



Incidents of sexting in College Strategy Document - April 2017

Responding to incidents and safeguarding young people

1. Definition - Youth produced sexual imagery (sexting)

The practice of children sharing images and videos via text message, email, social media or mobile messaging apps has become commonplace. However, this online technology has also given children the opportunity to produce and distribute sexual imagery in the form of photos and videos. Such imagery involving anyone under the age of 18 is illegal.

Youth produced sexual imagery refers to both images and videos where;

- A person under the age of 18 creates and shares sexual imagery of themselves with a peer under the age of 18.
- A person under the age of 18 shares sexual imagery created by another person under the age of 18 with a peer under the age of 18 or an adult.
- A person under the age of 18 is in possession of sexual imagery created by another person under the age of 18.

2. What is the law?

Much of the complexity in responding to youth produced sexual imagery is due to its legal status. 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). Specifically:

- It is an offence to possess, distribute, show and make indecent images of children.
- The Sexual Offences Act 2003 (England and Wales) defines a child, for the purposes of indecent images, as anyone under the age of 18.

Guidance produced by UKCCIS entitled "Sexting in schools and colleges" provides more comprehensive detail for educational establishments on how they should be dealing with such incidents. The National Police Chiefs Council (NPCC) has made clear that incidents involving youth produced sexual imagery should primarily be treated as a safeguarding issue, but the Home Office counting rules require all Forces to formally record as crimes all such reports being made to them. The guidance clearly states what factors to consider, and when it is necessary



and proportionate to involve the police, and therefore when it is appropriate to be dealt with within the school environment.

We would recommend that relevant staff within your organisation familiarise themselves with the new guidance which can be found online at here. Further information and advice for professionals can also be found at www.dcdhub.org/sexting.

This guidance and approach is designed to ensure consistency in;

- how we deal with all young people who may be involved in incidents of sexting,
- to avoid criminalising young people where it is not appropriate and the potential long-term impact this may have, and
- to ensure education and safeguarding is at the front of all we do with young people as a police force.

Where a parent, child or school reports an allegation to the police, the Home Office counting rules mandate that it must be recorded on our systems as a crime. Taking, making or distributing indecent photographs or possession of an indecent photograph of a child is a criminal offence and therefore all reported offences of youth produced sexual imagery to Devon and Cornwall Police will be recorded as a crime. However, the guidance to Forces also allows the police to use their discretion as to the best means of then resolving that crime report.

3. Handling incidents

When an incident involving youth produced sexual imagery comes to a school or college's attention: The incident should be referred to the DSL as soon as possible

- The DSL should hold an initial review meeting with appropriate school staff
- 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

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. There is 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 you 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. You 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 a school may decide to respond to the incident without involving the police or children's social care (a school can choose to escalate the incident at any time if further information/concerns come to light).

4. Children's social care contact and referrals

If the DSL is aware that children's social care are currently involved with a young person involved in an incident of youth produced sexual imagery then they should contact children's social care. They should also contact children's social care if they believe they may be involved, or have been involved with a young person in the past.

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

5. Viewing the imagery

Adults should **not** view youth produced sexual imagery unless there is good and clear reason to do so. Wherever possible responses to incidents should be based on what DSLs have been told about the content of the imagery. The decision to view imagery should be based on the professional judgement of the DSL and should always comply with the child protection policy and procedures of the school or college. 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 DSL 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

6a Helplines and reporting



Children can talk to a ChildLine counsellor 24 hours a day about anything that is worrying them by ringing 0800 11 11 or in an online chat at <http://www.childline.org.uk/Talk/Chat/Pages/OnlineChat.aspx>

If parents or carers are concerned that their child is being contacted by adults as a result of having shared sexual imagery they should report to NCA-CEOP at www.ceop.police.uk/safety-centre

ChildLine and the Internet Watch Foundation have partnered to help children get sexual or naked images removed from the internet. More information is available at <http://www.childline.org.uk/explore/onlinesafety/pages/sexting.aspx>

If parents and carers are concerned about their child, they can contact the NSPCC Helpline by ringing 0808 800 5000, by emailing help@nspcc.org.uk, or by texting 88858. They can also ring the Online Safety Helpline by ringing 0808 800 5002.

6b Advice and information for parents

The NSPCC has information and advice about sexting available on its website: <https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting/1>

NCA-CEOP has produced a film resource for parents and carers to help them prevent their children coming to harm through sharing sexual imagery: <https://www.thinkuknow.co.uk/parents/articles/Nude-selfies-a-parents-guide/>.

Childnet have information and advice about sexting available on its website: <http://www.childnet.com/parents-and-carers/hot-topics/sexting>

Parent Info (www.parentinfo.org) provides information and advice to parents from expert organisations on topics ranging from sex and relationships, mental health and online safety. This includes content on sexting. The content of Parent Info can be hosted for free on a school's website via a newsfeed service.

- The UK Safer Internet Centre have produced checklists for parents on using social networks safely - www.saferinternet.org.uk/checklists



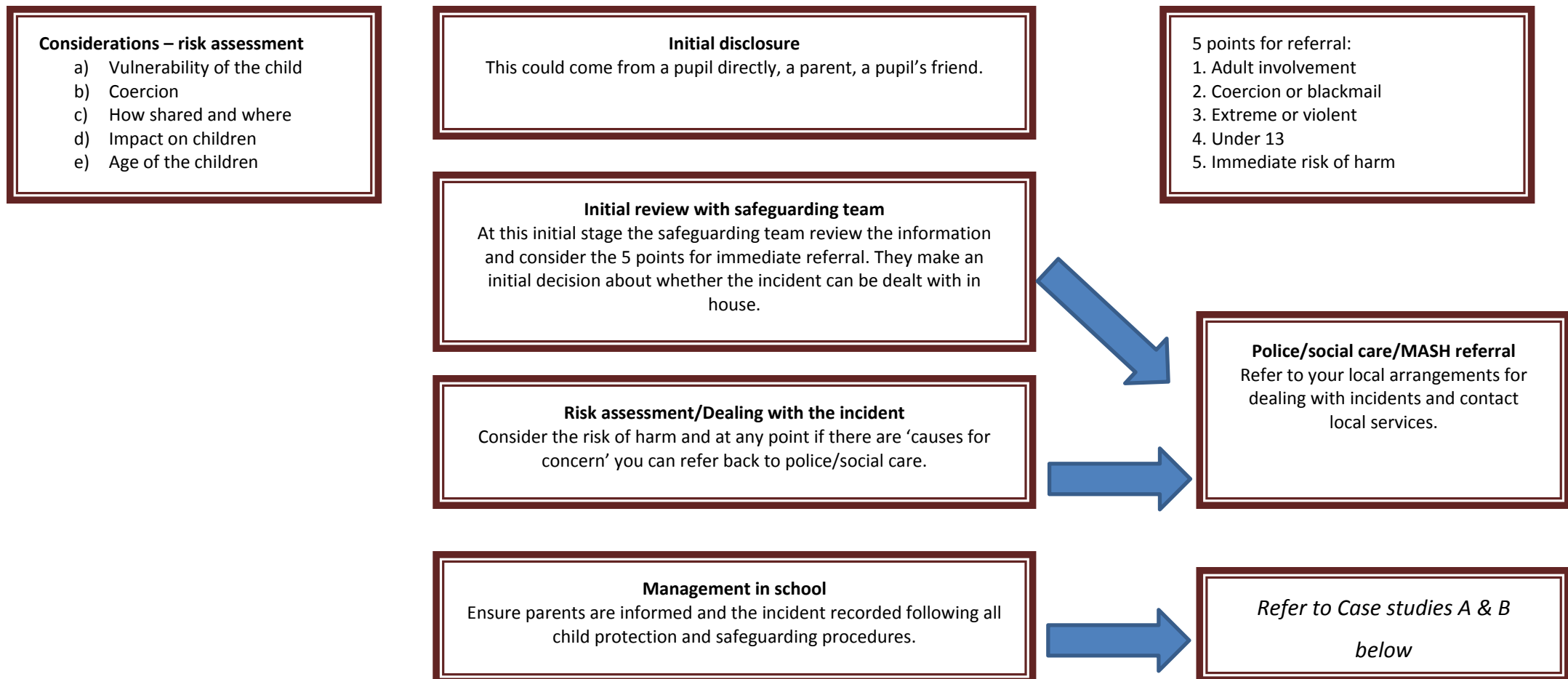
6c Resources parents could highlight to their children

ChildLine have created Zip-It, an app that provides witty comebacks in order to help young people say no to requests for naked images -
<https://www.childline.org.uk/Play/GetInvolved/Pages/sexting-zipit-app.aspx>

There is information on the ChildLine website for young people about sexting:
<https://childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/>

The Safer Internet Centre has produced resources called 'So You Got Naked Online' which help young people to handle incidents of sexting -
<http://childnetsic.s3.amazonaws.com/ufiles/Files%202015/SYGNO%20Booklet%20%20version%2020May%202015.pdf>

6. Flowchart for responding to Sexting incidents





7. Case study A: Children and young people aged 13-18

Concern: Two children, both aged 15, were in a relationship for the past month. The boy asked the girl for “sexy” pictures and she sent him a single topless photo. Afterwards the girl was worried that he might share the photo so she shared her concerns with her friends. Her friends then told their form tutor who spoke with the school DSL.

School response:

The DSL spoke with the girl and then the boy. Both pupils confirmed there had not been any sexual activity between them. There were not any wider safeguarding concerns about either pupil. There was no evidence that the image had been shared by the boy and he offered to delete the image from his device.

Both pupils were spoken with by the DSL who advised them on the potential impact of taking and sharing youth produced sexual imagery both criminally and emotionally. The DSL worked with both pupils to help them come up with an agreed plan to inform their parents. The school DSL documented the incident as well as the actions taken in the children’s safeguarding records.

Case study B: Children aged under 13

Concern: A class teacher found a naked photo of a child (boy, aged 11) on a school tablet. The child said that he had been using the tablet with two other children during lunchtime and they dared him to take a picture of his bottom.

School response:

The school had no other safeguarding concerns about the children or their families. The school DSL spoke with the local authority education safeguarding team and subsequently accessed the local safeguarding board’s guidance regarding underage sexual activity. This tool indicated that the behaviour was likely to be inappropriate but did not meet the threshold for a referral to children’s social care.

The school DSL spoke with the children involved and their parents and advised them on the situation and possible consequences including possible police and social care involvement. The children were sanctioned in school for their behaviour and the parents were fully supportive of the school’s approach.

All members of staff were provided with updated online safety training and a reminder of the school online safety and acceptable use policy to ensure that children were not left unsupervised with school tablets. The school documented the incident and the actions taken in the children’s safeguarding records.



8. Service 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, and 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.



South Dartmoor Community College

Head of School | Paul Collins

Balland Lane, Ashburton, Devon, TQ13 7EW
Tel | (01364) 652230 Fax | (01364) 654069
Website | www.southdartmoor.devon.sch.uk
Email | enquiries@southdartmoor.devon.sch.uk

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