Sexting in schools and colleges: responding to incidents and safeguarding young people

UK COUNCIL FOR CHILD INTERNET SAFETY

This document has been produced in partnership with:



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SECTION ONE – BACKGROUND AND CONTEXT

Who is this for?

This advice is for designated safeguarding leads (DSLs), their deputies, headteachers and senior leadership teams in schools and educational establishments[1] in England.

What does this advice cover?

This advice covers:

- Responding to disclosures
- Handling devices and imagery
- Risk assessing situations
- Involving other agencies, including escalation to the police and children's social care
- Recording incidents
- Involving parents
- Preventative education

What is the status of this advice?

This advice has been produced on behalf of the UK Council for Child Internet Safety (UKCCIS) a group of more than 200 organisations from across government, industry, law, academia and charity sectors, working in partnership to help keep children safe online. The production of the advice has been co-ordinated by the UKCCIS Education Group, a partnership of the following organisations:

- Barnardo's
- The National Crime Agency's CEOP Command
- Childnet
- Department for Education
- Kent County Council
- NSPCC
- Parent Zone
- The NEN
- The PSHE Association
- The UK Safer Internet Centre

[1] This advice refers to schools throughout, however, it is relevant for schools and colleges. This includes maintained schools, independent schools (including academies, free schools), alternative provision academies and non-maintained special schools and Pupil Referral Units

This advice has been produced in consultation with the National Police Chief's Council.

A wide range of other schools, local authorities, police forces and organisations have also been consulted including the Disclosure and Barring Service, the Internet Watch Foundation, NUT, NASUWT and NAHT.

Thanks to Charlotte Aynsley for project managing the production and drafting of this document.

This advice replaces 'Sexting in Schools: What to do and how to handle it.'

This advice is non-statutory and should be read alongside the Department for Education's (DfE) Keeping Children Safe in Education[2] statutory guidance and non-statutory Searching, Screening and Confiscation[3] advice for schools.

Defining 'sexting'

Whilst professionals refer to the issue as 'sexting' there is no clear definition of 'sexting'. Many professionals consider sexting to be 'sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet.'[4] Yet when young people[5] are asked 'What does sexting mean to you?' they are more likely to interpret sexting as 'writing and sharing explicit messages with people they know'[6]. Similarly, many parents think of sexting as flirty or sexual text messages rather than images.[7]

This advice only covers the sharing of sexual imagery by young people. Creating and sharing sexual photos and videos of under-18s is illegal and therefore causes the greatest complexity for schools and other agencies when responding. It also presents a range of risks which need careful management.

On this basis this advice introduces the phrase 'youth[8] produced sexual imagery' and uses this instead of 'sexting.' This is to ensure clarity about the issues this advice addresses.

[2] https://www.gov.uk/government/publications/keeping-children-safe-in-education--2
[3] https://www.gov.uk/government/publications/searching-screening-and-confiscation
[4] Adolescents and self-taken sexual images. Cooper, Quayle, Jonsson, Svedin, 2014
[5] For the purposes of this advice 'young person' refers to anyone under the age of 18
[6] I wasn't sure it was normal to watch it. NSPCC, Middlesex University, Office of the Children's Commissioner 2016
[7] Childline Sexting Survey 2016
[8] For the purposes of this advice 'youth' refers to anyone under the age of 18

'Youth produced sexual imagery' best describes 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).

The types of incidents which this advice covers are:

- 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

This advice does not cover:

- The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools should always inform the police.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

Why has this advice been produced?

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.

90% of 16-24 year olds and 69% of 12-15 year olds own a smartphone[9], giving them the ability to quickly and easily create and share photos and videos.

[9] http://media.ofcom.org.uk/news/2015/cmr-uk-2015/
stakeholders.ofcom.org.uk/binaries/research/media-literacy/children-parents-nov-15/charts_section_3.pdf

This increase in the speed and ease of sharing imagery has brought concerns about young people producing and sharing sexual imagery of themselves. This can expose them to risks, particularly if the imagery is shared further, including embarrassment, bullying and increased vulnerability to sexual exploitation. Producing and sharing sexual images of under-18s is also illegal.

Although the production of such imagery will likely take place outside of school and college, these issues often manifest in schools, colleges and organisations working with children and young people. Schools, colleges and other organisations need to be able to respond swiftly and confidently to ensure that children are safeguarded, supported and educated.

This advice aims to support schools in developing procedures to respond to incidents involving youth produced sexual imagery. It also signposts sources of resources and support.

These procedures should be part of a school's safeguarding arrangements and all incidents of youth produced sexual imagery 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.

How much is this really happening?

'Parents expect you to be involved in sexting even when you are not.' Simone, 14

Most young people aren't sharing sexual imagery of themselves[10].

A 2016 NSPCC / Office of the Children's Commissioner England study found that just over one in ten boys and girls (13%) had taken topless pictures of themselves (around one in four of those were girls) and 3% had taken fully naked pictures. Of those who had taken sexual images, 55% had shared them with others. 31% of this group had also shared the image with someone that they did not know.

Although most young people aren't creating or sharing this type of imagery, the potential risks are significant and there is considerable concern about the issue in schools and amongst parents. Research conducted by 'The Key' found that 61% of its secondary

[10] I wasn't sure it was normal to watch it. NSPCC, Middlesex University, Office of the Children's Commissioner 2016

school head teacher members reported 'sexting' as a concern. This placed it higher than drugs, obesity and offline bullying in terms of frequency of reporting as a concern.[11]

Research from the PSHE Association similarly found that 78% of parents were either fairly or very concerned about youth produced sexual imagery, compared to 69% who were concerned about alcohol misuse and 67% who were concerned about smoking.[12]

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.

'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[13]. 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.

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.

[11] https://www.thekeysupport.com/media/filer_public/08/32/0832cb2c-85c1-4ed4-891d-4a106d3c72b1/summer_report_2015_school_leaders_concerns_about_pupil_wellbeing.pdf
[12] https://www.pshe-association.org.uk/news/parents-call-education-address-sexting-children
[13] http://www.cps.gov.uk/legal/h_to_k/indecent_photographs_of_children/

Despite this, young people who share sexual imagery of themselves, or peers, are breaking the law.

We should not, however, unnecessarily criminalise children. 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[14].

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.

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. Advice on the circumstances in which this would be appropriate can be found in Section 2.

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, highlighted in this advice, which should always be referred to the police (see Section 2).

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.

Crime recording

Where the police are notified of incidents of youth produced sexual imagery they are obliged, under the Home Office Counting rules and National Crime Recording Standards, to record the incident on their crime systems. The incident will be listed as a 'crime' and the young person involved will be listed as a 'suspect.'

This is not the same as having a criminal record.

[14] Growing Up, Moving On – The International Treatment of Childhood Criminal records, Standing Committee on Youth Justice, 2016

However, there have been concerns that young people could be negatively affected should that crime be disclosed, for example, on an enhanced Disclosure and Barring Service (DBS) check.

To mitigate this risk, the NPCC have worked with the Home Office and the Disclosure and Barring Service and provided policing with a new way of recording the outcome of an investigation into youth produced sexual imagery. This is called outcome 21.

Outcome 21

Every 'crime' recorded on police systems has to be assigned an outcome from a predefined list of outcome codes. As of January 2016 the Home Office launched a new outcome code (outcome 21) to help formalise the discretion available to the police when handling crimes such as youth produced sexual imagery.

Outcome 21 states:

> *Further investigation, resulting from the crime report, which could provide evidence sufficient to support formal action being taken against the suspect is not in the public interest. This is a police decision.*

This means that even though a young person has broken the law and the police could provide evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest.

DBS certificates

It is not possible to categorically say that an incident of youth produced sexual imagery recorded on police systems with outcome 21 would never be disclosed on a DBS certificate.

However, a decision to disclose information on a DBS certificate is made on the basis of whether that information is relevant to the risk an individual might pose to children, young people or vulnerable adults.

Information falling short of conviction or caution can only be included on a DBS certificate when an individual has applied for an Enhanced Criminal Records Check. In such cases it would be for a chief officer to consider what information (in addition to convictions and cautions held on the Police National Computer) should be provided for inclusion on a DBS certificate.

If as a result of a police investigation outcome 21 was considered appropriate then this would indicate that a criminal justice sanction had not been considered proportionate. If this was an isolated incident, it is then unlikely that there would be many instances in which the disclosure test which the chief officer must apply would be passed.[15]

Consequently, schools and colleges can be confident that the police have discretion to respond appropriately in cases of youth produced sexual imagery and to record incidents in a way which should not have a long term negative impact on young people.

[15] That decision must be made on the basis that the chief officer reasonably believes the information to be relevant to the purpose of the disclosure (for example, someone taking up a position working with children) and considers that it ought to be included.

SECTION TWO – HANDLING INCIDENTS

Initial response

Keeping Children Safe in Education statutory guidance sets out that all schools should have an effective child protection policy. Youth produced sexual imagery and a school's approach to it should be reflected in the policy.

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 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 a referral should be made to children's social care and/or the police immediately.

Disclosure

Disclosures about youth produced sexual imagery can happen in a variety of ways. The young person affected may inform a class teacher, the DSL in school, or any member of the school or college staff. They may report through an existing reporting structure, or a friend or parent may inform someone in school or college, or inform the police directly.

All members of staff (including non-teaching staff) should be made aware of how to recognise and refer any disclosures of incidents involving youth produced sexual imagery. This should be covered within staff training and within the school or college's child protection policy. Annex E contains a training exercise which may be used to highlight the issues for staff.

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 review meeting

The initial review meeting should consider the initial evidence and 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 services
- 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

An immediate referral to police and/or children's social care[16] 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[17]
5. You have reason to believe a young person 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).

[16] If the school's local area has a Multi-Agency Safeguarding Hub then this may be the most appropriate first point of contact.
[17] See Annex D for more information about age considerations.

The decision to respond to the incident without involving the police or children's social care would be made in cases when the DSL is 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, their local network of support.

The decision should be made by the DSL with input from the Headteacher and input from other members of staff if appropriate. The decision should be recorded in line with school policy.

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.

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. 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 you have any doubts about whether to involve other agencies, you should make a referral to the police.

Assessing the risks

The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL should conduct a further review (including an interview with the young people involved) to establish the facts and assess the risks.

When assessing the risks the following should be considered:

- Why was the imagery shared? Was the young person coerced or put under pressure to produce the imagery?
- Who has shared the imagery? Where has the imagery been shared? Was it shared and received with the knowledge of the pupil in the imagery?
- Are there any adults involved in the sharing of the imagery?
- What is the impact on the young people involved?

- Do the young people involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before?

DSLs should always use their professional judgement in conjunction with their colleagues to assess incidents. Annex A provides a list of questions to complement and support their professional judgment.

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 and 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 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.

Informing parents (or carers)

Parents (or carers) should be informed and involved in the process at an early stage unless informing the parent will put the young person at risk of harm. Any decision not to inform the parents would generally be made in conjunction with other services such as children's social care and/or the police, who would take the lead in deciding when the parents should be informed.

DSLs may work with the young people involved to decide on the best approach for informing parents. In some cases DSLs may work to support the young people to inform their parents themselves.

Annex C contains further advice and information about involving parents and carers.

Reporting incidents to the police

If it is necessary to refer to the police, contact should be made through existing arrangements. This may be through a safer schools officer, a PCSO, local neighbourhood police or 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.

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

- Be aware that 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.
- Safer Schools Officers (where available) are 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[18] 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 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.

DSLs should 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.

If a local area has a Multi-Agency Safeguarding Hub (MASH) then this may be the most appropriate place for schools to initially make a referral.

Searching devices, viewing and deleting imagery

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:

[18] In line with Searching, Screening and Confiscation advice: https://www.gov.uk/government/publications/searching-screening-and-confiscation

- 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 young person has presented an image directly to a staff member or the imagery has been found on a school device or network

If it is necessary to view the imagery then the DSL should:

- Never copy, print or share the imagery; this is illegal
- Discuss the decision with the headteacher
- Ensure viewing is undertaken by the DSL or another member of the safeguarding team with delegated authority from the headteacher
- Ensure viewing takes place with another member of staff present in the room, ideally the Headteacher 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 Headteacher or a member of the senior leadership team's office.
- 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 in the school's safeguarding records including who was present, why the image was viewed and any subsequent actions Ensure this is signed and dated and meets the wider standards set out by Ofsted for recording safeguarding incidents

Further details on searching, deleting and confiscating devices can be found in the DfE *Searching, Screening and Confiscation* advice (note this advice is for schools only)[19].

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 DSLs 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.

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.

[19] https://www.gov.uk/government/publications/searching-screening-and-confiscation

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 headteacher 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 given a deadline for deletion across all devices, online storage or social media sites[20].

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 decisions need to be recorded, including times, dates and reasons for decisions made and logged in the safeguarding records. Parents and carers should also be informed unless this presents a further risk to the young person.

20 Young people may need support to report images to social media services. For advice and information on reporting imagery online see Annex C.

At this point schools and colleges may want to invoke their own disciplinary measures to discourage young people from sharing, creating or receiving images but this is at the discretion of the school or college and should be in line with its own behaviour policies.

Interviewing and talking to the young person/people involved

Once a 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 DSL should carry out this this conversation. However, if the young person feels more comfortable talking to a different teacher, this should be facilitated where possible.

When discussing the sharing of youth produced sexual imagery, it is important that the DSL:

- 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 the school or college 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 the DSL 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 in school or college. This includes incidents that have been referred to external agencies and those that have not.

Ofsted highlight that when inspecting schools in relation to safeguarding they look for the following:

- Are records up to date and complete?
- Do records demonstrate both effective identification and management of the risk of harm?
- Do records demonstrate sound decision-making, appropriate responses to concerns and evidence of relevant referrals made in a timely manner?
- Do they indicate that appropriate action is taken in response to concerns and allegations in a timely manner?
- Do they show evidence of tenacity in following up concerns with relevant agencies?
- Do they provide evidence of effective partnership working and sharing of information?
- Is there evidence of attendance at or contribution to inter-agency meetings and conferences?
- Is there clarity about the school's policy relating to the sharing of information internally, safe keeping of records, and transfer when a pupil leaves the school?

In cases that relate to youth produced sexual imagery it is important that schools reflect all of the areas above when they are recording incidents.

In addition, where schools do not refer incidents out to police or children's social care they should record their reason for doing so and ensure that this is signed off by the headteacher.

Annex E contains further information about Ofsted's expectations in relation to youth produced sexual imagery.

Reporting youth produced sexual imagery online

Young people may need help and support with the removal of imagery 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.

Annex D outlines how to report to some of the major providers and what to do when a site does not have a reporting function.

SECTION 3 – EDUCATING YOUNG PEOPLE

Why teach young people about youth produced sexual imagery?

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. Teaching should also reflect the principles articulated in 'Key principles of effective prevention education' - produced by the PSHE Association on behalf of NCA-CEOP[21].

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

[21] Downloadable from - https://www.pshe-association.org.uk/curriculum-and-resources/resources/key-principles-effective-prevention-education

- 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 their 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 sexting may have limited impact.

When to teach young people about these issues?

It is essential that learning is both age and readiness appropriate and is seen by children and young people as balanced and relevant to their real life experience.

Working with children and young people in the planning of these lessons can help schools ensure that lessons are both appropriate and relevant.

What resources are available?

Teachers may find the following free resources and guidance helpful in their planning. ***Age ranges are only suggestions. Teachers should use their professional judgement in ensuring that any resource matches the needs and readiness of their pupils.***				
Resource	**Organisation**	**Details**	**Age range**	**Where to find it**
Crossing the Line	Childnet International	A practical PSHE Toolkit for educators containing films, lesson plans and activities. The film about sexting and peer pressure, 'Just send it', is rated 12 by the BBFC.	11-14* *Some activities for KS2	www.childnet.com/pshetoolkit
Picture This	Childnet International	A teaching pack comprised of a 25-minute play script and lesson plans.	14-18	http://www.childnet.com/resources/picture-this
I saw Alex's Willy	NSPCC	Film and lesson plans aimed at younger children, key stages 1-2, which cover the importance of not sharing naked images.	5-11	https://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/share-aware/teaching-resources
ChildLine website	ChildLine	The ChildLine website has useful information about 'sexting', which can be used as part of lessons.	Target 11-14, but up	https://childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-

ChildLine Zip-It app	ChildLine	Zipit provides young people with witty comebacks which they can use to help diffuse situations where they are asked to send sexual pictures.	to 18 13+	safety/sexting/
Exposed	NCA-CEOP	A film and accompanying lesson plan exploring the consequences of sharing sexual imagery.	14+	www.thinkuknow.co.uk/teachers
Thinkuknow Toolkit	NCA-CEOP	A set of 15 lesson plans including an activity exploring the influence of the media in 'sexting'.	11+	www.thinkuknow.co.uk/teachers
Thinkuknow website	NCA-CEOP	The Thinkuknow site contains useful information about 'sexting' which can be used as part of lessons.	14+	https://www.thinkuknow.co.uk/14_plus/Need-advice/Selfies-and-sexting/
First to a Million	NCA-CEOP	An interactive film and lesson plans exploring the opportunities and risks of sharing videos online.	13-18	www.thinkuknow.co.uk/teachers
Guidance on teaching about consent in PSHE	PSHE Association	General advice for schools on teaching about consent accompanied by eight lesson plans.	Key stages 3 and 4	https://www.pshe-association.org.uk/curriculum-and-resources/resources/guidance-teaching-about-consent-pshe-

education				education-key
FAQs on pornography and sharing of sexual images	PSHE Association	Guidance on existing legislation, school policies, and teaching approaches to address pornography and the sharing of sexual images.	Guidance for teachers	https://www.pshe-association.org.uk/curriculum-and-resources/resources/frequently-asked-questions-pornography-and-sharing
Disrespect NoBody Discussion guide	Home Office – PSHE Association	A teaching resource which supports the Government's Disrespect NoBody campaign aimed at preventing abuse in teenage relationships.	13+	https://www.pshe-association.org.uk/curriculum-and-resources/resources/disrespect-nobody-discussion-guide
Tagged	Office of the Children's eSafety Commissioner (Australia)	Australian film resource with lesson plans and video interviews with key characters.	14+	http://www.cybersmart.gov.au/tagged
Lockers	Webwise – the Irish Safer Internet Centre	An animation and six lesson plans including lessons on peer pressure, victim blaming and the influence of the media.	13+	http://www.webwise.ie/lockers

Annex A

When deciding whether to involve the police and or children's social care, consideration should be given to the following questions. Answering these questions will support the DSL in considering whether a young person is at risk of harm, in which case a referral will be appropriate, whether additional information or support is needed from other agencies or whether the school can manage the incident and support the young people directly.

Do you have any concerns about the young person's vulnerability?	
Why this question?	Consideration should be given to whether a young person's circumstances or background makes them additionally vulnerable. This could include being in care, having special educational needs or disability or having been a victim of abuse. Where there are wider concerns about the care and welfare of a young person then consideration should be given to referring to children's social care.

Why was the imagery shared? Was it consensual or was the young person put under pressure or coerced?	
Why this question?	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. 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. 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.

	You should take disciplinary action against pupils who pressure or coerce others into sharing sexual imagery. If this is part of pattern of behaviour then you should consider making a referral to a Harmful Sexual Behaviour service, such as the National Clinical Assessment and Treatment Service (an NSPCC service).

Has the imagery been shared beyond its intended recipient? Was it shared without the consent of the young person who produced the imagery?	
Why this question?	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 should 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.

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?	
Why this question?	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. You should support a young person to report the imagery to any sites it is hosted on. You can find information on reporting in Annex D. If the young person has tried to report the imagery and it has

	not been removed the young person should contact ChildLine who work in partnership with the Internet Watch Foundation (IWF) to have youth produced imagery removed from the internet. You could 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 imagery then you should report to NCA-CEOP.

How old is the young person or young people involved?	
Why this question?	Children under the age of 13 are unable to consent to sexual activity. Any imagery containing sexual activity by under 13s should be referred to the police. 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 you believe the imagery contains acts which you would not expect a young person of that age to engage in then you should refer to the police. The Brook Traffic Light tool[22] provides guidance on harmful sexual behaviour at different ages.

[22] www.brook.org.uk/index.php/traffic-lights

Did the young person send the image to more than one person?	
Why this question?	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 you believe there are wider safeguarding concerns then you should make a referral to children's social care.

Does the young person understand the possible implications of sharing the image?	
Why this question	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. Exploring their understanding may help you plan an appropriate response helping you assess, for example, whether they passed on an image with deliberate intent to harm.

Are there additional concerns if the parents or carers are informed?	
Why this question?	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 DSL should use their professional judgment about whether it is appropriate to involve them and at what stage. If a school chooses not to involve a parent they must clearly record the reasons for not doing so. Where possible young people should be supported to speak with their parents themselves about the concerns.

Annex B

Age considerations

When considering appropriate action regarding youth produced sexual imagery, Designated Safeguarding Leads 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.

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.

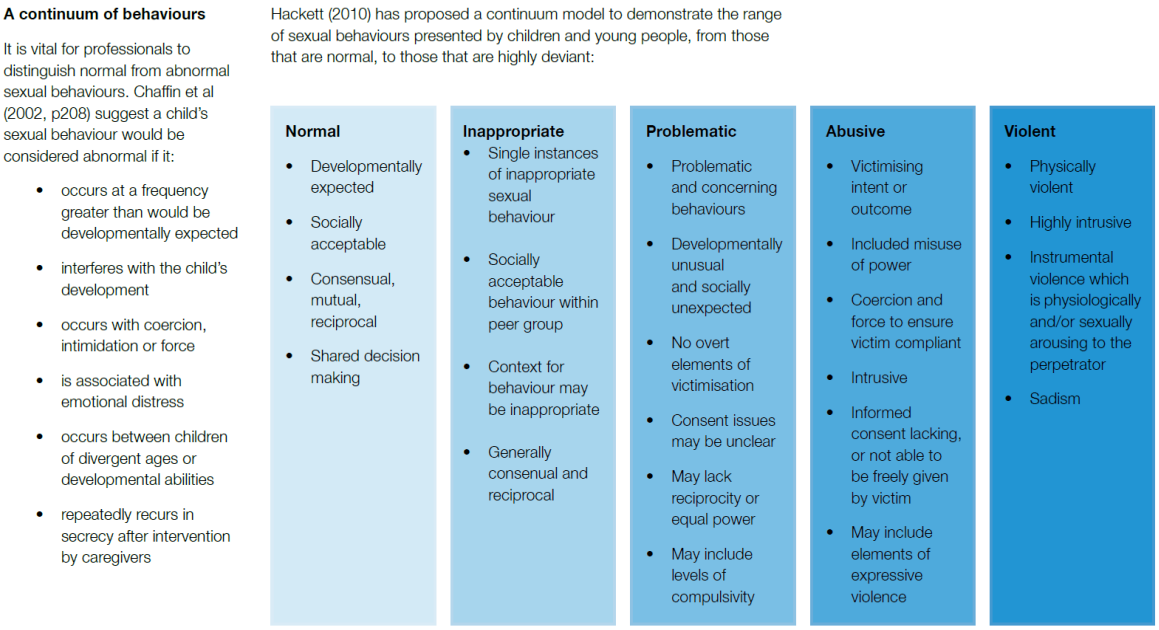
The understanding of children and young people around the potential implications of taking and/or sharing youth produced sexual imagery is likely to be influenced by the age and ability of the children involved. In some cases children under 13 (and indeed older) may create youth produced sexual imagery as a result of age appropriate curiosity or risk-taking behaviour or simply due to naivety rather than any sexual intent. This is likely to be the behaviour more commonly identified within primary schools. 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 social care involvement is required or proportionate but DSLs will need to use their professional judgement to consider the specific context and the children involved.

Sexual behaviour

DSLs will need to be mindful that behaviour which may not initially appear to be sexually motivated may have occurred as a result of risky or harmful behaviour or indeed sexual abuse being ‘normalised’ for children.

Difficulties in defining harmful sexual behaviours displayed by children and young people are made worse by a general lack of knowledge of childhood sexuality and what constitutes normal sexual development. The Hackett (2012) continuum of children

(Fig1) and young people's sexual behaviours shows how behaviours exist on a continuum from normal to highly abnormal.



A continuum of behaviours

It is vital for professionals to distinguish normal from abnormal sexual behaviours. Chaffin et al (2002, p208) suggest a child's sexual behaviour would be considered abnormal if it:

- occurs at a frequency greater than would be developmentally expected
- interferes with the child's development
- occurs with coercion, intimidation or force
- is associated with emotional distress
- occurs between children of divergent ages or developmental abilities
- repeatedly recurs in secrecy after intervention by caregivers

Hackett (2010) has proposed a continuum model to demonstrate the range of sexual behaviours presented by children and young people, from those that are normal, to those that are highly deviant:

Fig 1: Hackett continuum of behaviours[23]

DSLs must ensure that they are familiar with and follow the relevant local policies and procedures (including contact with local authorities or Local Safeguarding Children Boards) available for recognising and responding to harmful behaviours and/or underage sexual activity when dealing with children under 13 who may have been involved in creating or sharing youth produced sexual imagery. This is essential to ensure that children involved or identified are safeguarded and are not unnecessarily criminalised or labelled.

Additional tools to support DSLs include:

- Lucy Faithfull/Parent's Protect leaflets for parents:
  - www.parentsprotect.co.uk/files/traffic_light_helping_you_understand_the_sexual_development_of_children_under_5.pdf
  - www.parentsprotect.co.uk/files/traffic_light_helping_you_understand_the_sexual_development_of_children_5-11.pdf
- Brook Traffic Light Tool:
  - www.brook.org.uk/index.php/traffic-lights

[23] Taken from NSPCC Harmful Sexual Behaviours Framework

www.nspcc.org.uk/services-and-resources/research-and-resources/2016/harmful-sexual-behaviour-framework

Annex C

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 your school's 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
- What parents and carers can do to help remove images/empower young people – see Annex D
- 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 professionals 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. Below are examples of the advice that police and schools could offer in a range of scenarios:

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 the child's school if they are concerned that their child is being bullied.
- Directed to services for Harmful Sexual Behaviour, such as the National Clinical Assessment and Treatment Service[24] (an NSPCC service), 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 around sexting 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 NCA-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

[24] Call NCATS on 020 7428 1500 or email NCATS@nspcc.org.uk

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

- Advised on the law around sexting, 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. If they have asked for the image, 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.
- Advised to contact their child's school if they are concerned that their child is behaving in a sexually inappropriate way. They should also be directed to services for Harmful Sexual Behaviour, such as the National Clinical Assessment and Treatment Service, 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 their child's 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 999.

- Provided with information on where they are able to access support themselves if they are concerned or distressed.
- Directed to NCA-CEOP if they are concerned about child sexual exploitation or grooming.

Resources and support

In addition to any Local Safeguarding Children Board resources, the following resources can be used to support parents and children with youth produced sexual imagery, and can be included on school and college websites:

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 sharing 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. Young person can get their photo removed by talking to a ChildLine counsellor. 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.

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: https://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

Resources parents could highlight to their children

- ChildLine have created Zip-It, an app that provides witty comebacks in order to help young person 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%202%20May%202015.pdf

Annex D

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 the school knows where the content is hosted but doesn'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: https://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.

Support services

If you need additional advice or support, the following organisations can assist:

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.

NCA-CEOP

If you are concerned that a child is being sexually abused, exploited or groomed online you should report to NCA-CEOP www.ceop.police.uk/safety-centre.

The NSPCC adults 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.

Annex E

Youth produced sexual imagery and the Ofsted Common Inspection Framework

The revised inspecting safeguarding arrangements for early years, education and skills settings, including schools which came into effect in September 2015, represent significant changes to the way in which online safety is inspected. For more information visit SWGfL, part of the Safer Internet Centre[25].

Inspecting safeguarding in early years, education and skills settings

The areas below highlight where online safety is mentioned and offer considerations to schools in relation to youth produced sexual imagery. For further information see the Ofsted website.

Section 10 – Definition of safeguarding

Youth Produced Sexual Imagery (sexting) is specifically mentioned in the definition of Safeguarding in the '*Inspecting Safeguarding in Early Years, Education and Skills settings'* guidance. It highlights that safeguarding action may be needed to protect children from – '*the impact of new technologies on sexual behaviour, for example sexting or pornography'.*

Schools should consider:

- Having policies in place that reflect the use of technology outside of the school environment
- Ensuring that all safeguarding and child protection documentation, policies, practices and procedures feature youth produced sexual imagery within their definition of safeguarding
- Highlighting in the relevant policies the actions they will take as a school if a child shares, produces or receives youth produced sexual imagery

Section 13 – The signs of successful safeguarding arrangements

'They have well developed strategies in place to keep children and learners safe and to support them to develop their own understanding of these risks and in learning how to keep themselves and others safe. Leaders oversee the safe use of technology when

[25] http://swgfl.org.uk/news/News/online-safety/Making-Sense-of-the-New-Online-Safety-Standards

children and learners are in their care and take action immediately if they are concerned about bullying or children's well being.'

Schools should consider in relation to youth produced sexual imagery:

- Policies and practices that include and make reference to youth produced sexual imagery or sexting
- Designated safeguarding leads who understand the issues and can support others in school
- Awareness-raising for all staff in recognising youth produced sexual imagery, intervening when those issues arise and how serious issues are escalated both in and outside of school
- Providing effective reporting routes for children and young people
- Preventative education programmes for children and young people
- Clear policy (or references in existing policies) around the use of digital equipment in school and outside of school.
- Clear consequences if youth produced sexual imagery is produced and shared which impacts on the health and wellbeing of children and young people, including both on school or personal devices
- Clear staff procedure for managing incidents

Section 18 – Inspectors will want to consider evidence that:

'Staff leaders and managers understand the risks posed by adults or young people who use the internet or other electronic means to bully, groom or abuse children, young people and vulnerable adults; there are well developed strategies in place to keep learners safe and to support them in learning how to keep themselves safe.'

Schools should consider in relation to youth produced sexual imagery:

- Appropriate staff development that includes youth produced sexual imagery and the risks to children and young people
- Integration of youth produced sexual imagery into appropriate curriculum areas (see section three for further information)

Section 18 – Inspectors will want to consider evidence that:

'Staff leaders and managers oversee the safe use of electronic social media by staff and learners and take action immediately if they are concerned about bullying or risky behaviour.'

Schools should consider in relation to youth produced sexual imagery:

- Clear procedures for all staff around incidents of youth produced sexual imagery
- Reporting routes for children and young people
- Awareness raising training for all staff in school

Section 34 – Arriving at judgements about safeguarding arrangements

'Inspectors will make a judgements on the personal development, behaviour and welfare of children and learners by evaluating, where applicable the extent to which the provision is successfully promoting and supporting children's and learners safety. In order to make those judgements, inspectors will consider among other things, children's and learners understanding of how to keep themselves safe from relevant risks such as exploitation and extremism, including when using the internet and social media. Inspectors should include online safety in their discussions with pupils and learners (covering topics such as online bullying and safe use of the internet and social media). Inspectors should investigate what the school or further education and skills provider does to educate pupils in online safety and how the provider or school deals with the issues when they arise.'

Schools should consider in relation to youth produced sexual imagery:

- Schools should provide children and young people with the opportunity to explore the issues around youth produced sexual imagery
- Children and young people should be confident about reporting incidents to the school, using any of the reporting routes provided
- Parents should be made aware of the risks to their children and supported in handling incidents

Annex F

Exercise instruction sheet

This exercise may be used by a DSL to explore the issues of youth produced with school staff.

It is designed to illustrate a range of youth produced imagery scenarios and highlight that an appropriate and proportionate response needs to be considered for each incident.

Instructions to trainer

Resources required:

- Resource Sheet 1 – typology definitions (1 per delegate)
- Resource Sheet 2 – case studies (1 per group)
- Resource Sheet 3 – response (1 per delegate)
- Coloured card – 6 colours
- Blu-tack

Preparation:

A - Prepare a set of case study cards per group. (This takes a little time but the cards can be re-used) If you'd prefer you may wish to use anonymised case studies that you are aware of.

The 15 case studies (Resource sheet 2) match the six typology categories as follows:

Aggravated Adult (case studies 4 & 7)

Aggravated Youth Intent to Harm (case studies 5, 6, 3 & 8)

Aggravated Youth Reckless misuse (case studies 9 & 10)

Experimental Romantic (case studies 11,12 & 2)

Experimental Attention Seeking (case studies 13, 14, & 1)

Experimental Other (case study 15)

Assign a distinctive coloured card to each of the six categories above, then cut and mount each of the 15 case studies accordingly.

B - Prepare 6 white ‘header’ cards for wall mounting – each card should display the title of one of the typologies.

Activity:

1. Divide delegates into groups of 3-4. Where appropriate mix delegates to include a wide range of experience / job role etc.

2. Give each group a set of case study cards (all 15 if time permits, if not then ensure that they have at least one of each colour).

3. Instruct delegates to read each study and consider as a group the following questions:
   - What level of risk do they think is attached to each case – green/red/amber
   - What should the action of the school be?
   - At this stage which of the case studies would they refer out to police and or social care?

   At this stage a simple outline/ plan of action - no more than 3 mins per case.

4. Give each group member a copy of Resource Sheet 1 and discuss with them Finkelhor’s typology. Finkelhor’s typology will help them to define the kind of incident and will also help them to decide on the appropriate and proportionate response.

5. Give each delegate a copy of Resource Sheet 3 and ask them as a group to decide for each case study which typology category they would assign to it. Record any comments on their sheets.

6. Whilst delegates are working, blu-tack the 6 ‘header’ cards around the room.

7. When delegates have categorised each of their case studies, ask them to post the cards on the wall under the appropriate ‘header’ card around the room. (It becomes apparent quite quickly that the colours match up in groups and show where groups agree/disagree on categorisation).

8. Comment on where there has been agreement/disagreement to pull out variation in group thinking.

9. Pull out a variety of incidents that reflect the different typologies e.g. romantic, attention seeking, aggravated adult etc and ask delegates to consider the following:
    - Do any of the case studies reflect any of the five points for immediate referral to other agencies?
    - If they do which external agency should they be referred to and why?
    - If they don't need to be referred to an external agency, why not?

10. Where there are case studies that don't hit the referral threshold ask the groups to consider their response. This should take into account how they would respond as a school. They should consider the following:
    - How would the child be supported?
    - How would parents or carers be informed?
    - How would the deletion and removal of the images be handled?
    - How would the incident be recorded?
    - Who would take the lead in managing the incident?
    - What would follow after the management of the incident?

11. Allow for discussion in small groups on these topics and where possible get them to refer to the main body of the advice. Draw out any key elements for discussion and take the opportunity to remind staff of any relevant policies and procedures in managing incidents of youth produced sexual imagery.

Resource Sheet 1 (Adapted from Wolak and Finkelhor 'Sexting: a Typology' March 2011)

<table>
<tr><td rowspan="3">Aggravated incidents involve criminal or abusive elements beyond the creation, sending or possession of youth-produced sexual images</td><td>Adult offenders attempt to develop relationships by grooming teenagers, in criminal sex offenses even without the added element of youth-produced images. Victims may be family friends, relatives, community members or contacted via the Internet. The youth-produced sexual images may be solicited by adult offenders.</td></tr>
<tr><td>Youth Only: Intent to Harm cases that

• arise from interpersonal conflict such as break-ups and fights among friends
• involve criminal or abusive conduct such as blackmail, threats or deception
• involve sexual abuse or exploitation by young people.</td></tr>
<tr><td>Youth Only: Reckless Misuse

no intent to harm but images are taken or sent without the knowing or willing participation of the young person who is pictured. In these cases, pictures are taken or sent thoughtlessly or recklessly and a victim may have been harmed as a result.</td></tr>
<tr><td rowspan="3">Experimental incidents involve the creation and sending of youth-produced sexual images, with no adult involvement, no apparent intent to harm or reckless misuse.</td><td>Romantic episodes in which young people in ongoing relationships make images for themselves or each other, and images were not intended to be distributed beyond the pair.</td></tr>
<tr><td>Sexual Attention Seeking in which images are made and sent between or among young people who were not known to be romantic partners, or where one young person takes pictures and sends them to many others or posts them online.</td></tr>
<tr><td>Other. Cases that do not appear to have aggravating elements, like adult involvement, malicious motives or reckless misuse, but also do not fit into the Romantic or Attention Seeking sub-types. These involve either young people who take pictures of themselves for themselves (no evidence of any sending or sharing or intent to do so) or pre-adolescent children (age 9 or younger) who did not appear to have sexual motives.</td></tr>
</table>

Resource Sheet 2: Case studies

(Case Studies adapted from Wolak and Finkelhor)

Case Study 1

Involved a group of pupils aged between 9 and 10. One girl (aged 9 with mild learning difficulties) was speaking to a group of friends from school via a popular messaging app. Her mobile was upstairs in her room which had a camera. She was getting ready for bed and was sat in a towel and "flashed" on webcam. Another pupil (girl aged 10) from the group told the class teacher what had happened the next day at school, who then reported the concern to the head teacher.

Case Study 2

A year 6 girl (aged 11) texted a photo of herself, topless but covered, to her 12 year old boyfriend (an ex pupil). No physical sexual activity took place between them prior to this event on or offline. The image was discovered on the boy's mobile phone by his mother who deleted the image and then contacted the girl's parents. The girls' parents approached the school for advice.

Case Study 3

A girl, 13, sent a topless photo of herself to her boyfriend, who was 14. When they broke up, the boy sent the photo to numerous friends via his mobile phone and many recipients forwarded the image to others. The school found out when one recipient told a parent. By then over 200 students had received the picture.

Case Study 4

The parents of a 14 year old girl found nude pictures of her on her mobile device and approached her school for advice. She admitted sending the pictures to a 37 year old man she met online. The girl stated she was in love with the offender, who lived in another part of the country. The victim never met him face-to-face.

Case Study 5

Two Year 9 girls (A & B) got mad at each other. They had been friends and had access to nude photos of each other. Girl A showed a nude photo of Girl B to another girl. Girl B thought the photo had been shown to many people. To get even,

she sent a picture of Girl A's breasts to several boys. Several days later, both girls went to the headteacher's office, crying and upset. They felt bad about what they had done.

Case Study *6*

The parents of a 16 year old contacted the school because a boy was blackmailing their daughter. The victim said she had accidentally uploaded a nude picture of herself to a social networking site. When she realised this, she deleted the image, but a boy from another school had already downloaded it. He threatened to distribute it if she did not send him more nude pictures. When the girl refused, the boy sent the picture to about 100 people.

Case Study 7

A 16-year-old girl used the Internet to send sexually explicit photos of herself to numerous men. She was using a stolen computer because her parents had taken her computer away from her. The parents discovered the online conversations and approached her school for advice.

Case study 8

A13 year old girl took sexual pictures of her 3 younger sisters (ages 5, 6 & 8) and touched them sexually. A classmate disclosed this information to their class teacher. Children's social care had been involved with the family for some time.

Case Study 9

At a party where there was heavy drinking, three boys, 15, in the shallow end of a pool pulled down their swim trunks and had a "swordfight". A girl, 17, filmed this and sent the video via her mobile to six other people. The three boys did not know she had taken the video or sent it. The video became a hot topic within the school and came to the attention of the teaching staff.

Case Study 10

A boy, 16, who had been bullied in school and teased about his "male anatomy" took a picture of his penis and sent it a female classmate. The classmate, in turn, but without permission, sent it to four other girls. The incident was disclosed when a

teacher confiscated the boy's mobile phone and found he was using the picture as a screensaver on his phone.

Case Study 11

A 14 year old boy and a 12 year old girl who were boyfriend/girlfriend for a couple of weeks sent sexual pictures and videos to one another, including pictures showing masturbation. The girl's mother found the pictures of the boy on her daughter's mobile phone and told their Headteacher that she wanted the boy prosecuted to the full extent of the law. When she found out that her daughter had sent images too, she wanted the girl prosecuted as well.

Case Study 12

Parents approached the school when they discovered their son, 16, had received a video of a 17 year old boy masturbating. Their son was gay and in a relationship with the other boy. His parents were upset about his sexual orientation.

Case Study 13

A girl, 15, sent unsolicited naked pictures of herself to three different boys in her school using her mobile phone, including to one boy who was 18. Then she and a friend went to their class teacher because they were concerned the images would be sent around the school.

Case Study 14

A girl, 17, posted nude pictures of herself on a social networking site. The website identified the images as possible child abuse images, removed them and reported the incident to NCA-CEOP, which referred the report to the local police force. The police approached the school and talked with the girl, but she was not charged.

Case Study 15

An 11 year old girl took naked pictures of her breasts with her mobile phone. Her grandparents discovered the images, did not realize they were of the girl and brought the phone to school. The girl, when interviewed, admitted she took the pictures of herself but said she had not sent them to anyone.

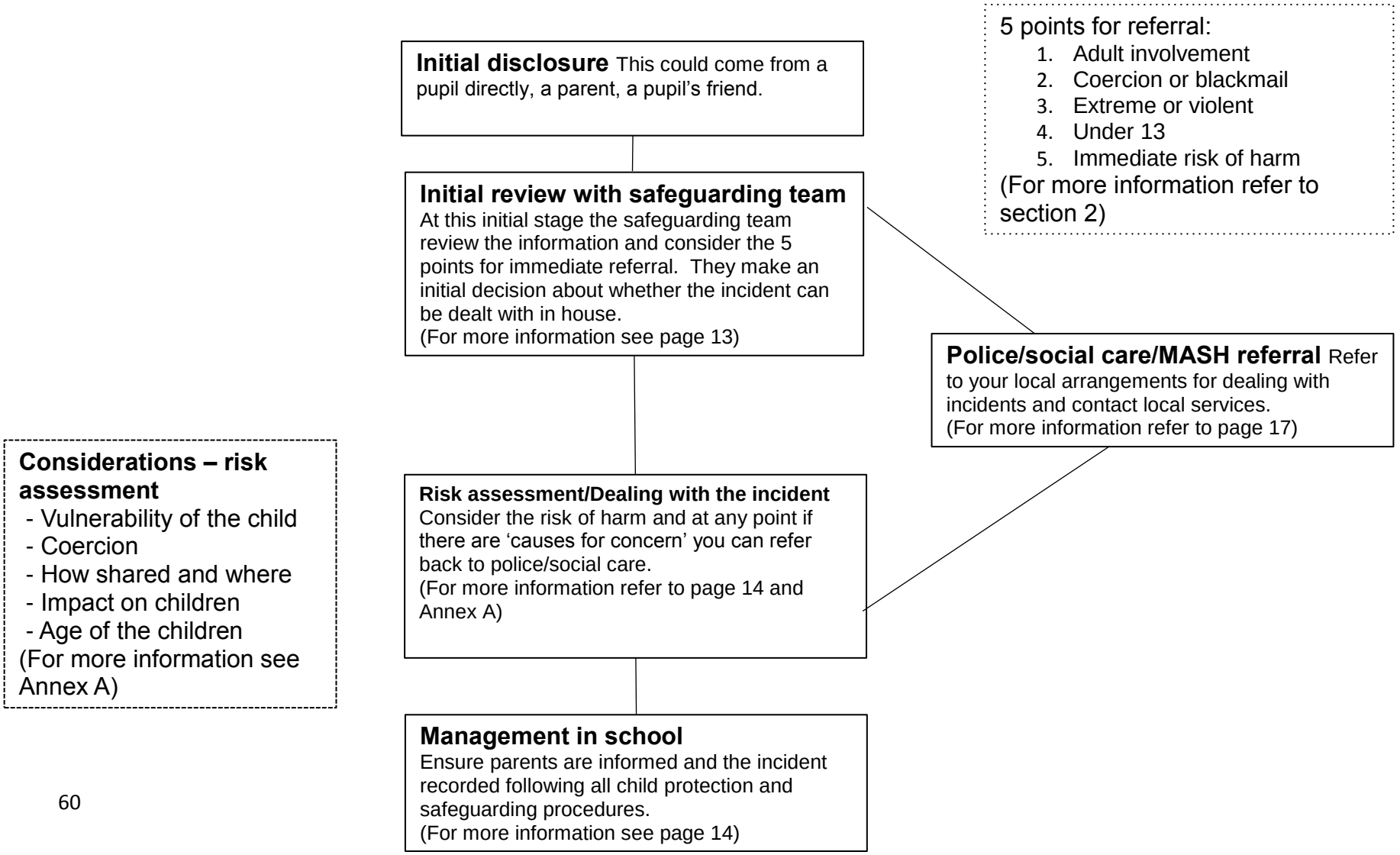
Resource Sheet 3 - Response

Case study - Typology	Comments	Response
1 -		
2 -		
3 -		
4 -		
5 -		
6 -		
7 -		

8 -		
9 -		
10 -		
11 -		
12 -		
13 -		
14 -		
15 -		

Annex G

Flowchart for responding to incidents



Disclaimer

Relevant laws and best practice have been taken into account in the development of this document. However, these issues have the potential to be complex and multi-faceted. As case law in this area is still relatively underdeveloped nothing in this document should be taken as legal advice.

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