



Pocklington Community Junior School

Sexting Policy

Introduction

'Sexting' is one of a number of risk-taking behaviours associated with the use of digital devices, social media and / or the internet. It is accepted that children experiment and challenge boundaries and sexting will be present in all schools therefore the risks associated with 'online' activity can never be completely eliminated.

At Pocklington Community Junior School, however, we take a proactive approach in helping students and staff understand, assess, manage and avoid risks associated with online activity. We recognise our duty of care to the pupils involved in such activity, as well as the responsibility to report such behaviours where legal or safeguarding boundaries are crossed.

The purpose of this policy is to outline the procedures for dealing with such issues, in line with UK Council for Child Internet Safety Guidance 'Sexting in schools and colleges: Responding to incidents and safeguarding young people.'

What is sexting?

There is no agreed definition for sexting however for the purpose of this policy, sexting is defined simply as:

'The sending or receiving of sexual images, messages or sexually explicit materials primarily between mobile phones.'

Sexting is also referred to as 'youth produced sexual imagery'.

Sexting is illegal, as it constitutes possessing and / or sharing an indecent image of a child. The relevant legislation is the Sexual Offences Act (2003) and the Protection of Children Act (1978) which states that it is an offence to possess, distribute, show and make indecent images of children.

Although the production of such imagery will likely take place outside of school, the issues often manifest themselves in school and we therefore need to be able to respond quickly and confidently to ensure that children are safeguarded, supported and educated.

Summary of Required Actions

When an incident involving youth produced sexual imagery comes to the school's attention:

- The incident will be referred to the Designated Safeguarding Lead (DSL) Deputy DSL immediately
- The DSL / Deputy DSL should hold an immediate review meeting with appropriate school staff. The purpose of this is to establish the facts and assess the risks.

Any devices in school known to contain offensive material should be confiscated immediately to minimise any further sharing of the materials.

- There should be subsequent interviews with the child(ren) involved, if appropriate.
- Parents should be informed at an early stage and involved in the process, unless there is a good reason to believe that involving parents would put the child at risk of harm.
- At any point in the process, if there is a concern that the young person has been harmed or is at risk of harm including emotional harm, a referral should be made to the local social care team and / or the police.

An immediate referral to the police should be made if there are adults involved in the sexting, as this becomes child abuse, and/or the images involve under 13s in sexual acts.

STEPS TO TAKE IN CASE OF AN INCIDENT

Step 1 – Disclosure

Sexting disclosures should follow the normal safeguarding practices – see Child Protection Policy for details.

The following questions may help to decide on the best course of action:

- Is the person disclosing about themselves receiving an image, sending an image or sharing an image?
- What sort of image it is? Is it potentially illegal or inappropriate?
- Are the Child Protection and E-Safeguarding policies and practices being followed?
- How widely has the image been shared and is the device in their possession?
- Is it a school device or personal device?
- Does the person need immediate support and / or protection?
- Are other pupils, staff or young people involved? Do they need support?
- Do they know where the image has ended up?

The situation will need to be handled sensitively; whatever the nature of the incident, staff should ensure that the school Child Protection policies and practices are adhered to.

Step 2 – Assessing the risks

If, following the initial review to establish the facts, a referral to police / social care is not required, a further review should be carried out to assess the risks. When assessing the risks, the following questions should be considered:

- Why was the imagery shared? Was the young person put under pressure to produce the imagery?
- Who has shared the imagery? Where has it been shared? Was it shared / received with the knowledge of the pupil in the imagery?
- Are there any adults involved in sharing the imagery?

- What is the impact on the pupils involved?
- Do the pupils have additional vulnerabilities?
- Does the young person understand 'consent'?
- Has the child taken part in this kind of activity before?

The member of staff carrying out the review should make a professional judgement, in conjunction with other senior members of staff, to assess the incident.

Further guidance on carrying out the Initial Review Meeting and Assessing the Risks can be found in UK Council for Child Internet Safety Guidance 'Sexting in schools and colleges: Responding to incidents and safeguarding young people.'

Step 3 – Searching the Device

In a school-based context, it is highly likely that the image(s) 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 multiple devices; it may be a school-owned or personal device.

It is important to establish the location of the image but be aware that it may be distressing for the child involved, so staff need to be conscious of the support that may be required.

Adults should not view youth produced sexual imagery unless there is a good reason to do so. Wherever possible, responses to incidents should be based on what staff have been told about the content of the imagery.

The revised Education Act (2011) provides significant powers for teachers and schools to seize and search electronic devices if there is a good reason for doing so.

A device can be examined, confiscated and securely stored if there is a reason to believe that it contains indecent images or extreme pornography. When searching a mobile device, the following conditions will apply:

- The action is in accordance with the school's Child Protection and E-Safeguarding policies.
- The search is conducted by the Head teacher or a person authorised by him / her, along with another senior member of staff.
- A member of the LA Safeguarding Team is present.

If any illegal images are found, it will be considered whether to pass the information to the police.

Never:

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

Always

- Inform the DSL / Deputy DSL, if not already involved.
- Record the incident on CPoms.

- Act in accordance with the Child Protection / E-Safeguarding policies and procedures.

If an indecent image is present on a website or social networking site, this should be reported to the site hosting it following the procedures on the respective website. However, if the image involves a child or young person at risk of abuse, the incident should be reported directly to CEOP (www.ceop.police.uk/ceop-report) so that law enforcement can make an assessment and ensure that appropriate action is taken to safeguard the child.

Step 4 – What to do / not do with the image

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

Always

- Confiscate and secure the device(s)

Never

- View the image unless there is a clear reason to do so.
- Send or share the image.
- Allow pupils to do either of the above.

The above are all illegal.

If the image has been shared across the school network:

Always

- Block the network access to all users and isolate the image.

Never

- Send or print the image.
- Move the material from place to another.
- View the image outside of the protocols of the Child Protection and Safeguarding policies and procedures.

The above are all illegal.

Supporting the young people involved in sexting:

Sexual images can be incredibly distressing to view, especially to young people. The person involved will most likely be in a state of shock and upset, especially if the image has been circulated widely. Nurturing support will be needed after disclosure for the victim(s) and other affected pupils.

This will be offered by the school's ELSA in the first instance.

The perpetrator will also be given support to:

- Ascertain why they did it and give them support.
- Educate them about the legal aspects of sexting.

- Make them aware of the emotional harm caused by sexting to the victim and other affected young people.

Policy Review

This policy was written in October 2018 following guidance from UKCIS. It will be reviewed and updated regularly, to meet the changing needs of the school and in light of any new initiatives / guidance; at the minimum this will be annually.

Date of next review: October 2019