

**COMMITTEE:** Petitions and Community Empowerment Review Committee

**MEETING DATE:** 9 October 2025

**BY:** Executive Director for Council Resources

**REPORT TITLE:** Petition PET0225 – Calling on East Lothian Council to ensure the Digital Learning and Teaching Strategy 2023 complies with UNCRC Act and provides clearer guidance stipulating only Council-owned devices can be used for teaching and learning, with smartphone use strictly prohibited

**REPORT STATUS:** Public

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## **1 PURPOSE OF REPORT**

1.1 To present petition PET0225 to the Petitions and Community Empowerment Review Committee for consideration. The petition is entitled, ‘Calling on East Lothian Council to ensure the Digital Learning and Teaching Strategy (DLTS) 2023 complies with UNCRC Act and provides clearer guidance stipulating only Council-owned devices can be used for teaching and learning, with smartphone use strictly prohibited’.

1.2 The petition text reads:

We the undersigned call on East Lothian Council to review the Digital Learning and Teaching Strategy 2023 to ensure that it:

- complies with the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, particularly Articles 17, 19, 28, and 2;
- prevents access to harmful online content during the school day on school premises by ensuring internet access is via school networks only;
- promotes equal access to education, by stipulating use of Council-owned devices only, specifically not smartphones;
- prepares young people for the world of work through use of appropriate personal mobile technology typically used in the workplace, such as laptops, not smartphones; and

- promotes digital wellbeing, safety and responsible citizenship for all young people.

At present, young people in East Lothian are permitted to bring personal mobile technology to school to access certain aspects of the curriculum, particularly as they progress further through school and into senior years. There is concern among parents, educators, and the wider community about the inequality, risks, and classroom distractions associated with the use of personal mobile technology, particularly smartphones, in schools. These risks include access to harmful online content, exposure to cyberbullying, impacts on eyesight and posture, and significant distraction from learning. A clearer DLTS is needed to highlight the inappropriate nature of smartphone use in classrooms to safeguard children, and support safe, equitable, and inclusive digital education.

## **2 RECOMMENDATIONS**

Members are recommended to:

- 2.1 Consider the petition and take action as required.

## **3 BACKGROUND**

- 3.1 A petition was submitted on 5 September 2025 by Jenny Gries, principal petitioner, and was deemed to be competent.
- 3.2 Further details of the petition are contained within the petition form at Appendix 1.

### **Signatories**

- 3.3 There are 25 signatories to this petition, all of whom had an East Lothian address.
- 3.5 The petition can be viewed by contacting the clerk to the Petitions and Community Empowerment Review Committee.

## **4 POLICY IMPLICATIONS**

- 4.1 There are no immediate policy implications arising from this report. Depending on the action required and agreed by the Committee, there may be policy implications relating to particular issues arising from competent petitions. These will be subject to a separate report to the relevant committee, as required.

## 5 RESOURCE AND OTHER IMPLICATIONS

- 5.1 Finance: dependent on the action agreed by the Committee.
- 5.2 Human Resources: dependent on the action agreed by the Committee.
- 5.3 Other (e.g. Legal/IT): dependent on the action agreed by the Committee.
- 5.4 Risk: dependent on the action agreed by the Committee.

## 6 INTEGRATED IMPACT ASSESSMENT

- 6.1 **Select the statement that is appropriate to your report by placing an 'X' in the relevant box.**

An Integrated Impact Assessment screening process has been undertaken and the subject of this report does not affect the wellbeing of the community or have a significant impact on: equality and human rights; tackling socio-economic disadvantages and poverty; climate change, the environment and sustainability; the Council's role as a corporate parent; or the storage/collection of personal data.

**or**

The subject of this report has been through the Integrated Impact Assessment process and impacts have been identified as follows:

Subject	Impacts identified (Yes, No or N/A)
Equality and human rights	
Socio-economic disadvantage/poverty	
Climate change, the environment and sustainability	
Corporate parenting and care-experienced young people	
Storage/collection of personal data	
Other	

*[Enter information on impacts that have been identified]*

The Integrated Impact Assessment relating to this report has been published and can be accessed via the Council's website:

[https://www.eastlothian.gov.uk/info/210602/equality\\_and\\_diversity/12014/integrated\\_impact\\_assessments](https://www.eastlothian.gov.uk/info/210602/equality_and_diversity/12014/integrated_impact_assessments)

## 7 APPENDICES

- 7.1 Appendix 1: Petition form
- 7.2 Appendix 2: Officer's response to petition and example correspondence with petitioner.

## 8 BACKGROUND PAPERS

- 8.1 None.

## 9 AUTHOR AND APPROVAL DETAILS

### Report Author(s)



<b>Name</b>	Becky Crichton
<b>Designation</b>	Committees Officer/Clerk to the Petitions and Community Empowerment Review Committee
<b>Tel/Email</b>	<a href="mailto:rcrichton@eastlothian.gov.uk">rcrichton@eastlothian.gov.uk</a>
<b>Date</b>	25 September 2025

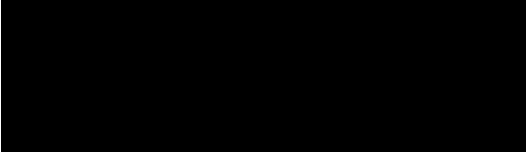
### Head of Service Approval

<b>Name</b>	Hayley Barnett
<b>Designation</b>	Head of Corporate Support
<b>Confirmation that IIA and other relevant checks (e.g. finance/legal) have been completed</b>	Yes
<b>Approval Date</b>	2 October 2025



### PETITION TO EAST LOTHIAN COUNCIL

<b>Name of Principal Petitioner (and organisation if applicable)</b>  <b>(Block Caps)</b>	<b>JENNY GRIES</b>
<b>Address of Principal Petitioner (inc Postcode)</b>  <b>(Block Caps)</b>	
<b>Contact telephone number of Principal Petitioner</b>	
<b>Title of Petition</b>	<b>Calling on East Lothian Council to ensure the Digital Learning and Teaching Strategy 2023 complies with UNCRC Act and provides clearer guidance stipulating only council owned devices can be used for teaching and learning, with smartphone use strictly prohibited.</b>
<b>Petition text. We the undersigned call on East Lothian Council to..</b>	<b>Review Digital Learning and Teaching Strategy 2023 to ensure that:</b>  <ul style="list-style-type: none"> <li>-it complies with the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, particularly Articles 17, 19, 28, and 2</li> <li>- prevents access to harmful online content during the school day on school premises by ensuring internet access is via school networks only</li> <li>- promotes equal access to education, by stipulating use of council-owned devices only, specifically not smartphones</li> <li>- prepares young people for the world of work through use of appropriate personal mobile technology typically used in the workplace, such as laptops, not smartphones</li> <li>- promotes digital wellbeing, safety and responsible citizenship for all young people</li> </ul>
<b>What action have you taken and who have you contacted before submitting this petition and what was the result of this?</b>	<b>Concerns have been discussed with East Lothian Education Committee but we have not been given a satisfactory response so far, only a note to say the DLTS 2023 will be reviewed soon. I have engaged with local High school and parent councils but these issues are often emotive and divisive therefore difficult to discuss in meetings, hence the need for a council wide policy.</b>

<p><b>Please provide more information about your petition</b></p>	<p><b>At present young people in East Lothian are permitted to bring personal mobile technology to school to access certain aspects of the curriculum, particularly as they progress further through school and into senior years. There is concern among parents, educators, and the wider community about the inequality, risks and classroom distractions associated with the use of personal mobile technology, particularly smartphones, in schools. These risks include access to harmful online content, exposure to cyberbullying, impacts on eyesight and posture, and significant distraction from learning. A clearer DLTS is needed to highlight the inappropriate nature of smartphone use in classrooms to safeguard children and support safe, equitable and inclusive digital education.</b></p>
<p><b>Signature of Principal Petitioner</b></p>	

**Your details will only be held by East Lothian Council and will not be used for any purposes other than in relation to this petition.**

For Office Use:	
Date Received:	5 September 2025
Receiving Officer:	B Crichton
Petition Reference:	PET0225

All Petitions should be forwarded to: Clerk to the Petitions Committee, Legal & Democratic Services, East Lothian Council, John Muir House, Haddington EH31 3HA or handed in at Main Reception, John Muir House, Haddington

### **East Lothian Education** **September 2025**

#### **East Lothian Education Response to the following Petition:**

Calling on East Lothian Council to ensure the Digital Learning and Teaching Strategy 2023 complies with UNCRC Act and provides clearer guidance stipulating only council owned devices can be used for teaching and learning, with smartphone use strictly prohibited.

#### **Background for Committee Members:**

In August 2024, Scottish Government issued guidance to local authorities on mobile phone use in schools. It can be found [here](#).

The intent behind the guidance is to equip the next generation with the necessary skills and resilience associated with the modern age. Mobile phone use impacts on learning and teaching.

The guidance recognises that it is important that Scotland's Head Teachers are empowered to act in the best interests of their pupils, 'to support our hard-working teachers to ensure a consistent learning environment is provided to all pupils in our classrooms.' This means that local agreements are intended to be made, rather than one message dictated from the central service.

Head Teachers are empowered through the guidance to take the steps they see fit to limit the use of mobile phones in their schools, up to and including a full ban during the school day, if that is what local consultation concludes is the way forward for that individual school.

The Cabinet Secretary in the guidance foreword states that she will support any Head Teacher who decides to institute a ban on mobile phones in their school. She feels it crucial that this decision is one which rests with Scotland's Head Teachers, who know their pupils and their staff and who are trusted to take the best decisions in the interests of their school communities.

To reflect this message and the guidance, The Head of Education sent the following message to Secondary parents and carers:

*Dear Parents and Carers*

*I wanted to provide you with an update on East Lothian Council secondary schools' approaches to mobile phone use, particularly in the light of recent Scottish Government guidance (August 2024) which can be found [here](#).*

*All schools are committed to supporting young people's health and wellbeing. An important aspect of this is encouraging time away from social media during learning time to enhance their collaboration with their peers and full engagement in learning experiences.*

*Reflecting on the Covid years, we recognise that young people relied on digital devices to form connections and it is good to be back to forming those connections in person. We value social interactions and that remains an important part of the learning experience.*

*To support all of the above, our secondary schools have developed and are continuing to develop their own mobile phone policies. We note the following points from the recent Scottish Government Guidance:*

- *It is not considered to be appropriate or feasible to introduce a ban nationally on mobile phones in schools.*
- *Policies relating to respectful and responsible use of mobile phones should be developed through engagement with the whole school community – pupils, staff, parents and carers.*
- *Subject to any exceptions, there should be the expectation that the policy would be followed by all pupils*

- Staff should be relied upon to apply a consistent approach to the implementation of the policy, including any aspects that apply to their own mobile phone use.
- The importance of school staff, parents and carers working together in partnership to ensure the policy is followed by all.

Therefore, we wish to continue to work with young people and their families positively on effective mobile phone use as we recognise it is a part of the world we live in.

Mobile phones are not a central feature of accessing the curriculum and chromebooks are available in schools to support digital learning. We recognise that some young people have medical, personal and learning needs that mean a mobile phone is a supportive aspect of their life at school. This means that a unilateral ban is impractical.

Approaches to mobile phone use in East Lothian Council secondary schools have the following features.

- Restricted access to mobile phones during learning time - silenced or switched off and out of sight in bags or trays.
- Clear signage in schools stating where phones can and cannot be used (learning on/mobile off and learning on/mobile on (if needed for research purposes or kahoots etc.)
- Careful consideration of the voice of young people in creating school policy and approaches.
- High levels of support for the school approach, from young people, families and Parent Councils.
- Regular revisiting of the mobile phone policy with key groups of stakeholders.

Young people have shared their views since the publication of the Scottish Government guidance document as follows:

- That a ban is impractical on a number of levels and phones are an integral part of the world.
- That more could be done within the curriculum to encourage health and wellbeing when using a mobile phone, in particular with S1 and S2.
- That it is social media, not a mobile phone device itself, that can cause harm and anxiety - they would welcome stricter controls from social media companies.
- That staff need to be consistent in their approaches to managing the policy.
- That being physically separated from their phone is important.
- That there is a role for parents and carers to teach their children and young people how to use a mobile phone appropriately.

We will continue to consider:

- That inappropriate mobile phone use can distract from learning and teaching.
- Family learning programmes that support parents and carers to monitor and limit their children and young person's safe and effective mobile phone use.
- Opportunities to use mobile phones appropriately during breaks and lunch times.
- The use of the curriculum as a vehicle to ensure self-care around screen time and social media use is prioritised.
- The role of parents/carers in managing their young person's account and access.

I hope this communication provides you with an update of our approaches to mobile phone use across East Lothian secondary schools. If you have any questions specific to your own child/ young person's school, please contact the Head Teacher in the first instance.

Yours sincerely

Nicola McDowell

Head of Education

Since this letter was issued, our Secondary Schools have continued to consult and develop their own approaches. At North Berwick High School, there was a comprehensive consultation, and the guidance created and summary of responses which was issued to parents and carers is attached.

The Education Digital Learning and Teaching Strategy was approved at Education Committee in 2023 and can be found [here](#). It is in the process of being updated, as has been communicated to the lead petitioner.

Via the petition, the Council has been asked to review the Digital Learning and Teaching Strategy 2023 to ensure that:

1. *it complies with the United Nations Convention on the Rights of the Child (Incorporation) (Scotland) Act 2024, particularly Articles 17, 19, 28, and 2*
2. *prevents access to harmful online content during the school day on school premises by ensuring internet access is via school networks only*
3. *promotes equal access to education, by stipulating use of council-owned devices only, specifically not smartphones*
4. *prepares young people for the world of work through use of appropriate personal mobile technology typically used in the workplace, such as laptops, not smartphones*
5. *promotes digital wellbeing, safety and responsible citizenship for all young people*

There has been extensive communication with the lead petitioner, including on the above points. Responses already provided relating to the above include:

For point 1 above, the Head of Education's letter of 3 July 2025 (attached) states:

*It is agreed that this element of the Digital Learning and Teaching Strategy will need to be reviewed following the URCRC Act coming into effect. In conjunction with the new Wi-Fi networks installed across all schools East Lothian Council has also upgraded their web filtering system which allows more granular controls and more transparency for schools through a robust process that highlights any concerns to staff.*

For point 2 above, the same letter states:

*Our web filtering system now works across all East Lothian Council owned devices both in school and at home. Any device, school or personal device that uses the school Wi-Fi network will be subject to stringent filtering rules. Learners who access the internet via a 4G connection will not be restricted by these rules.*

For points 3 and 4 above, the same letter states:

*The Digital Learning and Teaching Strategy was approved in 2023 when Scottish Government communicated the intent to fund 1:1 devices. As you know, local authorities have been made aware this will not now be funded and there are plans in place within East Lothian Council to address pupil to device ratios. We are continually reviewing the ratios in both primary and secondary schools with a number of pilots running to assess impact before larger scale rollouts. More detailed plans are currently going through due process and will be formally communicated in the very near future. It is agreed that the Digital Learning and Teaching Strategy does need to be reviewed, particularly as there are aspects of the action plan that have been completed with considerable progress made.*

For point 5 above, the updated Digital Learning and Teaching Strategy will be fully reflective of this.

All points above will of course continue to be considered in updated versions of the Digital Learning and Teaching Strategy in collaboration with stakeholders and taking into account relevant policy and guidance.

The lead petitioner states:

*Concerns have been discussed with East Lothian Education Committee but we have not been given a satisfactory response so far, **only a note to say the DLTS 2023 will be reviewed soon.** I have engaged with local High school and parent councils but these issues are often emotive and divisive therefore difficult to discuss in meetings, hence the need for a council wide policy.*

In fact, responses have been more comprehensive than this, as can be seen by the attached emails and letters between the Head of Education and the lead petitioner. Cllr Dugdale has also met with the lead petitioner as Convener of the Education and Children's Services Committee.

In the lead petitioner's response to the Head of Education on 14.07.25, she acknowledges:

*Thank you for confirming that you expect the DLTS update to be completed by October.*

*I am not looking for specifics on the content at this stage.*

The Head of Education's letter of 3 July 2025 states:

*It is agreed that the Digital Learning and Teaching Strategy does need to be reviewed, particularly as there are aspects of the action plan that have been completed with considerable progress made.*

The Head of Education's email to the lead petitioner on 14.08.25 confirms that:

*There will certainly be consideration of the risks around this use of personal mobile technology in schools and the mitigation of those risks, and that equal and appropriate use in schools will be a feature of the updates in the strategy.*

It seems contradictory to say that there has not been a satisfactory response.

#### **Petition Detail**

*At present young people in East Lothian are permitted to bring personal mobile technology to school to access certain aspects of the curriculum, particularly as they progress further through school and into senior years. There is concern among parents, educators, and the wider community about the inequality, risks and classroom distractions associated with the use of personal mobile technology, particularly smartphones, in schools. These risks include access to harmful online content, exposure to cyberbullying, impacts on eyesight and posture, and significant distraction from learning. A clearer DLTS is needed to highlight the inappropriate nature of smartphone use in classrooms to safeguard children and support safe, equitable and inclusive digital education.*

This is not factually correct. There are individual school guidance notes and expectations across our Secondary Schools as a result of their own local consultations. This is wholly appropriate and complies with the Scottish Government Guidance.

Any concerns amongst parents, carers and other stakeholders will be communicated via individual, local school consultations and considered in final advice.

Safeguarding is of the utmost importance in East Lothian Schools, whether that be with regards to digital learning and teaching or otherwise. All Education staff undertake annual safeguarding training both online and face to face. This is a contractual requirement, and all staff are therefore aware of correct policy and procedure.

#### **Conclusion**

It is recognised that the topic of mobile phone use in schools is an emotive one, with much subjective opinion. It is the responsibility of the Education Service to ensure that it has a robust Digital Learning and Teaching Strategy to inform safe and quality digital learning experiences for our children and young people, which will inform the local school improvement priorities of our schools.

It is recommended that East Lothian Education Service continues current good practice as outlined in Scottish Government Guidance with regards to local agreements about mobile phone use created in consultation with local stakeholders.

It is also recommended that East Lothian Education Service be allowed to do the updates to the Digital Learning and Teaching Strategy that it already has in its workplan. These updates will reflect relevant policy, legislation and guidance.

Nicola McDowell  
Head of Education  
26 September 2025

## Education Petition response Chronology of emails

Date	Content
31/03/2025	email from Ms Gries to N McDowell and Cllrs McFarlane, Allan, Findlay, McLennan and Dugdale and Ms Brown, sharing Moray Council Mobile Phone Guidance, querying whether ELC would provide further guidance on how school communities can develop policies relating to responsible use of mobile technology
08/04/2025	email from N McDowell responding to initial email with Moray Council Guidance.
20/04/2025	email from Ms Gries responding to email from N McDowell dated 08/07/2025
01/05/2025	email from N McDowell responding to Ms Gries email dated 20/04/2025
05/05/2025	email from Ms Gries to N McDowell's email dated 01/05/2025 proposing an addendum survey for NBHS
13/05/2025	email from N McDowell to Ms Gries, responding to the email dated 05/05/2025
13/05/2025	email from Ms Gries to N McDowell in response to email dated 13/05/2025 asking to meet with Education Committee.
05/06/2025	email from Ms Gries to Cllr Dugdale requesting a meeting
06/06/2025	email from Ms Gries to Committees querying attendance at Education and Children's Services Committee Meeting
09/06/2025	email from Committees to Ms Gries confirming attendance in person or via Publicl
16/06/2025	email from Ms Gries to Committees querying dates for next Petitions and Community Empowerment Review Committee meeting and indicating intention to submit a petition for review
16/06/2025	email from Committees to Ms Gries advising meeting date and providing further information and guidance as regards the submission of petition
17/06/2025	email from Ms Gries to Committees querying why there was not an earlier meeting and attaching a link to the petition and requesting an opportunity to discuss with a member of the team
17/06/2025	email from Ms Gries to Cllr Dugdale following up on email dated 05/06/2025
18/06/2025	email from Cllr Dugdale to Ms Gries to schedule meeting
19/06/2025	Email response to Ms Kirkland (Gries) to her email dated 17/06
19/06/2025	email from Ms Gries to F Dugdale accepting meeting
19/06/2025	email from Petitions Committee to Ms Gries noting cancellation of meetings due to lack of business. Also noting that they are unable to access the link she shared and requesting that the wording be sent through using the petition form. Link for download of form shared.
19/06/2025	email to Petitions Committee from Ms Gries with a copy of the petition, requesting feedback/advice and a query regarding signatories' information.
19/06/2025	email from Petitions Committee to Ms Gries noting that the form would be submitted to the Legal Adviser and Education colleagues for review. Information provided as regards signatory information query.
20/06/2025	follow up email from Ms Gries to Cllr Dugdale to confirm meeting venue
20/06/2025	email from Cllr Dugdale to Ms Gries confirming arrangements
20/06/2025	email from Ms Gries to Cllr Dugdale requesting inclusion of Marie-Clare Bradley to meeting
20/06/2025	email from Cllr Dugdale to Ms Gries confirming additional attendee

20/06/2025	email from Ms Gries to Petitions Committee with further queries regarding signatory information, number of signatures and minimum number of petitions required for Committee to meet.
23/06/2025	email from Petitions Committee to Ms Gries responding to queries raised in email dated 20/06/2025
23/06/2025	email from Ms Gries to Petitions Committee with thanks for help.
24/06/2025	email from Petitions Committee to Ms Gries indicating that Legal Adviser had indicated that the wording of the petition was competent but stating that the suggested approach would be contrary to Scottish Government guidance. Also noted that deadline for submission of petition is the 17th of September.
24/06/2025	email from Ms Gries to Petitions Committee asking for clarification on which aspects were contrary to Scottish Government guidance.
25/06/2025	email from Ms Gries to Cllr Dugdale thanking for meeting and indicating intention to submit summary of questions raised at meeting to clarify/agree next steps.
26/06/2025	email from Cllr Dugdale to Ms Gries indicating that she has noted the main areas where she was seeking clarity and has passed them on.
26/06/2025	email from Petitions Committee to Ms Gries noting meeting with Cllr Dugdale and stating that if input was still required to let them know.
27/06/2025	email from Ms Gries to Petitions Committee stating that Cllr Dugdale had not provided guidance on how the petition was contrary to Scottish Government Guidance and asking for clarification
30/06/2025	email from Ms Gries to Cllr Dugdale and N McDowell noting her concerns
03/07/2025	email from Petitions Committee to Ms Gries sharing response from N McDowell to email dated 27/06/2025
11/07/2025	email from Ms Gries to Petitions Committee, N McDowell and Cllr Dugdale with queries relating to DTLS 2023
11/07/2025	email from N McDowell to Ms Gries noting update to DTLS was expected to be completed by October and noting that further response to her queries would be issued once discussion and collaboration has taken place
14/07/2025	email from Ms Gries to N McDowell noting that as per her petition, she is requesting an acknowledgment that personal mobile technology is not safe, equal or appropriate for use in schools and would like a guarantee that this would be made clear in the strategy update.
14/08/2025	email from N McDowell to Ms Gries noting that there will be consideration of the risks around the use of personal mobile technology in schools and the mitigation of the risks.

