



**Policy on
Youth Produced Sexual Imagery
(YPSI)
‘Sexting’**

at

Bedstone College

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This policy is linked to the policies on Safeguarding, Behaviour, Confiscation and Searching, The Curriculum, Whistleblowing and e-safety and should be read in conjunction with the Government Advice "Sexting in Schools and Colleges")

(<https://www.gov.uk/government/publications/sexting-in-schools-and-colleges>)

This Policy addresses the following relevant criteria:

- NMS: Standard 11, Commentary para B71 to B74
- NMS: Standard 12, Commentary para B77
- ISI Regulatory Requirements: Part 3, Para 7 (a & b) (Commentary paras 91 & 117)
- ISI Regulatory Requirements: Part 3, Para 8 (a & b)

The following guidance has been taken into account:

- 'Sexting' in schools: advice and support around self-generated images (Compass Community; endorsed by CEOP, NAHT, UKCCIS*)
- DfE guidance – Keeping Children Safe in Education (KCSIE: updated Sept 2019)
- DfE guidance - Working Together to Safeguard Children (WTSC: updated 2018)

(* The UK Council for Child Internet Safety)

Defining 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.'

The Law states that making, possessing and distributing any imagery of someone under 18 which is indecent is illegal. This includes imagery of yourself if you're under 18. 'Indecent' is not definitively defined in law, but images are likely to be considered indecent if they depict:

- a naked young person
- a topless girl
- an image which displays genitals
- sex acts including masturbation
- overtly sexual images of young people in their underwear

Extent of youth produced sexual imagery (YPSI)

YPSI is a relatively recent phenomenon; however, with the growth of mobile phone ownership among young people there has been an increase in the number of young people sharing and receiving images.

The following platforms are places where young people are likely to share images:

- Live one-to-one video chat on web sites
- Video chat via instant messaging applications
- Files sent by email to another person
- Files uploaded to public video hosting web sites
- Files being sent as attachments during online chat sessions
- Files used as profile images or posted on social networking sites

Should all incidents of sexting be treated in the same way?

There are many different types of sexting and it is likely that no two cases will be the same. It is necessary to carefully consider each case on its own merit. However, it is important to apply a consistent approach when dealing with an incident to help protect the investigating teachers, the school and the student. The range of contributory factors in each case also needs to be considered in order to determine an appropriate and proportionate response.

One of the challenges for schools is dealing appropriately with sexting scenarios. Recent research by the NSPCC identifies that sexting does not refer to any one particular activity; rather, it can be a variety of different activities motivated by a variety of different situations.

Policy and Procedures

This policy acknowledges the need for the school to respond quickly and sensitively to any known incidence of 'sexting'.

Initial disclosure

All members of staff are aware of how to recognise and refer any disclosures of incidents involving youth produced sexual imagery. All incidents, sexting disclosures should follow the normal child protection safeguarding procedures.

One of the School's DSLs should be informed straightaway of a disclosure or incidence. A member of SMT will then deal with the incident.

The initial review meeting should consider the initial evidence and aim to establish:

- If 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 images – in most cases the images should not be viewed (see below)
- What further information is required to decide on the best response?
- Whether the imagery has been shared widely and via what services / platforms
- Whether to contact the parents – in most cases parents should be contacted

See page 11 of "Sexting in schools and colleges" for reasons why an immediate referral to Police and /or Children's Social Care should be made.

If the decision is taken by the DSL not to refer to the Police / Children's Social Care then there should be a further review to assess the risks ("*Sexting in schools and colleges*", p. 12)

Viewing images

• **Avoid viewing youth-produced sexual imagery.** Instead, respond to what you have been told the image contains.

- If it is felt necessary to view, discuss with the Head first.
- Never copy, print, or share the image (it's illegal).
- View with another member of staff present.
- Record the fact that the images were viewed along with reasons and who was present. Sign and date.

If an image has been shared across a personal mobile device, confiscate and secure the device

If an image has been shared across a school network, website or social network, block the network to all users and isolate the image

A device may be confiscated, securely stored and examined if there is reason to believe it contains images or extreme pornography. However, this action should only be carried out in accordance

with the Safeguarding policy, and a device should not be searched or viewed if this will cause additional stress to the person whose image has been distributed.

The search must be conducted by the Head or a person authorised by her. A member of the safeguarding/pastoral team should be present. At least one member of the team should be gender appropriate to the person whose device is to be searched.

All details of the incident and the search must be recorded.

Deleting images (from devices and social media)

If the school has decided that involving other agencies is not necessary, consideration should be given to deleting the images. It is recommended that students are asked to delete the images themselves and confirm they have done so. This should be recorded, signed, and dated. Any refusal to delete the images should be treated seriously, reminding the student that possession is unlawful.

Talking to the Young Person

Once the school has assessed a young person is not at immediate risk, it may be necessary to have a conversation and decide the best course of action.

When discussing the sharing of youth produced sexual imagery the DSL should:

- Recognise the pressures that young people are under to take part in sharing such imagery and, if relevant, support the young person's parents to understand the wider issues and motivation
- Avoid asking questions such as 'why have you done this?'
- Reassure the young person that the school will help and support them
- Discuss the issues of consent and trust within health relationships

Further Procedures

After the initial disclosure school will:

- Carry out a risk assessment in relation to the young person
- Put the necessary safeguards in place for the student, e.g. they may need counselling support, immediate protection and parents must also be informed.

When investigating a sexting incident school will consider how the following impact/influence the individuals involved:

- **the age and the developmental appropriateness of their actions:** is the activity appropriate for their age group or is it extreme behaviour? Teenagers will experiment – but what about a younger child? Are you concerned that the behaviour is outside the norms?
- **their background or context:** have they suffered abuse? Are they a looked after child or a vulnerable child? Have they been involved in the criminal justice system? Could their actions have been influenced by the behaviour of influential adults?
- **whether the child was willing or coerced:** were they subjected to sexual coercion or bullying, or was the incident willingly entered into? Were adults involved?
- **the nature of image that was shared:** how provocative or explicit was it? Does it break the law, i.e. is it a child sex abuse image?
- **the level of dissemination:** how widely was the image shared and with whom? How was it passed around?
- **participant intent/motive:** was it simply a 'romantic' gesture? Or was there intent to harm another? What other motive might there be? Was there sexual attention seeking?
- **the wellbeing of those involved:** depending on the answers to some of the questions above, you should risk-assess the situation in order to work out whether you need to escalate the issue to protect those involved.
- **whether protection, education or counselling is required related to the level of risk:** Does what may be a silly juvenile incident warrant a criminal record?

Recording incidents

All incidents of youth produced sexual imagery need to be recorded in the school. This includes incidents that have been referred to an external agency and those that have not.

Records should demonstrate:

- identification and management of the risk of harm
- sound decision-making, appropriate responses to concerns and evidence of relevant referrals
- action taken in response to concerns and allegations in a timely manner
- effective partnership working (internally and with relevant agencies) and sharing of information

Outcomes

There can be no 'one-size-fits-all' approach to the outcomes of sexting incidents as all will be very different. The school reserves the right to apply the full range of disciplinary sanctions open to it, up to and including permanent exclusion, (expulsion), where appropriate.

In some cases, the Police will be contacted.

Education and support for those involved and for the whole school, if deemed appropriate, will be a necessary outcome in all cases.

Education

Bedstone College educates its young people about youth produced sexual imagery, and other safeguarding issues, through many sources, including (but not limited to) PSHE lessons.

The learning focuses on:

- what it is
- how it is most likely to be encountered
- the consequences of requesting, forwarding or providing such images
- issues of legality
- the risk of damage to people's feelings and reputations