



Grove School

Policy and procedures on sexting.

Autumn 2018

1. What is sexting?

Sexting is when someone shares sexual, naked or semi-naked images or videos of themselves or others, or sends sexually explicit messages.

They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages.

Sexting may also be called:

- trading nudes
- dirties
- pic for pic

2. Why do young people sext?

There are many reasons why a young person may want to send a naked or semi-naked picture, video or message to someone else.

- joining in because they think that 'everyone is doing it'
- boosting their self-esteem
- flirting with others and testing their sexual identity
- exploring their sexual feelings
- to get attention and connect with new people on social media
- they may find it difficult to say no if somebody asks them for an explicit image, especially if the person asking is persistent



3. What the law says

Sexting can be seen as harmless, but creating or sharing explicit images of a child is illegal, even if the person doing it is a child. A young person is breaking the law if they:

- take an explicit photo or video of themselves or a friend
- share an explicit image or video of a child, even if it's shared between children of the same age
- possess, download or store an explicit image or video of a child, even if the child gave their permission for it to be created.

However, as of January 2016 in England and Wales, if a young person is found creating or sharing images, the police can choose to record that a crime has been committed but that taking formal action isn't in the public interest.

Crimes recorded this way are unlikely to appear on future records or checks, unless the young person has been involved in other similar activities which may indicate that they're a risk.



4. Procedures for staff and volunteers at Grove.

These are clear steps for staff and volunteers to follow if they have concerns about or become aware of young people sharing explicit images or videos of themselves or others.

Responding to incidents and safeguarding children.

(UK Council for Child Internet Safety (UKCCIS, 2016)

This guidance is for designated safeguarding leads and deputies, headteachers and senior leadership teams in schools and educational establishments in England.

It is non-statutory and should be read alongside statutory guidance Keeping children safe in education ([Department for Education, 2018](#)) and the non-statutory guidance Searching, screening and confiscation ([Department for Education, 2014](#)).

The advice clarifies the law: it is a criminal offence to possess, distribute, show and make indecent images of children.

However, it also points out that the National Police Chiefs Council (NPCC) guidance recommends reports of children being involved in sexting should be dealt with in a proportionate way and that it might not be appropriate to carry out a full criminal investigation ([College of Policing, 2016](#)).

Step-by-step process

The guidance includes a step-by-step process for a school or college responding to a sexting incident.

- **Disclosure**

This could come from a young person or parent.

- **Initial review meeting with the safeguarding team**

At this stage the initial information should be reviewed and a decision made about whether referral is necessary or whether the incident can be dealt with in-house

- **Report incidents to the police or referring to social care, if necessary**

A referral should be made if:

- there was adult involvement

- there was any coercion or blackmail
- the images were extreme or violent
- the child involved had already been identified as vulnerable or was under 13
- there is an immediate risk of harm.

- **Assess the risks**

Questions to ask include:

- How was the image shared and when?
- What is the impact on the child involved?
- What is the background of the child involved?
- Was the child coerced in any way?

- **Management in school**

Steps on how to respond to the incident include:

- inform parents or carers - if this is not a risk
- record incidents
- search devices, identify and delete images
- interview and talk to the young people involved
- discipline young people involved if necessary
- report online imagery and get it removed.

Additional information in the guidance

The guidance provides lots of supporting information and resources for schools and colleges including:

- how and when to educate young people about sexting and associated risks
- a list of resources that can be used as part of PSHE lessons and assemblies
- questions teachers can ask to help decide on the best course of action in specific sexting incidents
- what age considerations should be taken in to account
- how to talk to parents or carers on the risks of sexting, what actions they need to take and a list of resources from other organisations
- how to report sexting online
- what the Ofsted inspection framework says about sexting

- resources and case studies which can be used as part of teacher training sessions.

5. Police action in response to youth produced sexual imagery ('sexting')

Briefing note

(College of Policing, 2016)

The guidance aims to help police in England and Wales to respond to young people who are sexting and prevent the unnecessary criminalisation of children and young people.

The briefing has been developed in parallel with the UK Council for Child Internet Safety guidance Sexting in schools and colleges ([UKCCIS, 2016](#)). It is recommended that police should work with schools to share advice and information during investigations and help educate children about the risks of sexting.

Key steps for police dealing with a sexting incident are described.

Initial police action

- When a report about sexting is made to the police, they should check the welfare of the young person/people taking part and find out whether there are any safeguarding issues or significant risks involved. This should include doing background checks.
 - If there are any safeguarding concerns, police should act on this immediately. This may involve a child protection referral and/or strategy meeting to plan how best to keep the child safe.
 - If the child already has a child protection plan or is in care, the police should make a referral to discuss how best to keep the child safe.
- If there are no safeguarding concerns, and after talking to the child's parents or carers and teachers, the police may decide to offer support to the child rather than follow criminal procedures.
- Police should give advice to young people affected by sexting and their parents or carers, including:
 - how to stay safe
 - where to find further advice and support
 - how to avoid doing anything which is illegal in the future (such as keeping a copy of an image which has been sent to them).

Investigation

- During the investigation, it is important to consider the needs of each child involved as well as the possible long-term effects the situation may have on them.
 - If there are any concerns about possible self-harm or suicidal thoughts, this must be dealt with appropriately and promptly.
- In higher risk cases, it may be necessary to remove the device that was used to send or receive the images, but in lower risk cases this may not be necessary.
- In higher risk cases the young people involved may need to be formally interviewed.
- Parents/carers and the child should be kept informed about the next steps of the investigation and be given time to ask questions. They should also be given written information about where to find support, including how to get images removed from social media and messaging sites/apps.
- Police should always fill in a Child contact with the police form to notify partners of the incident and make sure information is shared effectively.

Crime outcome code

- All reports about sexting should be recorded as a crime. However, in January 2016 the Home Office launched outcome 21 (Home Office, 2016). This allows police to record that a crime has happened, but that it was not considered to be in the public interest to take formal criminal justice action. Crimes recorded under this code are unlikely to be disclosed on a Disclosure and Barring Service (DBS) check in the future, although this cannot be guaranteed.
- Outcome 21 may be a good solution in cases where a young person's sexting was not abusive or persistent, and there is no evidence of exploitation, grooming, profit motive or malicious intent.
- Decisions about using outcome 21 should be taken by a senior and/or experienced officer.
- Once the outcome of the investigation has been decided, it should be clearly explained to the child, their parents or carers. The short- and long term implications should also be explained, for example whether the incident is likely to be included on a DBS certificate.

Dealing with images where outcome 21 is used

- Anybody who has indecent images of a young person should delete them and prove that they have done so. It may be possible for schools to help with this by using their powers to seize, view and delete content.

- If a device has been seized by police and it contains sexual images of a young person, it is unlikely that this can be returned to the owner because this could be interpreted as supplying an indecent image of a child. The final decision about this should be made by somebody at managerial level, such as a superintendent.
- If images of a child have been shared beyond their control, police officers should add the images to the Child Abuse Image Database (CAID), which is used to prevent images from being re-circulated online.

6. Useful resources

<https://www.nspcc.org.uk>

www.childline.org.uk/info-advice/sexting

<https://www.nspcc.org.uk/preventing-abuse/.../sexting/sexting-advice-professionals>

<https://www.saferinternet.org.uk/advice-centre/...and-professionals/.../sexting-resource>