



**Girls' Division
Policy on Youth
Produced Sexual
Imagery ('Sexting')**

Bolton School Girls' Division Policy on Youth-Produced Sexual Imagery (often known as 'Sexting')

This policy was written with reference to the UKCCIS Guidance 'Sexting in Schools and Colleges'. It is one of a number of Policies which govern procedures supporting Safeguarding and Child Protection within the Foundation and which include various Acceptable Use Policies for ICT.

Sexting is generally considered to be the 'sending or posting of sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet.' Creating and sharing sexual photos and videos of under-18s is illegal. In the following, 'Youth produced sexual imagery' is used to describe this practice because it implies

young people sharing images that they, or another young person, have created of themselves and covers both still photos and moving videos.

The following should be kept in mind:

- The sharing of sexual imagery of people under 18 *by adults* constitutes child sexual abuse and the School will always inform the police in such incidents.
- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which do not contain imagery is covered by the School's Behaviour Management Policies but is not dealt with below.

When an incident involving youth-produced sexual imagery comes to the School's attention, the following will take place:

- The incident will be referred to the Designated Senior Lead (DSL) (or, in his/her absence, his/her Deputy) as soon as possible;
- The DSL will hold an initial review meeting with appropriate school staff;
- There may be subsequent interviews with the young people involved (if appropriate);
- Parents will 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: 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;
- 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 will be made to children's social care and/or the police immediately;
- Any situations involving children under 13 and youth produced sexual imagery will be taken seriously as potentially being indicative of a wider safeguarding or child protection concern or as being problematic sexual behaviour. (The Sexual Offences Act of 2003 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.) However, 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 the DSL will use his/her professional judgement to consider the specific context and the children involved.

- All incidents relating to youth produced sexual imagery will be recorded in School. This includes incidents that have been referred to external agencies and those that have not.

The School recognises that Disclosures about youth-produced sexual imagery can happen in a variety of ways. The young person affected may inform a class teacher, the DSL, or any member of the school or college staff. The young person 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 support staff) are made aware of how to recognise and refer any disclosures of incidents involving youth produced sexual imagery. This is covered within staff training and is a part of the Foundation's Safeguarding and Child Protection policy.

Any direct disclosure by a pupil or student in School will be taken very seriously. Staff will recognise that (s)he is likely to be embarrassed and worried about the consequences of such a disclosure.

The initial review meeting will 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 will 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, if this is known;
- 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 will be involved;

An immediate referral to police and/or children's social care will be made if at this initial stage one or more of the following features is apparent:

- i) The incident involves an adult;
- ii) 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);
- iii) What is known about the imagery suggests the content depicts sexual acts which are unusual for the young person's developmental stage, or are violent;
- iv) The imagery involves sexual acts and any pupil in the imagery is under 13;
- v) There is reason to believe a pupil or another child/ 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, as a result of an internal investigation (below), the DSL believes there are wider issues which meet the threshold for children's social care involvement then (s)he will make a referral in line with the Foundation's Safeguarding procedures.

If none of the above applies, then the School may decide to respond to the incident without involving the police or children's social care, although the School may choose to escalate the incident at any time if further information or concerns come to light.

Such a 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, local network of support.

This decision will be made by the DSL with input from the Headmistress and input from other members of staff if appropriate. The decision will be recorded in line with school policy. The decision will be based on consideration of the best interests of the young people involved and will take into account proportionality as well as the welfare and protection of the young people. The decision will 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 may well be 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 potentially malicious intent, will generally be referred to police and/or children's social care. If there are any doubts about whether to involve other agencies, the DSL will make a referral to the police.

If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL will 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 will 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 imagery?
- What is the impact on the pupils involved?
- Do the pupils involved have additional vulnerabilities?
- Does the young person understand consent?
- Has the young person taken part in this kind of activity before?

If it is necessary to refer to the police, contact will be made through a PCSO (Police Community Security Officer), 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. The School will be aware that, if the children involved are named or specifics are provided the police are duty-bound to record and investigate all criminal activity reported. Any crime reference numbers provided will be recorded.

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

If the DSL is aware that children's social care are currently involved or have previously been involved with a young person involved in an incident of youth produced sexual imagery, then they will contact children's social care.

In dealing with such issues, the School recognises that 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. A decision to view imagery should be based on the professional judgement of the DSL and will always comply with the child protection policy and procedures of the school or college. Imagery will never be viewed if the act of viewing will cause significant distress or harm to the pupil.

A decision would only be made to view imagery if the DSL were satisfied that viewing:

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

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

- Never copy, print or share the imagery, as 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 will 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- this record will be signed and dated.

If youth-produced sexual imagery has been unavoidably viewed by a member of staff, either following a disclosure from a young person or as a result of a member of staff undertaking their daily role (such as IT staff monitoring school systems), then the DSL will ensure that the staff member is provided with appropriate support as

viewing youth-produced sexual imagery can be distressing for both young people and adults and appropriate emotional support may be required.

If the School has decided that other agencies do not need to be involved, then consideration will be given to deleting imagery from devices and online services to limit any further sharing of the imagery. In most cases, the young person/ young people will be asked to delete imagery and to confirm that they have deleted the imagery by a certain deadline.

The young people will be reminded that possession of youth-produced sexual imagery is illegal. They will 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 will be recorded, including times, dates and reasons for decisions made and logged in the safeguarding records. Parents and carers will also be informed unless this presents a further risk to the young person.

At this point, the School will normally invoke its own disciplinary measures to discourage young people from sharing, creating or receiving images. For the avoidance of doubt, parents and pupils are advised that there may be differences in policies and procedures regarding this and other behavioural issues between different schools within the Girls' Division (because of the age and stage of the children) and between schools in the Girls' Division and the Boys' Division, as well as between this school and other educational institutions. The Girls' and Boys' Divisions have a single Governing Body but separate DfE registrations and are inspected separately. The Girls' Division has its own Behaviour Management and Discipline Policy and each school in the Girls' Division has its own policy for rewards and sanctions. If, on the balance of probabilities, it is found that there has been a breach of discipline, the member of staff in charge of dealing with the matter will apply the sanction which is judged appropriate within the context of the relevant school and the particular circumstances, regardless of any sanctions applied

elsewhere within the Foundation or at any other institution for the same or similar offences.

In seeking to prevent Sexting, the School will:

- Educate children and young people about youth produced sexual imagery in an age-appropriate way, particularly as part of the PSHEE programme and in ICT lessons.
- Speak to parents about the dangers of sexting and the law concerning young produced sexual imagery.
- Advise children that they 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>.
- Advise parents or carers who are concerned that their child is being contacted by adults as a result of having shared sexual to report to NCA-CEOP at www.ceop.police.uk/safety-centre.
- Advise parents and carers who are concerned about their child to 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.

This policy was reviewed on 1st May 2017. It will be updated on or before 1st May 2018.