

Eastern High



Safeguarding on Social Media Policy

Sexting Policy for School

Introduction

Sharing photos and videos online is part of daily life for many people, enabling them to share their experiences, connect with friends and record their lives. Photos and videos can be shared as text messages, email, posted on social media or increasingly via mobile messaging apps, such as Snapchat, WhatsApp or Facebook Messenger.

Sexting is a relatively recent phenomenon. However, with the growth of mobile phone ownership among young people, there has been an increase in the number of young people sharing and receiving images. Statistics from the children's charity Beatbullying suggest the following:

- Over one third (38%) had received a sexually explicit text or email – 36% of males and 39% of females
- Over a quarter (25%) had received an offensive sexual image
- 85% knew the identity of the aggressor
- The majority were peers and only 2% indicated that it was an adult
- Just under a third (29%) have been chatting online when someone started to talk to them about sexual things
- 6% had received a message or image on the subject of sex which subsequently made them feel uncomfortable or upset
- Over half of teachers (54%) were aware of pupils creating and sharing sexually explicit messages and images via the internet or mobile

More recent qualitative research from the NSPCC suggests that sexting reinforces some of the negative social stereotypes about the relationships between boys and girls. Boys gain kudos from having sexually provocative images of girls on their phones whereas the same is not true for girls.

Young people often do not anticipate the implications and consequences of sharing things online as they would offline - there is a disconnect between the two. The consequences of sexting can be devastating for young people. In extreme cases it can result in suicide or a criminal record, isolation and vulnerability.

The social and psychological effects on young people can be significant and it is not uncommon for the victim to be expelled, move school or to suffer paranoia and become very isolated. It is essential that school staff handle these incidents as carefully as possible and offer support to all parties involved whilst abiding by the law. Because of the prevalence of sexting, young people are not always aware that their actions are illegal. In fact, sexting as a term is not something that is recognised by young people and the 'cultural norms' for adults can be somewhat different. However, in the context of the law it is an illegal activity and young people must be made aware of this.

Scope

This document describes Eastern High School's approach to sexting. This policy is intended as guidance for all staff including non-teaching staff and governors.

Sexting issues have the potential to be complex and multi-faceted. Where this is the case, the Child Protection Officer, (CPO) or Designated Safeguarding Person, (DSP) may need to seek help from an appropriate adviser, which may include Cardiff Local Authority, MASH, Cardiff LSCB (Local Safeguarding Children Board) the police, including Police School Liaison Officer, or the Child Exploitation and Online Protection Centre (CEOP).

Purpose: In keeping with the school's values, vision and aims, this policy aims to address the issue of sexting, covering the following aspects:

- How to deal with incidents of sexting and how to offer support in the short and long-term depending upon the individual needs of the pupil.
- How to support staff members who respond to incidents of sexting.
- Ensuring that there are clear guidelines for staff – who needs to be informed, when do parents and outside agencies need contacting.
- Education about sexting for pupils and staff.

Aims

This advice aims to support staff by clarifying procedures for responding to incidents involving sexting. It also signposts to sources of resources and support. These procedures are part of Eastern High school's safeguarding arrangements and all incidents of sexting should be dealt with as safeguarding concerns. The response to these incidents should be guided by the principle of proportionality and the primary concern at all times should be the welfare and protection of the young people involved.

- Build upon and strengthen the knowledge and skills of staff in understanding and responding appropriately to incidents of sexting.
- Develop and maintain the quality of support, advice and guidance offered to young people involved in incidents of sexting.
- Ensure consistency of response across all school staff
- To provide support to staff dealing with incidents of sexting.
- To provide support to students involved in incidents of sexting and their peers and parents/carers

Principles

Eastern High School Sexting policy June 2018. Date for review: June 2019.

The following principles underpin all the guidance that follows:

- Recognising the importance of empowering young people with support to make positive changes
- Placing the views of the young person at the centre of all our work with them
- Recognising that young people want to be heard and understood and treated as individuals
- Recognising that being clear about confidentiality and informed consent is very important to young people
- A non-judgemental, non-blaming, competent, calm and trustworthy approach from practitioners offering support is highly valued by young people

Definition of Sexting

There are a number of definitions of sexting but for the purposes of this advice sexting is simply defined as:

Images or videos generated

- by children under the age of 18, or
- of children under the age of 18 that are of a sexual nature or are indecent.

These images are shared between young people and/or adults via a mobile phone, handheld device or website with people they may not even know.

There are many different types of sexting and it is likely that no two cases will be the same. It is necessary to carefully consider each case on its own merit. However, it is important that all staff apply a consistent approach when dealing with an incident to help protect themselves, the school and the student. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response.

A recent report by the Child Exploitation and Online Protection Centre (CEOP), (Threat Assessment of Child Sexual Exploitation and Abuse – June 2012), highlighted the following platforms as a place where young people are likely to share these images:

- Live one-to-one video chat on web sites
- Video chat via instant messaging applications
- Files sent by email to another person
- Files uploaded to public video hosting web sites
- Files being sent as attachments during online chat sessions
- Files used as profile images or posted on social networking sites

The law

Making, possessing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of yourself if you are under 18. The relevant legislation is contained in the Protection of Children Act 1978 (England and Wales) as amended in the Sexual Offences Act 2003 (England and Wales). Under this legislation it is a crime to:

- take an indecent photograph or allow an indecent photograph to be taken;
 - make an indecent photograph (this includes downloading or opening an image that has been sent via email);
 - distribute or show such an image;
 - possess with the intention of distributing images;
 - advertise; and
 - possess such images.
- The Sexual Offences Act 2003 (England and Wales) defines a child, for the purposes of indecent images, as anyone under the age of 18.

'Indecent' is not defined in legislation. When cases are prosecuted, the question of whether any photograph of a child is indecent is for a jury, magistrate or District Judge to decide based on what is the recognised standard of propriety. For most purposes, if imagery contains a naked young person, a topless girl, and/ or displays genitals or sex acts, including masturbation, then it will be considered indecent. Indecent images may also include overtly sexual images of young people in their underwear.

It also presents a range of risks which need careful management. 'Youth produced sexual imagery' can also be used to describe the practice because:

- 'Youth produced' includes young people sharing images that they, or another young person, have created of themselves.
- 'Sexual' is clearer than 'indecent.' A judgement of whether something is 'decent' is both a value judgement and dependent on context.
- 'Imagery' covers both still photos and moving videos (and this is what is meant by reference to imagery throughout the document).

Criminalisation of children

The law criminalising indecent images of children was created long before mass adoption of the internet, mobiles and digital photography. It was also created to protect children and young people from adults seeking to sexually abuse them or gain pleasure from their sexual abuse. It was not intended to criminalise children. Despite this, young people who share sexual imagery of themselves, or peers, are breaking the law. However, children with a criminal record face stigma and discrimination in accessing education, training, employment, travel and housing and these obstacles can follow a child into adulthood. Whilst young people creating and sharing sexual imagery can be very risky, it is often the result of young people's natural curiosity about sex and their exploration of relationships.

Often, young people need education, support or safeguarding, not criminalisation. While any decision to charge individuals for such offences is a matter for the Crown Prosecution Service, it is unlikely to be considered in the public interest to prosecute children. However, children need to be aware that they may be breaking the law. Although unlikely to be prosecuted, children and young people who send or possess images may be visited by police and on some occasions media equipment could be removed. This is more likely if they have distributed images

The police response

The National Police Chiefs Council (NPCC) has made clear that incidents involving youth produced sexual imagery should primarily be treated as safeguarding issues. Schools may respond to incidents without involving the police. The police may, however, need to be involved in cases to ensure thorough investigation including collection of all evidence (for example, through multi-agency checks), and there are incidents which should always be referred to the police. Even when the police are involved, however, a criminal justice response and formal sanction against a young person would only be considered proportionate in certain circumstances.

However, there are cases in which children and young people have been convicted and sent to prison. Whilst the CPO and DSP will want to consider the implications of passing an incident over to the police, it is not the responsibility of school staff to make decisions about the seriousness of the matter. Clearly, if it is a case that involves an adult, the process and potential outcome will be very different. Essentially, though, sexting is classed as illegal as it constitutes sharing and/or possessing an indecent image of a child.

Disclosures

Disclosures about sexting incidents can happen in a variety of ways. The young person affected may inform a class teacher, the Child Protection Officer, one of the House Support Officers, House Managers, or any member of the school or college staff. A friend or parent may inform someone in school or college, or inform the police directly. Often staff may become aware through over hearing conversations between pupils or witnessing pupils sharing images on their phones. Any direct disclosure by a young person should be taken very seriously. A young person who discloses they are the subject of sexual imagery is likely to be embarrassed and worried about the consequences. It is likely that disclosure in school is a last resort and they may have already tried to resolve the issue themselves.

Initial response

All incidents involving youth produced sexual imagery should be responded to in line with the school's safeguarding and child protection policy. When an incident involving youth produced sexual imagery comes to a school or college's attention:

- The incident should be referred to the Child Protection Officer, Liz Raynor, or in her absence, Deputy CPO Jacqui Walsh or Deputy Head Susan Cowan, as soon as possible.
- There should be subsequent interviews with the young people involved (if appropriate).
- Parents should be informed at an early stage and involved in the process unless there is good reason to believe that involving parents would put the young person at risk of harm.
- At any point in the process if there is a concern a young person has been harmed or is at risk of harm a referral should be made to children's social care and/or the police immediately.

Students need to be made aware that **staff cannot promise confidentiality, even if a child or young person asks them not to share the information.**

Any member of staff who is aware of an incident of sexting should consult the Child Protection Officer or House Manager.

Confidentiality

Establishing trust is central to helping a young person. This must include being clear about confidentiality from the start.

It is almost impossible to be certain that what the child or young person tells you is a true picture of what images, if any, have been shared, and to whom, and staff cannot take on the responsibility of determining whether the child or young person is at risk of serious harm.

The safety of the individual has primacy over the right to confidentiality. In order to safeguard the safety and wellbeing of students and staff, staff must ALWAYS share information about an incident of sexting with the Child Protection Officer, or Deputy Child Protection Officer. Information MUST also be shared with parents and carers unless doing so would put the child at risk of significant harm.

- Be clear from the start about your duties and responsibilities, and also about the limits of confidentiality, who you might have to tell and how you would go about this if it were to happen.
- Information should only be shared on a strict need-to-know basis.
- Involve the child or young person at every stage. Even where confidentiality must be broken, it is important to continue to work as collaboratively as possible.
- Explain who you will share information with and why, discussing with the young person how this might happen e.g. you might want to give the young person an opportunity to do so first or arrange to do it together.

Action taken by the Child Protection Officer / House Manager following a referral of sexting

Following a discussion with the member of staff, the CPO or House Manager will decide on the appropriate course of action. This **will always include contacting parents or carers unless doing so would put the child or young person at risk of harm.**

The appropriate course of actions could include:

- Contacting 101 to report the concerns to police.
- Speaking to other students who have seen or shared the images.
- Confiscating phones of students who are involved in the incident.
- Contacting MASH and reporting the concerns.

The Child Protection Officer or House Manager, in consultation with one another or a member of SLT, will aim to establish:

- Whether there is an immediate risk to a young person or young people
- If a referral should be made to the police and/or children's social care
- If it is necessary to view the imagery in order to safeguard the young person – in most cases, imagery should not be viewed
- What further information is required to decide on the best response
- Whether the imagery has been shared widely and via what services and/or platforms. This may be unknown.
- Whether immediate action should be taken to delete or remove images from devices or online
- Any relevant facts about the young people involved which would influence risk assessment
- If there is a need to contact another school, college, setting or individual
- Whether to contact parents or carers of the pupils involved - in most cases parents should be involved

If the image has been shared across a personal mobile device:

The CPO, House Manager or a member of SLT can make the decision to confiscate and secure the device(s).

Staff should **never**:

- View the image unless there is a clear reason to do so
- Send, share or save the image anywhere
- Allow students to do any of the above

If the image has been shared across a school network, a website or a social network:

The CPO or House Manager should speak to the Business Manager, Communications Manager and IT Services in order to seek their assistance to block the network to all users and isolate the image.

Staff should **never**:

- Send or print the image
- Move the material from one place to another
- View the image outside of the protocols in the school safeguarding and child protection policies and procedures.

An immediate referral to police and/or children's social care should be made if at this initial stage:

1. The incident involves an adult
2. Staff have reason to believe that a young person has been coerced, blackmailed or groomed, or if there are concerns about their capacity to consent (for example owing to special educational needs)
3. What staff know about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent
4. The imagery involves sexual acts and any pupil in the imagery is under 13
5. Staff have reason to believe a pupil or pupil is at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming

If none of the above apply, then the CPO or House Manager may decide to respond to the incident without involving the police or children's social care; (school can choose to escalate the incident at any time if further information/concerns come to light).

The decision to respond to the incident without involving the police or children's social care can be made in cases when the CPO, House Manager and a member of SLT are confident that they have enough information to assess the risks to pupils involved and the risks can be managed within the school's pastoral support and disciplinary framework and if appropriate local network of support.

The decision should be made by the Child Protection Officer with input from the House Manager and input from senior leaders if appropriate. The decision should be recorded on myconcern on the incident log. The decision should be in line with the school's child protection procedures and should be based on consideration of the best interests of the young people involved. This should take into account proportionality as well as the welfare and protection of the young people. The decision should be reviewed throughout the process of responding to the incident.

Assessing the risks

It is important to recognise that sexting does not refer to one single activity: it can have multiple facets and activities; something that transpires online can quickly spiral out of control as it becomes freely available in the public domain. It can then be transferred, forwarded, downloaded, uploaded and shared. The initial risk posed by sexting primarily comes from peers, friends and others in their social network rather than from strangers or adults. Once images are in the public domain, young people may then be subjected to additional risks

David Finkelhor, the American sociologist, divided incidents of sexting into two categories: Aggravated and Experimental.

Aggravated incidents of sexting involved criminal or abusive elements beyond the creation of an image. These included further elements, adult involvement or criminal or abusive behaviour by minors such as sexual abuse, extortion, threats, malicious conduct arising from personal conflicts, or creation or sending or showing of images without the knowledge or against the will of a minor who was pictured.

Experimental incidents of sexting involved youths taking pictures of themselves to share with established boy or girlfriends, to create romantic interest in other youth, or for reasons such as attention seeking. There was no criminal element (and certainly no criminal intent) beyond the creation and sending of the images and no apparent malice or lack of willing participation.

Reprinted from Wolak and Finkelhor 'Sexting: a Typology' March 2011

When assessing the risks, the following should be considered:

- **the age and the developmental appropriateness of their actions:** is the activity appropriate for their age group or is it extreme behaviour? Teenagers will experiment – but what about a younger child? Are you concerned that the behaviour is outside the norms?
- **their background or context:** have they suffered abuse? Are they a looked after child or a vulnerable child? Have they been involved in the criminal justice system? Could their actions have been influenced by the behaviour of influential adults? Does the young person understand consent? Has the young person taken part in this kind of activity before?
- **whether the child was willing or coerced:** were they subjected to sexual coercion or bullying, or was the incident willingly entered into? Were adults involved?
- **the nature of image that was shared:** how provocative or explicit was it? Does it break the law, i.e. is it a child sex abuse image?
- **the level of dissemination:** how widely was the image shared and with whom? How was it passed around?

- **participant intent/motive:** was it simply a ‘romantic’ gesture? Or was there intent to harm another? What other motive might there be? Was there sexual attention seeking?
- **the wellbeing of those involved:** depending on the answers to some of the questions above, you should risk-assess the situation in order to work out whether you need to escalate the issue to protect those involved.
- **whether protection, education or counselling is required** related to the level of risk. Does what may be a silly juvenile incident warrant a criminal record?
- **urgency and timing:** again relevant to the level of risk - for example, an incident taking place last thing on a Friday may escalate over the weekend
- **involvement of other schools:** do you need to contact the senior management team at another school if the sexting involves, or has disseminated to, pupils there?
- **Are there any adults involved in the sharing of imagery?**

The CPO should always use their professional judgement in conjunction with their colleagues to assess incidents. The purpose of these additional considerations is to identify the kind of support that may be required, such as:

- whether the young person needs protecting and if so, in what way;
- whether they, their parents and/or other children in school need educating about the risks and issues;
- whether the young person needs counselling support services or child protection input

If a young person has shared imagery consensually, such as when in a romantic relationship, or as a joke, and there is no intended malice, it is usually appropriate for the school to manage the incident directly. Young people’s motivations for sharing sexual imagery include flirting, developing trust in a romantic relationship, seeking attention or as a joke. Though there are clearly risks when young people share imagery consensually, young people who have been pressured to share imagery are more likely to report negative consequences.

In contrast any incidents with aggravating factors, for example, a young person sharing someone else’s imagery without consent and with malicious intent, should generally be referred to police and/or children’s social care. If there are any doubts about whether to involve other agencies, school will make a referral to the police.

A referral should be made to the police if a young person has been pressured or coerced into sharing an image, or imagery is being shared without consent and with malicious intent.

School will take disciplinary action against pupils who pressure or coerce others into sharing sexual imagery. If this is part of pattern of behaviour then school will consider making a referral to Children’s Services as they can refer into the NSPCC service, Turn the Page. Turn the Page is open to boys and girls aged 5 to 17 years old with evidence of harmful sexual

behaviour and safeguarding issues. Any outstanding criminal proceedings must have been addressed and referrals can only be made through Children's Services.

Staff can contact Turn the Page for advice on 02920 108080. Staff can also refer to the All Wales Protocol for The Management of Young People engaged in Sexually Harmful Behaviour for further advice.

Additional sources of information include the NSPCC Harmful Sexual Behaviour Framework <https://www.nspcc.org.uk/globalassets/documents/publications/harmful-sexual-behaviour-framework.pdf>

and Brook Sexual Behaviours Traffic Light Tool

<https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>

Where there are wider concerns about the care and welfare of a young person then consideration should be given to referring to MASH.

Has the imagery been shared on social media or anywhere else online?

- If so, what steps have been taken to contain the spread of the imagery?
- Has the imagery been shared beyond its intended recipient?
- Was it shared without the consent of the young person who produced the imagery?

If the image has been shared widely on social media, this could cause significant embarrassment for the pupil and have a long term impact on their online reputation. It could also increase the risk of them being bullied or contacted by strangers online.

School will support a young person to report the imagery to any sites it is hosted on. If the young person has tried to report the imagery and it has not been removed the young person can contact ChildLine who work in partnership with the Internet Watch Foundation (IWF) to have youth produced imagery removed from the internet.

Staff can also contact the Professionals Online Safety Helpline for advice and support.

If the young person is being contacted by people they don't know who have viewed the image then school will report to NCA-CEOP.

The imagery may have been shared initially with consent but then passed on to others. A pupil may have shared the image further with malicious intent, or they may not have had a full understanding of the potential consequences. Consideration should also be given to a young person's level of maturity and the impact of any special educational needs on their understanding of the situation. The police will be informed if there was a deliberate intent to cause harm by sharing the imagery or if the imagery has been used to bully or blackmail a pupil.

If a pupil is sharing sexual imagery with multiple people, this may indicate that there are other issues which they need support with. Consideration should be given to their

motivations for sharing. If staff believe there are wider safeguarding concerns, then the CPO will make a referral to MASH.

Age considerations

When considering appropriate action regarding youth produced sexual imagery, the CPO or House Manager in consultation with the Deputy Head will need to take the age of the children and young people involved and the context into account, as this will influence decision making and may determine the most appropriate action required.

The understanding of children and young people around the potential implications of taking and/or sharing youth produced sexual imagery is likely to be influenced by the age and ability of the children involved.

Younger children

Children under 13 are given extra protection from sexual abuse under the Sexual Offences Act 2003. This law makes it clear that sexual activity with a child under 13 is never acceptable, and that children of this age can never legally give consent to engage in sexual activity. This applies to children who have not yet reached their 13th birthday i.e. children who are aged 12 and under. Any situations involving children under 13 and youth produced sexual imagery must be taken seriously as potentially being indicative of a wider safeguarding or child protection concern or as being problematic sexual behaviour. Any imagery containing sexual activity by under 13s should be referred to the police.

In some cases, children under 13 (and indeed older) may create youth produced sexual imagery as a result of age appropriate curiosity or risk-taking behaviour or simply due to naivety rather than any sexual intent. Some common examples could include sending pictures of their genitals to their friends as a dare or taking a photo of another child whilst getting changed for PE. Within this context it is unlikely that police or MASH involvement is required or proportionate but the CPO will need to use their professional judgement to consider the specific context and the children involved.

Being older can give someone power in a relationship so if there is a significant age difference it may indicate the young person felt under pressure to take the image/video or share it. Consideration should also be given to a young person's level of maturity and the impact of any special educational needs on their understanding of the situation. If there is reason for staff to believe the imagery contains acts which you would not expect a young person of that age to engage in, then the CPO will refer to the police.

The Brook Traffic Light tool provides guidance on harmful sexual behaviour at different ages. <https://www.brook.org.uk/our-work/category/sexual-behaviours-traffic-light-tool>

Does the young person understand the possible implications of sharing the image?

Young people may produce or share imagery without fully understanding the consequences of what they are doing. They may not, for example, understand how it may put them at risk or cause harm to another young person. They may also not understand consent. Staff can use questions to explore the pupil's understanding in order to plan an appropriate response, helping to assess, for example, whether they passed on an image with deliberate intent to harm.

Informing parents (or carers)

Parents should be informed of incidents of this nature unless there is good reason to believe that informing them will put the young person at risk. This may be due to concerns about parental abuse or cultural or religious factors which would affect how they or their community would respond. If a young person highlights concerns about involvement of their parents, then the CPO should use their professional judgement about whether it is appropriate to involve them and at what stage. Any decision not to inform the parents should generally be made in conjunction with other services such as MASH and/or the police, who would take the lead in deciding when the parents should be informed. If a school chooses not to involve a parent, the CPO or House Manager must clearly record the reasons for not doing so on myconcern.

Where possible young people should be supported to speak with their parents themselves about the concerns. The CPO, House Manager or House Support Officer (when appropriate) will work with the young people involved to decide on the best approach for informing parents.

Reporting incidents to the police

If it is necessary to refer to the police, contact will be made by dialling 101. Once a report is made to the police, the report has to be recorded and the police will conduct an investigation. This may include seizure of devices and interviews with the young people involved.

As a general rule it will almost always be proportionate to refer any incident involving "aggravated" sharing of images to the police, whereas purely "experimental" conduct may proportionately be dealt with without such referral, most particularly if it involves the child sharing images of themselves.

Any conduct involving, or possibly involving, the knowledge or participation of adults should always be referred to the police.

If an "experimental" incident is not referred to the police, the reasons for this should be recorded in writing.

Things to be aware of when making reports to the police:

- The police are not able to offer general advice on incidents. If the children involved are named or specifics are provided they are duty-bound to record and investigate all criminal activity reported.
- When making a report through the 101 service, be aware that the person answering the call is a call handler who deals with a wide variety of crimes and may not have specialist knowledge in this area. Ensure any crime reference numbers provided are recorded.
- The Police School Liaison Officer (PC Gareth Brien) is able to offer direct support to schools on prevention and advice on management of incidents.

Securing and handing over devices to the police

If any devices need to be seized and passed onto the police, then the device(s) should be confiscated and the police should be called. The device should be turned off and placed under lock and key until the police are able to come and retrieve it.

Children's social care contact and referrals

If the CPO is aware that Children's Services are currently involved with a young person involved in an incident of youth produced sexual imagery, then they should contact the child's social worker to report the incident. They should also contact MASH if they believe Children's Services have been involved with a young person in the past.

If as a result of the investigation the CPO believes there are wider issues which meet the threshold for children's social care involvement, then they should make a referral to MASH in line with their child protection procedures.

Searching devices, viewing and deleting imagery

In a school-based context, it is highly likely that the image will have been created and potentially shared through mobile devices. It may be that the image is not on one single device: it may be on a website or on a multitude of devices; it may be on either a school-owned or personal device. It is important to establish the location of the image but be aware that this may be distressing for the young person involved, so be conscious of the support they may need.

The revised Education Act 2011 brought to bear significant new powers and freedoms for teachers and schools. Essentially, the Act gives schools and/or teachers the power to seize and search an electronic device if they think there is good reason for doing so. For more information about the Act go to: www.legislation.gov.uk/ukpga/2011/21/section/2/enacted

www.education.gov.uk/aboutdfe/advice/f0076897/screening,-searching-and-confiscation/screeningsearching-and-confiscation

A device can be examined, confiscated and securely stored if there is reason to believe it contains indecent images or extreme pornography.

Viewing the imagery

Staff, or any adults should not view youth produced sexual imagery unless there is good and clear reason to do so. Parents and carers should always be advised not to view youth produced sexual imagery but instead to report an incident of concern to the police through 101.

Wherever possible responses to incidents should be based on what staff have been told about the content of the imagery.

The decision to view imagery should be based on the professional judgement of the CPO, in consultation with the House Manager or Deputy Head. Imagery should never be viewed if the act of viewing will cause significant distress or harm to the pupil.

If a decision is made to view imagery the CPO would need to be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved)
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report
- is unavoidable because a pupil has presented an image directly to a staff member or the imagery has been found on a school device or network

If youth produced sexual imagery has been unavoidably viewed by a member of staff either following a disclosure from a young person or as a result of a member of staff undertaking their daily role (such as IT staff monitoring school systems) then the CPO or Deputy Head should ensure that the staff member is provided with appropriate support. Viewing youth produced sexual imagery can be distressing for both young people and adults and appropriate emotional support may be required.

When searching a mobile device, the following conditions should apply:

- The action is in accordance with the school's child protection and safeguarding policies.
- Ensure viewing is undertaken by the CPO, DSP or one of the CAMs with delegated authority from the CPO or DSP.
- Ensure viewing takes place with another member of staff present in the room, ideally the CPO, deputy CPO, House manager or a member of the senior leadership team. This staff member does not need to view the images.

- Wherever possible ensure viewing takes place on school or college premises, ideally in the office of the CPO or Deputy Head.
- Ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery.
- Record the viewing of the imagery on myconcern, as files notes for the incident, including who was present, why the image was viewed and any subsequent actions.

Further details on searching, deleting and confiscating devices can be found in the DfE Searching, Screening and Confiscation advice.

If it is necessary to view the imagery, then the CPO or relevant member of staff should **never**:

- Search a mobile device even in response to an allegation or disclosure if this is likely to cause additional stress to the student/young person UNLESS there is clear evidence to suggest that there is an immediate problem
- Print out any material for evidence
- Move any material from one storage device to another

Always put the child first. Do not search the device if this will cause additional stress to the student/ person whose image has been distributed.

Deletion of images

If the school has decided that other agencies do not need to be involved, then consideration should be given to deleting imagery from devices and online services to limit any further sharing of the imagery. The Searching, Screening and Confiscation advice highlights that schools have the power to search pupils for devices, search data on devices and delete youth produced sexual imagery.

The Education Act 2011 amended the power in the Education Act 1996 to provide that when an electronic device, such as a mobile phone, has been seized, a teacher who has been formally authorised by the DSP can examine data or files, and delete these, where there is good reason to do so. This power applies to all schools and there is no need to have parental consent to search through a young person's mobile phone. If during a search a teacher finds material which concerns them and they reasonably suspect the material has been or could be used to cause harm or commit an offence, they can decide whether they should delete the material or retain it as evidence of a criminal offence or a breach of school discipline. They can also decide whether the material is of such seriousness that the police need to be involved.

However, just as in most circumstances it is not recommended that school staff view imagery, it is recommended that schools should not search through devices and delete imagery unless there is good and clear reason to do so.

It is recommended that in most cases young people are asked to delete imagery and to confirm that they have deleted the imagery.

Young people should be reminded that possession of youth produced sexual imagery is illegal. They should be informed that if they refuse or it is later discovered they did not delete the image they are committing a criminal offence and the police may become involved.

All of these actions need to be recorded on myconcern, including times, dates and reasons for decisions. Parents and carers should also be informed unless this presents a further risk to the young person.

The CPO will discuss the incident with the deputy head, who will decide on a course of action in keeping with the school behaviour policy.

Interviewing and talking to the young person/people involved

Once school has assessed a young person as not at immediate risk, it may be necessary to have a conversation with them and decide the best course of action. If possible, the CPO or House Manager should carry out this conversation. However, this could also be one of the House Support Officers, with guidance from the CPO or House Manager.

When discussing the sharing of youth produced sexual imagery, it is important that the member of staff responding to the incident:

- Recognises the pressures that young people can be under to take part in sharing such imagery and, if relevant, supports the young person's parents to understand the wider issues and motivations around this.
- Remains solution-focused and avoids questions such as 'why have you done this?' as this may prevent the young person from talking about what has happened.
- Reassures the young person that they are not alone and that school staff will do everything that they can to help and support them.
- Helps the young person to understand what has happened by discussing the wider pressures that they may face and the motivations of the person that sent on the imagery.
- Discusses issues of consent and trust within healthy relationships. Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they don't want to do, or to show them things that they are unhappy about. Let them know that they can speak to school staff if this ever happens.

The purpose of the conversation is to:

- Identify, without looking, what the image contains and whether anyone else has been involved.
- Find out who has seen or shared the image and how further distribution can be prevented.

Recording incidents

All incidents relating to youth produced sexual imagery need to be recorded on myconcern. This includes incidents that have been referred to external agencies and those that have not.

Incidents of sexting should always be recorded on myconcern with any pupils who are involved linked in to the same concern. This log should be completed the same day if possible and definitely within 24 hours of the member of staff becoming aware of the incident. It is important for staff to write a detailed account using the pupils' own words where possible.

Where school does not refer an incident to police or MASH, the reasons for this should be recorded by the CPO or DSP when the incident log is closed.

Reporting youth produced sexual imagery online

Young people may need help and support with the removal of content (imagery and videos) from devices and social media, especially if they are distressed. Most online service providers offer a reporting function for account holders and some offer a public reporting function to enable a third party to make a report on behalf of the young person.

Teaching young people about youth produced sexual imagery through PSHE

Teaching about safeguarding issues in the classroom can prevent harm by providing young people with skills, attributes and knowledge to help them navigate risks. Addressing sensitive issues promotes a whole school approach to safeguarding, giving young people the space to explore key issues and the confidence to seek the support of adults should they encounter problems.

Keeping Children Safe in Education statutory guidance states that schools 'should ensure children are taught about safeguarding, including online, through teaching and learning opportunities'.

In line with this, schools should provide young people with opportunities to learn about the issue of youth produced sexual imagery.

How should we teach young people about youth produced sexual imagery?

Learning about youth produced sexual imagery cannot be taught in isolation. Learning should be located within a developmental PSHE education programme, as well as in the school's computing programme where it should reflect the requirements of the National Curriculum programme of study for computing.

Given the potential sensitivity of these lessons it is essential that this issue is taught within an emotionally safe classroom climate where clear ground rules have been negotiated and established and where boundaries around teacher confidentiality have been clarified. If during any lesson teachers suspect any child or young person is vulnerable or at risk the school's safeguarding protocols should always be followed.

Schools should consider:

What specific learning is provided in the curriculum about youth produced sexual imagery? This focuses on factual information and will include:

- what it is
- how it is most likely to be encountered
- the consequences of requesting, forwarding or providing such images, including when it is and is not abusive
- issues of legality
- the risk of damage to peoples' feelings and reputation

What specific learning is provided to ensure children and young people have the strategies and skills required to manage:

- specific requests or pressure to provide (or forward) such images
- the receipt of such images

This will include who to tell; what to say; what to do; what not to do and where to get support from within and outside of the school.

It is important to recognise how difficult it may be for children and young people to challenge or deny their peers' requests for images, especially those to whom they are attracted or whose approval they seek. It may also be extremely difficult for them to ask adults for help. Young people may have made a decision they now regret and may find it difficult or embarrassing to ask for help. It is essential that lessons help children and young people develop the confidence they may need to put their skills and strategies into action.

It is therefore important that children and young people understand the school's policy towards youth produced sexual imagery. The content of this policy and the protocols the school will follow in the event of an incident can be explored as part of this learning. This reinforces the inappropriate nature of abusive behaviours and can reassure children and young people that their school will support them if they experience difficulties or have concerns.

What underpinning protective learning is being provided by the school's planned PSHE education programme and wider curriculum?

This will include work on:

- communication
- understanding healthy relationships including trust
- understanding and respecting the concept of genuine consent
- understanding our rights (especially our collective right to be safe and to feel safe)
- recognising abusive and coercive language and behaviours
- accepting our responsibilities (especially our responsibility to respect others trust and protect their right to be physically, emotionally and reputationally safe)

Without this underpinning learning, specific learning about youth produced sexual imagery may have limited impact.

Working with parents and carers

Parents and carers need to be informed and supported to respond appropriately to incidents involving youth produced sexual imagery and it is vital that they are helped to play their part in helping to inform children about the risks.

Information for parents about youth produced sexual imagery should sit within a wider parental engagement strategy for online safety. Parental information about youth produced sexual imagery should be clear, easy to understand and reflect the needs of parents and carers. It should help them to talk to their children about youth produced sexual imagery and respond appropriately should their child be involved in an incident.

Resources for parents and carers could include:

- An overview of what 'sexting' is, highlighting in particular that it includes the sending of images and videos
- The pressures, motivations and expectations faced by young people to behave sexually
- Information about consent and trust within healthy relationships
- Tips on how to have conversations with children about sexting
- Information on how much this takes place – showing that numbers are low but highlighting the vulnerabilities of those who share, particularly to those unknown to them
- Explanation of what the risks associated with youth produced sexual imagery are, especially recognising young people's fears/concerns
- Legalities of sexting and naked pictures or videos
- Tips on how parents and carers can support their children if their imagery has been publicly shared – signposting to relevant agencies and information/resources

Eastern High School Sexting policy June 2018. Date for review: June 2019.

- What parents and carers can do to help remove images/empower young people
- Role of police and schools in incidents – signposting to named roles in each organisation to empower parents to know they are asking the ‘right’ person

Helping parents and carers when their child has been involved in sexting

Young people can be involved in sexting in several different ways: they may lose control of their own image; receive an image of someone else; or share an image of another person. It can be difficult for those whose children have experienced any of these situations to know how to deal with the knowledge that their child has been involved in sexualised activity.

Parents and carers may feel shocked, upset, angry, confused, or disappointed. Whatever their feelings, it is important that staff listen to their concerns and take them seriously. It can also be helpful for teachers and the police to reassure parents and carers by explaining that it is normal for young people to be curious about sex.

Parents or carers whose child has lost control of a sexual image should be:

- Advised on the law around youth produced sexual imagery.
- Directed to encourage the young person to delete images from social media accounts, if they have uploaded them themselves.
- Directed to ChildLine’s partnership with the Internet Watch Foundation to see if it is possible to get the image removed if it has been shared more widely. This must be done as soon as possible in order to minimise the number of people that have seen the picture.

Parents should also be

Informed about how to report sexual images on individual sites to get them taken down. If the image has been shared via a mobile, they should be informed that they can contact the mobile phone operator in order to get their child’s mobile number changed.

Helped to have conversations with their child which they may find difficult. Parents and carers may need help to shape these conversations. For example, you could suggest that they:

- Reassure the young person that they are not alone and refrain from getting angry, letting them know that they will do everything they can to help.
- Listen and offer support.
- Avoid questions, such as ‘why have you done this?’ which may stop the young person from opening up. Instead they should stay focused on finding a solution, by asking who the image has been sent to and shared with, and agreeing next steps.
- Help their child to understand what has happened by discussing the wider pressures that they may face and the motivations of the person who sent on the photo.
- Discuss issues of consent and trust within healthy relationships. Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they don’t want to do, or to show them things that they are unhappy

about. Parents should let their children know that they can speak to them if this ever happens.

- Directed to appropriate school staff if they are concerned that their child is being bullied.
- Directed to services for Harmful Sexual Behaviour, such as the NSPCC Turn the Page.

If appropriate, or if similar incidents have previously occurred, Parents or carers whose child has been sent a sexual image should be:

- Advised on the law with regards to saving, sharing, or looking at naked or sexual images of children.
- Supported to have conversations with their child and advised to:
 - Reassure the young person that they have done the right thing by speaking out and that you are there to help.
 - Explain to the young person the importance of not sharing the image further.
 - Listen to the young person's concerns, without criticising their decisions.
 - Ask whether they requested the photo or if it was unsolicited.
 - Confirm whether it has been sent by an adult or a young person.
 - Discuss issues of consent and trust within healthy relationships.
 - Explain that it is not ok for someone to make them feel uncomfortable, to pressure them into doing things that they don't want to do, or to show them things that they are unhappy about.
 - Let them know that they can speak to you if this ever happens.
 - If they asked to receive the photos, explain that they should also not put pressure onto others to do things that they are uncomfortable with.
 - Provided with suggested ways that their child could speak to the sender in order to stop future correspondences.
 - Alternatively, if the young person prefers, informed about how to block the sender.
 - Directed to CEOP if the images were shared by an adult, if their child is being contacted by adults and they are concerned about sexual exploitation or grooming.

Parents or carers whose child has shared another child's image should be:

- Advised on the law with regards to saving, sharing, or looking at naked or sexual images of children.
- Supported to have conversations with their child and advised to:
 - Stay calm and refrain from getting angry with the young person.
 - Ask who the image has been sent to and where it has been shared.
 - Agree next steps for taking the image down, including deleting the image from their phone or any social media accounts and reporting it to service providers.
 - Identify whether they asked for the photo or were initially sent it without requesting.
 - Discuss issues of consent and trust in healthy relationships or friendships.

- Talk about the types of things which are and aren't ok to share and how they would feel if someone shared a personal photo of them.
- Explain the importance of not pressuring others into activities that they may not want to take part in.
- Ask about their motivations for sharing the photo and discuss what they could have done differently. If they have reacted to an upsetting incident, such as the break-up of a relationship, by sending the photo onwards, talk about how they could have managed their feelings in a healthier and more positive way.

Parent / carers should be advised to contact school if they are concerned that their child is behaving in a sexually inappropriate way. They should also be directed to MASH, the GP or NSPCC if appropriate, or if similar incidents have previously occurred.

All parents or carers whose child has been involved in any of the above should be:

- Given support to deal with their own feelings of upset and concern.
- Kept updated about any actions that have been taken or any support that their child is accessing unless the child involved has specifically asked for this not to happen and is judged to be old enough to make that informed decision.
- Advised to contact school, if they have received their child's consent, so that teachers are able to offer support to any student that is affected and ensure that the image is not circulated further.
- Informed about sources of support for their child, in case they are feeling anxious or depressed about what has happened. This could include speaking to a ChildLine counsellor, in house counselling services where available, or a GP. If they are concerned that their child is suicidal they should contact the GP for an emergency appointment or take their child to A & E.
- Provided with information on where they are able to access support themselves if they are concerned or distressed.
- Directed to CEOP if they are concerned about child sexual exploitation or grooming.

Reporting youth produced sexual imagery online

The quickest way to get content removed from the internet is for the person who posted it to take it down. If the young person posted the content themselves using their account, they should be asked to log in and delete it.

If someone else posted the image or re-posted it, they should be asked to log in and delete it from any sites they've shared it on.

If school staff know where the content is hosted but don't know who posted it, or the poster refuses to take it down, the content can still be reported to an online service. If it breaches a site's Terms of Service then it will be removed.

Each provider will have a different approach to dealing with requests for the removal of content and the speed of response. More information can be found on individual providers' websites where they should make public their Terms of Service and process for reporting. Nudity and sexual content is not allowed by the majority of the main providers. Sexual imagery of young people is illegal and should not be hosted by any providers. The following provides an overview of the reporting functions provided by the main service providers:

Snapchat

Snapchat offers users the ability to share images/videos, which it calls 'snaps'. The snap is shared and then disappears after a few seconds. Snapchat also allows users to share Snapchat Stories: these are snaps that are shared in a sequence across a 24 hour period. Snapchat provides a reporting function here: <http://support.snapchat.com/en-US/ca/abuse>

Users are able to block other users.

WhatsApp

WhatsApp is a messaging service where users can share pictures, text or videos. These can be shared with one person or multiple users. WhatsApp encourages users to report problematic content, however, they advise that they generally do not have the contents of messages available to them. This can limit their ability to verify the report and take action. Please see instructions on how to report here:

<https://www.whatsapp.com/faq/en/general/21197244>

Users are able to block other users here:

<https://www.whatsapp.com/faq/en/s60/21064391>

Instagram

Instagram is a picture and video sharing app which allows users to share images, make comments and post messages. Instagram provides a reporting function here:

<https://help.instagram.com/443165679053819/>

Users are able to block other users.

Facebook

Facebook is a social network which allows users to create a profile, share images, videos and messages. Facebook provides a reporting function here:

- Social reporting - <https://www.facebook.com/help/128548343894719>

This offers users the ability to contact other users directly to ask them to take something down that does not necessarily breach Facebook's terms of service. In some cases, the young person may not feel comfortable in contacting the person directly so they can use the report flow to enable another trusted person to help them – e.g. a teacher, friend, parent.

- Public reporting - <https://www.facebook.com/help/263149623790594/>

Users who do not have a Facebook account are able to report directly to Facebook using the link above and completing the form. Users are able to block other users.

YouTube

YouTube allows users to watch, create and share videos. Users can create their own YouTube account, make playlists and create their own channel. Users are also able to comment on other users' channels. YouTube provides a reporting function here: <https://support.google.com/youtube/answer/2802027>

Users can report an individual video, a channel or a comment on a video. Only account holders can make reports on YouTube.

Google

The "right to be forgotten" ruling allows the public to request the removal of search results that they feel link to outdated or irrelevant information about themselves on a country-by-country basis. Users are able to complete a form to highlight what content they wish to be removed. Users have to specify why the content applies to them and why it is unlawful so the exact URLs relating to the search results need to be referenced. See https://support.google.com/legal/contact/lr_eudpa?product=websearch

A list of many other providers and links to their reporting functions can be found at the NSPCC's NetAware website: www.net-aware.org.uk

Additional advice or support:

Internet Watch Foundation

In the event that a site has no reporting function and if the content is a sexual image of someone under 18 you can report it to the Internet Watch Foundation (IWF). Sexual images of anyone under 18 are illegal and the IWF can work to get them removed from sites which do not have reporting procedures. Adults can report directly to the IWF here: www.iwf.org.uk.

Young people can contact ChildLine who work in partnership with the IWF and will support young people through the process.

CEOP www.ceop.police.uk/safety-centre

If staff are concerned that a child is being sexually abused, exploited or groomed online, the CPO should report to NCA-CEOP.

The NSPCC adult's helpline: 0808 800 5002 The NSPCC has partnered with O2 to offer direct support to parents and other adults on issues relating to online safety.

ChildLine www.childline.org.uk

ChildLine offers direct support to children and young people including issues relating to the sharing of sexual imagery.

The Professionals Online Safety Helpline (POSH)

<http://www.saferinternet.org.uk/about/helpline>

Tel: 0844 381 4772 The POSH helpline supports professionals with an online safety concern or an online safety concern for children in their care. Professionals are able to contact the helpline to resolve issues.

Roles and responsibilities of headteacher, other staff, and governors:

The head teacher will:

- Appoint a designated teacher to be responsible for all incidents of youth generated sexual imagery, and liaise with them. This might be the same person as the Child Protection Officer
- Ensure that the Child Protection Officer receives appropriate training about online safety and sexting.
- Ensure that this sexting policy is followed by all members of staff

The governing body will:

- Decide whether sexting / safe internet use education should be in the school curriculum, and how it should be addressed

All staff and teachers are expected to:

- Respond to the child using the guidance within this policy document.

- Listen to pupils in emotional distress calmly and in a non-judgemental way.
- Report sexting to the Child Protection Officer, Liz Raynor, Deputy Child Protection Officer, Jacqui Walsh, or one of the House Managers, the same school day that the incident takes place using myconcern.
- **If there is any indication, suspicion or evidence that the child or young person is at immediate risk of harm, i.e. the injury needs medical attention or the child has ingested tablets or substances, the member of staff should contact the CPO Liz Raynor, or Deputy CPO Jacqui Walsh or Susan Cowan IMMEDIATELY; they will phone the emergency services before contacting a parent or carer.**
- Reassure pupils that parents and carers and staff such as House Support Officers need to know about their problems so that they can help.
- Enable pupils to find places for help and support
- Provide accurate information about sexting (Information for children and young people, and for parents and carers are contained in this policy document).
- Widen their own knowledge about sexting, CSE, social media and sexually harmful behaviours.
- Be aware of the law on sexting.
- Know when and how to seek help to deal with their own feelings and distress.

Staff should **not**:

- Promise confidentiality
- Share information about an incident of sexting with anyone other than the Child Protection Officer and parent or carer without consent from the child or young person unless there is reason to do so and this has been discussed with and agreed with the CPO.

Pastoral staff, namely the House Managers or House Support Officers where appropriate may:

- Contact parents or carers at the appropriate time.
- Involve the pupil in this process.
- Inform the parent or carer about appropriate help and support for their child.
- Monitor the pupil's progress following an incident
- Know when and how to seek help to deal with their own feelings and distress.
- Log any incidents and action taken on myconcern.

The designated staff members, Liz Raynor, Jacqui Walsh will:

- Ensure that they are aware of, and familiar with, any relevant local policies, procedures and contact points/names which are available to support schools in responding to youth produced sexual imagery.
- Manage and respond to incidents reported on myconcern and log any updates including action taken.
- Add House Managers to the concern log on myconcern where appropriate.
- Liaise with MASH, police and the PSLO when necessary.
- Keep up-to-date with information about sexting and online safety.
- Liaise with deputy head Susan Cowan and head teacher
- Contact parent(s) / carer(s) at the appropriate time.
- Involve the pupil in this process.
- Inform the parent / carer(s) about appropriate help and support for their child which is available.
- Monitor the pupil's progress following an incident
- Know when people other than parents / carers (e.g. social workers, educational psychologists) need to be informed
- Know when to seek help to deal with their own feelings and distress.
- Ensure that staff know how and where to seek help to deal with their own feelings and distress.

Pupils will be expected to:

- Talk to the appropriate staff member if they become aware of an incident of sexting.
- Alert a teacher if they suspect that peers are involved in sexting, and know when confidentiality must be broken

Parents / Carers will be encouraged to:

- Endorse the school's approach to sexting
- Work in partnership with the school

Date Approved by Full Governing Body	10/10/2018
Signed on behalf of Full Governing Body	
Name (Chair of Governors)	Mrs Barbara Cooke
Date	14/05/2018
Date of next review	October 2020