

# Brookvale Primary School

## E-Safety Policy

### Introduction

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

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

- Websites
- Mathematics
- Email and Instant Messaging
- Chat Rooms and Social Networking
- Forums, Wikis and Blogs
- Podcasting
- Video Broadcasting
- Music Downloading
- Gaming
- 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. All users need to be aware of the range of risks associated with the use of these Internet technologies.

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

Both this policy and the Acceptable Use Agreement (for all staff, governors, visitors and pupils) are inclusive of both fixed and mobile internet; technologies provided by the school (such as PCs, laptops, personal digital assistants (IPads), tablets, webcams, whiteboards, voting systems, digital video equipment, etc); and technologies owned by pupils and staff, but brought onto school premises utilising the school's network (such as laptops, mobile phones, camera phones, IPads and portable media players, etc).

### Roles and Responsibilities

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

The named eSafety co-ordinator in our school is Marie Bell who has been designated this role as a IT Co-ordinator. All members of the school community have been made aware of who holds this post. It is the role of the eSafety co-ordinator to keep abreast of current issues and guidance through organisations such as Halton LA, CEOP (Child Exploitation and Online Protection) and Childnet.

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

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

### **eSafety skills development for staff**

- Our staff members receive regular information and training on eSafety issues in the form of regular staff training.
- New staff members receive information on the school's acceptable use policy as part of their induction.
- All staff members have been made aware of individual responsibilities relating to the safeguarding of children within the context of eSafety and know what to do in the event of misuse of technology by any member of the school community.
- All staff members are encouraged to incorporate eSafety activities and awareness within their curriculum areas.

### **Managing the school eSafety messages**

- We endeavour to embed eSafety messages across the curriculum whenever the internet and/or related technologies are used.
- The e-safety policy will be introduced to the pupils at the start of each school year.
- E-safety posters will be prominently displayed.

### **eSafety in the Curriculum**

- Educating pupils on the dangers of technologies that maybe encountered outside school is done informally when opportunities arise and as part of the eSafety curriculum.
- E-safety awareness day is a focus each year in line with the UK safer internet centre and the internet safety day they promote
- Pupils are taught about copyright and respecting other people's information, images, etc through discussion, modelling and activities.
- Pupils are aware of the impact of online bullying and know how to seek help if they are affected by these issues. Pupils are also aware of where to seek advice or help if they experience problems when using the internet and related technologies; i.e. parent/ carer, teacher/ trusted staff member, or an organisation such as Childline/CEOP report abuse button.
- The school offers online e-safety training for parents and pupils. To access the course, simply click onto <http://www.childprotectioncompany.com/CPC/L/20318B6160> and follow the onscreen instruction to register and then you'll be able to start the course.

### **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, SIMS MIS system. Individual staff users must also make sure that the computing equipment is not left unattended and are locked away after use.
- In our school, all ICT password policies are the responsibility of the Headteacher and all staff and pupils are expected to comply with the policies at all times.

## **Data Security**

The accessing of school data is something that the school takes very seriously. Staff are aware of their responsibility when accessing school data. They must not;

- 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.

- Pupils will have supervised access to Internet resources through the school's fixed and mobile internet technology.
- Staff will preview any recommended sites before use.
- Raw image searches are only carried out by pupils under supervision.
- If Internet research is set for homework, specific sites will be suggested that have previously been checked by the teacher. It is advised that parents recheck these sites and supervise this work. Parents will be advised to supervise any further research.
- All users must observe software copyright at all times. It is illegal to copy or distribute school software or illegal software from other sources.
- All users must observe copyright of materials from electronic resources.
- You tube will be accessed by teachers only within a classroom situation. It cannot be accessed by the equipment that the children use.
- Teachers must search for and identify the appropriate clip before the children are asked to watch.

## **Information system security**

- School ICT systems capacity and security will be reviewed regularly.
- Virus protection will be updated regularly.
- Security strategies will be discussed with 24/7 Technology Ltd

## **Managing filtering**

- The school will work with the 24/7, LA, DFE and the Internet Service Provider to ensure systems to protect pupils are reviewed and improved.
- If staff or pupils discover an unsuitable site, it must be reported to the e-Safety Coordinator.
- Senior staff will ensure that regular checks are made to ensure that the filtering methods selected are appropriate, effective and reasonable.

## **E-Mail**

The school does not provide children with e-mail accounts.

Staff may use their own e-mail accounts when sharing resources or preparation materials for lessons etc.

Any e-mails containing confidential information will be transferred only by the school's secured e-mail account.

## **INFRASTRUCTURE**

System Managed by 24/7 Technology remotely and onsite and have access for Blocking and Unblocking with Head Teachers Authorisation

24/7 Technology can block instantly via Remote Access

- The school is aware of its responsibility when monitoring staff communication under current legislation and takes into account; Data Protection Act 1998, The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000, Regulation of Investigatory Powers Act 2000, Human Rights Act 1998.
- Staff and pupils are aware that school based email and internet activity can be monitored and explored further if required.
- The school does not allow pupils access to internet logs.
- The school uses management control tools for controlling and monitoring workstations.
- If staff or pupils discover an unsuitable site, the screen must be switched off/ closed and the incident reported immediately to the e-safety co-ordinator.
- It is the responsibility of the school, by delegation to the network manager, to ensure that Anti-virus protection is installed and kept up-to-date on all school machines.
- Pupils and staff are not permitted to download programs or files on school based technologies without seeking prior permission from the Headteacher.

### **Managing other Web 2 technologies**

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

- At present, the school endeavours to deny access to social networking sites to pupils within school. It is also noted that the age of the children would suggest that they are too young to sign up to social networking sites but may have access to them. Therefore all the advice and teaching is given in context of being SMART on line.
- All pupils are advised to be cautious about the information given by others on sites, for example users not being who they say they are.
- Pupils are taught to avoid placing images of themselves (or details within images that could give background details) on such sites and to consider the appropriateness of any images they post due to the difficulty of removing an image once online.
- Pupils are always reminded to avoid giving out personal details on such sites which may identify them or where they are (full name, address, mobile/ home phone numbers, school details, IM/ email address, specific hobbies/ interests).
- Our pupils are advised to set and maintain profiles on such sites to maximum privacy and deny access to unknown individuals.
- Pupils are encouraged to be wary about publishing specific and detailed private thoughts online.
- Our pupils are asked to report any incidents of bullying to the school.
- Only systems approved by the Headteacher can be used.

### **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, iPads, gaming devices, mobile and Smart phones are familiar to children outside school too. They often provide a collaborative, well-known device with possible internet access and thus open up risk and misuse associated with communication and internet use. Emerging technologies will be examined for educational benefit and the risk assessed before use in school is allowed. Our school chooses to manage the use of these devices in the following ways so that users exploit them appropriately.

## **Personal Mobile devices (including phones)**

- The school allows staff to bring in personal mobile phones and devices for their own use. Under no circumstances does the school allow a member of staff to contact a pupil or parent/ carer using their personal device.
- Pupils are not allowed to bring personal mobile devices/phones to school unless with the prior approval of the school. Those who do must leave them in the main office of the school at the beginning of the day and collect them at end of the day.
- The school is not responsible for the loss, damage or theft of any personal mobile device.
- The sending of inappropriate text messages or emails between any member of the school community is not allowed.
- Permission must be sought before any image or sound recordings are made on these devices of any member of the school community.
- Users bringing personal devices into school must ensure there is no inappropriate or illegal content on the device.
- Staff should not contact pupils outside normal school hours.

## **School provided Mobile devices**

- The sending of inappropriate messages between any member of the school community is not allowed.
- Permission must be sought before any image or sound recordings are made on the devices of any member of the school community.
- Where the school provides mobile technologies such as phones, laptops and iPads for offsite visits and trips, only these devices should be used.
- Where the school provides a laptop for staff, only this device may be used to conduct school business outside school.

## **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, within school or international. We recognise that pupils need to understand how to style an email in relation to their age and good 'netiquette'.

- Any sensitive and confidential information will be shared via the school's secure email account.
- 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.
- 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.
- Staff sending emails to external organisations are advised to cc. the Headteacher, line manager or designated account.
- The forwarding of chain letters this includes jokes and funny statements is not permitted in school.
- 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 and not revealing any personal details about themselves or others in e-mail communication, or arrange to meet anyone without specific permission, virus checking attachments. .

- Staff must inform (the eSafety co-ordinator/ line manager) if they receive an offensive e-mail.

### **Safe Use of Images - Taking of Images and Film**

Digital images are easy to capture, reproduce and publish and, therefore, misused. 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 Headteacher, images can be taken provided they are transferred immediately and solely to the school's network and deleted from the staff device.
- Pupils are not permitted to use personal digital equipment, including mobile phones and cameras, to record images of the others, this includes when on field trips. However, with the express permission of the Headteacher, images can be taken provided they are transferred immediately and solely to the school's network and deleted from the pupils device.

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

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

Parents/ carers may withdraw permission, in writing, at any time. Consent has to be given by both parents (where possible) in order for it to be deemed valid.

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

Before posting student work on the Internet, a check needs to be made to ensure that permission has been given for work to be displayed.

### **Storage of Images**

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

## **Webcams and CCTV**

- We do not use publicly accessible webcams in school.
- Webcams in school will only ever used for specific learning purposes, i.e. monitoring hens' eggs and never using 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)
- Consent is sought from parents/carers and staff on joining the school, in the same way as for all images.

## **Video Conferencing**

- 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 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.
- The school will keep a record of video conferences, including date, time and participants.
- 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.

## **Misuse and Infringements**

### **Complaints**

Complaints relating to eSafety should be made to the eSafety co-ordinator or Headteacher. Incidents should be logged on the school's cause for concern sheets as with other concerns.

### **Inappropriate material**

- All users are aware of the procedures for reporting accidental access to inappropriate materials. The breach must be immediately reported to the eSafety co-ordinator.
- Deliberate access to inappropriate materials by any user will lead to the incident being logged by the eSafety co-ordinator, depending on the seriousness of the offence; investigation by the Headteacher/LA, immediate suspension, possibly leading to dismissal and involvement of police for very serious offences.
- Users are made aware of sanctions relating to the misuse or misconduct by formal interview and follow up letter from the Headteacher.

### **Use of social media to radicalise young people**

Social media has become an essential and exciting part of how we live. Millions of young people use these platforms daily to share content. But there are a small minority of users who exploit social media to radicalise and recruit vulnerable people.

The school should be aware and mindful of this potential threat and should speak to the school's Single Point of Contact (SPoC), Paula Casey, if they have any concerns. Concerns will be recorded and passed in line with the school's Child Protection and Safeguarding Policy.

All teaching members have been asked to access the online Channel Training module to make them aware of the potential risk indicators. WRAP Training has also been delivered to all staff

Members of the school are advised that they can **also contact the local police force or dial 101** (the non-emergency number). They can talk in confidence about concerns and help to provide support and advice.

## **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 schools' eSafety rules. However, staffs are aware that some pupils may require additional teaching including reminders, prompts and further explanation to reinforce their existing knowledge and understanding of eSafety issues.

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

### **Parental Involvement**

- Parents/carers and pupils are actively encouraged to contribute to adjustments or reviews of the school eSafety policy by discussion through information events and annual questionnaires.
- Parents/ carers are asked to read through and sign acceptable use agreements on behalf of their child on admission to school.
- Parents/ carers are required to make a decision as to whether they consent to images of their child being taken/used in the public domain (e.g., on school website).
- The school disseminates information to parents relating to eSafety where appropriate in the form of;
  - Information and celebration evenings
  - Posters
  - Website
  - Newsletter items

## **Writing and Reviewing this Policy**

### **Review Procedure**

There will be an on-going opportunity for staff to discuss with the eSafety coordinator any issue of eSafety that concerns them.

This policy will be reviewed annually and consideration 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.



**.....Brookvale Primary School.....**  
**Acceptable Use Agreement/ Code of Conduct: Staff, Governors and Visitors**

IT 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 IT. 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 eSafety coordinator.

- 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 or Governing Body.
- I will comply with the IT 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.
- I will only use the approved, secure email system(s) for any school business.
- I will ensure that personal data (such as data held on SIMS) is kept secure and is used appropriately, whether in school, taken off the school premises or accessed remotely. Personal data can only be taken out of school or accessed remotely when authorised by the Head.
- I will not install any hardware or software without permission of 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 inline with school policy and with written consent of the parent, carer or staff member. Images will not be distributed outside the school network without the permission of the parent/ carer, member of staff or Headteacher.
- I 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 the Headteacher.
- I will respect copyright and intellectual property rights.
- I will ensure that my online activity, both in school and outside school, will not bring my professional role into disrepute.
- I will support and promote the school's e-Safety policy and help pupils to be safe and responsible in their use of IT and related technologies.

**User Signature**

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

Signature ..... Date .....

Full Name .....(printed)

School.....

Job title .....

**Brookvale Primary School  
Pupil Acceptable Use  
Agreement / eSafety Rules**

**Brookvale Primary School's terms of use agreement when using the computing equipment.**

The following rules have been designed with the children of Brookvale Primary School. The children and staff have agreed to follow these rules so that everyone can use the computing equipment safely and respectfully. Everyone must sign up to the terms of use policy before using the computing equipment.

**When using the computing equipment:**

- Don't collect the IT equipment yourself always take a teacher and allow them to remove the iPad trolleys from the wall or the laptops from the charging station.
- Only use the computing equipment for learning purposes.
- Be gentle with the equipment (keyboards, lids, covers etc).
- Always keep the computer equipment on a flat surface.
- Only open/ delete your own files.
- Don't walk around with the equipment.
- Always follow the class rules when the computer equipment is around.
- Don't eat or drink when using the equipment.
- Put the equipment back gently- always make sure they go on charge.
- Don't snatch or fight over the equipment.
- Log onto your class network when using the computers.
- Save your work in your own file on the network.
- Only use the programmes that your teacher has instructed you to use.
- Always ask if you would like to use the internet or another software package.
- When using the iPads, only use the apps that your teacher has directed you to use.
- If taking photographs, always ask others for their permission first (only take photographs if your teacher has allowed it).
- Do not alter anything on the desktop or hard drive.
- When communicating with others, be polite and respectful.
- Do not deliberately search for anything that you have not been asked to search for when using the internet.
- Always tell a teacher if you see anything you don't like or that you think is inappropriate, unpleasant or nasty.
- Do not bring mobile phones or other computing devices into the school without permission from the headteacher.
- Know that my use of the computing equipment can be checked by the teachers and can be shared with my parents if they are worried that I have not followed the rules.
- Follow the SMART rules when using the internet.
- Encourage others to follow the rules.

**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)

## Acceptable Use Agreement:

Dear Parent/ Carer

IT including the internet, learning platforms, email and mobile technologies have become an important part of learning in our school. We expect all pupils to be safe and responsible when using any IT. It is essential that pupils are aware of eSafety and know how to stay safe when using any IT.

Pupils are expected to read and discuss this agreement with their parent or carer and then to sign and follow the terms of the agreement. We ask that you read the information enclosed regarding safer internet use with your child. Any concerns or explanation can be discussed with their class teacher, the headteacher or the school's eSafety coordinator.

Please return the bottom section of this form to school for filing.

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### **Pupil and Parent/ carer signature**

We have discussed this document and .....(pupil name) agrees to follow the eSafety rules and to support the safe and responsible use of IT at Brookvale Primary School. We give permission for ..... to use the internet in school.

Parent/Carer Signature .....

Pupil Signature.....

Form ..... Date .....

## **Current Legislation**

### **Acts relating to monitoring of email**

Users of this list should note that legislation is open to change and should always verify that the references and versions given or linked are up to date before relying on them.

#### **Data Protection Act 1998**

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

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

#### **The Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000**

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

#### **Regulation of Investigatory Powers Act 2000**

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

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

#### **Human Rights Act 1998**

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

### **Other Acts relating to eSafety**

#### **Racial and Religious Hatred Act 2006**

It is 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](http://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 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 their author's permission. Usually a licence associated with the work will allow a user to copy or use it for limited purposes. It is advisable always to read the terms of a licence before you copy or use someone else's material. It is also illegal to adapt or use software without a licence or in ways prohibited by the terms of the software licence.

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

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

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

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

### **Obscene Publications Act 1959 and 1964**

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

### **Protection from Harassment Act 1997**

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other.

A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

