or members of their families.

2.4 Committee members must be aware that many issues discussed by this group could be of a sensitive or confidential nature

2.5 When individual members feel uncomfortable about what is being discussed they should be allowed to leave the meeting with steps being made by the other members to allow for these sensitivities

3. CHAIRPERSON

The Committee should select a suitable Chairperson from within the group. Their responsibilities include:

- Scheduling meetings and notifying committee members;
- Inviting other people to attend meetings when required by the committee;
- Guiding the meeting according to the agenda and time available;
- Ensuring all discussion items end with a decision, action or definite outcome;
- Making sure that notes are taken at the meetings and that these with any action points are distributed as necessary

4. DURATION OF MEETINGS

Meetings shall be held [insert frequency] for a period of [insert number] hour(s). A special or extraordinary meeting may be called when and if deemed necessary.

5. FUNCTIONS

These are to assist the E-safety Co-ordinator (or other relevant person) with the following [add/delete where relevant]:

- To keep up to date with new developments in the area of e-safety
- To (at least) annually review and develop the e-safety policy in line with new technologies and incidents
- To monitor the delivery and impact of the e-safety policy
- To monitor the log of reported e-safety incidents (anonymous) to inform future areas of teaching / learning / training.
- To co-ordinate consultation with the whole school community to ensure stakeholders are up to date with information, training and/or developments in the area of e-safety. This could be carried out through[add/delete as relevant]:
 - Staff meetings
 - Student / pupil forums (for advice and feedback)
 - Governors meetings
 - Surveys/questionnaires for students / pupils, parents / carers and staff
 - Parents evenings
 - Website/VLE/Newsletters
 - E-safety events
 - Internet Safety Day (annually held on the second Tuesday in February)
 - Other methods
- To ensure that monitoring is carried out of Internet sites used across the school
- To monitor filtering / change control logs (e.g. requests for blocking / unblocking sites).
- To monitor the safe use of data across the [school]
- To monitor incidents involving cyberbullying for staff and pupils

6. AMENDMENTS

The terms of reference shall be reviewed annually from the date of approval. They may be altered to meet the current needs of all committee members, by agreement of the majority

The above Terms of Reference for [insert name of organisation] have been agreed

Signed by (SLT):

Date:

Date for review:

Acknowledgement

This template terms of reference document is based on one provided to schools by Somerset County Council

Legislation

Schools should be aware of the legislative framework under which this E-Safety Policy template and guidance has been produced. It is important to note that in general terms an action that is illegal if committed offline is also illegal if committed online.

It is recommended that legal advice is sought in the advent of an e safety issue or situation.

Computer Misuse Act 1990

This Act makes it an offence to:

- Erase or amend data or programs without authority;
- Obtain unauthorised access to a computer;

- “Eavesdrop” on a computer;
- Make unauthorised use of computer time or facilities; • Maliciously corrupt or erase data or programs;
- Deny access to authorised users.

Data Protection Act 1998

This protects the rights and privacy of individual’s data. To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully. The Act states that person data must be:

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequate, relevant and not excessive.
- Accurate.
- Not kept longer than necessary.
- Processed in accordance with the data subject’s rights.
- Secure.
- Not transferred to other countries without adequate protection.

Freedom of Information Act 2000

The Freedom of Information Act gives individuals the right to request information held by public authorities. All public authorities and companies wholly owned by public authorities have obligations under the Freedom of Information Act. When responding to requests, they have to follow a number of set procedures.

Communications Act 2003

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on conviction, to imprisonment. This wording is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

Malicious Communications Act 1988

It is an offence to send an indecent, offensive, or threatening letter, electronic communication or other article to another person.

Regulation of Investigatory Powers Act 2000

It is an offence for any person to intentionally and without lawful authority intercept any communication.

Monitoring or keeping a record of any form of electronic communications is permitted, in order to:

- Establish the facts;
- Ascertain compliance with regulatory or self-regulatory practices or procedures;
- Demonstrate standards, which are or ought to be achieved by persons using the system;
- Investigate or detect unauthorised use of the communications system; • Prevent or detect crime or in the interests of national security;
- Ensure the effective operation of the system.
- Monitoring but not recording is also permissible in order to:
- Ascertain whether the communication is business or personal;
- Protect or support help line staff.
- The school reserves the right to monitor its systems and communications in line with its rights under this act.

Trade Marks Act 1994

This provides protection for Registered Trade Marks, which can be any symbol (words, shapes or images) that are associated with a particular set of goods or services. Registered Trade Marks must not be used without permission. This can also arise from using a Mark that is confusingly similar to an existing Mark.

Copyright, Designs and Patents Act 1988

It is an offence to copy all, or a substantial part of a copyright work. There are, however, certain limited user permissions, such as fair dealing, which means under certain circumstances permission is not needed to copy small amounts for non-commercial research or private study. The Act also provides for Moral Rights, whereby authors can sue if their name is not included in a work they wrote, or if the work has been amended in such a

way as to impugn their reputation. Copyright covers materials in print and electronic form, and includes words, images, and sounds, moving images, TV broadcasts and other media (e.g. youtube).

Telecommunications Act 1984

It is an offence to send a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. It is also an offence to send a message that is intended to cause annoyance, inconvenience or needless anxiety to another that the sender knows to be false.

Criminal Justice & Public Order Act 1994

This defines a criminal offence of intentional harassment, which covers all forms of harassment, including sexual. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, they:

- Use threatening, abusive or insulting words or behaviour, or disorderly behaviour; or
- Display any writing, sign or other visible representation, which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

Racial and Religious Hatred Act 2006

This Act makes it a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

Protection from Harassment Act 1997

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other. A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

Protection of Children Act 1978

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudophotographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison

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. (Typically, teachers, social workers, health professionals, connexions staff fall in this category of trust). Any sexual intercourse with a child under the age of 13 commits the offence of rape.

Public Order Act 1986

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

Obscene Publications Act 1959 and 1964

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

Human Rights Act 1998

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

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

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

The Education and Inspections Act 2006

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

The Education and Inspections Act 2011

Extended the powers included in the 2006 Act and gave permission for Headteachers (and nominated staff) to search for electronic devices. It also provides powers to search for data on those devices and to delete data. (see [template policy in these appendices](#) and for DfE guidance -

<http://www.education.gov.uk/schools/pupilsupport/behaviour/behaviourpolicies/f0076897/screening-searchingand-confiscation>

The Protection of Freedoms Act 2012

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

The School Information Regulations 2012

Requires schools to publish certain information on its website:

<http://www.education.gov.uk/schools/toolsandinitiatives/cuttingburdens/b0075738/reducingbureaucracy/requirements/changestoschoolinformationregulations>

Links to other organisations or documents

The following links may help those who are developing or reviewing a school e-safety policy.

UK Safer Internet Centre

[Safer Internet Centre -](#)

[South West Grid for Learning](#)

[Childnet](#)

[Professionals Online Safety Helpline](#)

[Internet Watch Foundation](#)

CEOP

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

[ThinkUKnow](#)

Others:

INSAFE - <http://www.saferinternet.org/ww/en/pub/insafe/index.htm>

UK Council for Child Internet Safety (UKCCIS) www.education.gov.uk/ukccis

Netsmartz <http://www.netsmartz.org/index.aspx>

Support for Schools

Specialist help and support [SWGfL BOOST](#)

Cyberbullying

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

Scottish Government [Better relationships, better learning, better behaviour](#)

[DCSF - Cyberbullying guidance](#)

[DfE – Preventing & Tackling Bullying – Advice to school leaders, staff and Governing Bodies](#)

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

Cyberbullying.org - <http://www.cyberbullying.org/>

Social Networking

Digizen – [Social Networking](#)

[SWGfL - Facebook - Managing risk for staff and volunteers working with children and young people](#)

[Connectsafely Parents Guide to Facebook](#)

[Facebook Guide for Educators](#)

Curriculum

[SWGfL Digital Literacy & Citizenship curriculum](#)

Glow - <http://www.educationscotland.gov.uk/usingglowandict/>

Alberta, Canada - [digital citizenship policy development guide.pdf](#)

Teach Today – www.teachtoday.eu/

Insafe - [Education Resources](#)

Somerset - [e-Sense materials for schools](#)

Mobile Devices / BYOD

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

NEN - [Guidance Note - BYOD](#)

Data Protection

Information Commissioners Office:

[Your rights to your information – Resources for Schools - ICO](#)

[ICO pages for young people](#)

[Guide to Data Protection Act - Information Commissioners Office](#)

[Guide to the Freedom of Information Act - Information Commissioners Office](#)

[ICO guidance on the Freedom of Information Model Publication Scheme](#)

[ICO Freedom of Information Model Publication Scheme Template for schools \(England\)](#)

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

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

[ICO Guidance on Cloud Hosted Services](#)

[Information Commissioners Office good practice note on taking photos in schools](#)

[ICO Guidance Data Protection Practical Guide to IT Security](#)

[ICO – Think Privacy Toolkit](#)

[ICO – Personal Information Online – Code of Practice](#)

[ICO – Access Aware Toolkit](#)

[ICO Subject Access Code of Practice](#)

[ICO – Guidance on Data Security Breach Management](#)

SWGfL - [Guidance for Schools on Cloud Hosted Services](#)

LGfL - [Data Handling Compliance Check List](#)

Somerset - [Flowchart on Storage of Personal Data](#)

NEN - [Guidance Note - Protecting School Data](#)

Professional Standards / Staff Training

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

Kent - [Safer Practice with Technology](#)

[Childnet / TDA - Social Networking - a guide for trainee teachers & NQTs](#)

[Childnet / TDA - Teachers and Technology - a checklist for trainee teachers & NQTs](#)

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

Infrastructure / Technical Support

Somerset - [Questions for Technical Support](#)

NEN - [Guidance Note - esecurity](#)

Working with parents and carers

[SWGfL / Common Sense Media Digital Literacy & Citizenship Curriculum](#)

[SWGfL BOOST Presentations - parents presentation](#)

[Connect Safely - a Parents Guide to Facebook](#)

[Vodafone Digital Parents Magazine](#)

[Childnet Webpages for Parents & Carers](#)

[DirectGov - Internet Safety for parents](#)

[Get Safe Online - resources for parents](#)

[Teach Today - resources for parents workshops / education](#)

[The Digital Universe of Your Children - animated videos for parents \(Insafe\)](#)

[Cerebra - Learning Disabilities, Autism and Internet Safety - a Parents' Guide](#)

[Insafe - A guide for parents - education and the new media](#)

[The Cybersmile Foundation \(cyberbullying\) - advice for parents](#)

Research

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

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

Glossary of terms

AUP	Acceptable Use Policy – see templates earlier in this document
CEOP	Child Exploitation and Online Protection Centre (part of UK Police, dedicated to protecting children from sexual abuse, providers of the Think U Know programmes).
CPC	Child Protection Committee
CPD	Continuous Professional Development
CYPS	Children and Young Peoples Services (in Local Authorities)
FOSI	Family Online Safety Institute
EA	Education Authority
ES	Education Scotland
HWB	Health and Wellbeing
ICO	Information Commissioners Office
ICT	Information and Communications Technology
ICTMark	Quality standard for schools provided by NAACE
INSET	In Service Education and Training
IP address	The label that identifies each computer to other computers using the IP (internet protocol)
ISP	Internet Service Provider
ISPA	Internet Service Providers' Association
IWF	Internet Watch Foundation
LA	Local Authority
LAN	Local Area Network
MIS	Management Information System

NEN	National Education Network – works with the Regional Broadband Consortia (e.g. SWGfL) to provide the safe broadband provision to schools across Britain.
Ofcom	Office of Communications (Independent communications sector regulator)
SWGfL	South West Grid for Learning Trust – the Regional Broadband Consortium of SW Local Authorities – is the provider of broadband and other services for schools and other organisations in the SW
TUK	Think U Know – educational e-safety programmes for schools, young people and parents.
VLE	Virtual Learning Environment (a software system designed to support teaching and learning in an educational setting,
WAP	Wireless Application Protocol
Notes	