

No.5 Sexting

What is sexting?

'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).

What should school staff do?

- If a device is involved -confiscate it and set it to flight mode or, if not possible, switch it off.
- 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.
- Do not view or seek to view the image unless agreed with the Head/Principal and the reasons are carefully considered and recorded in writing.

The DSL should consider...

An immediate referral to police and/or children's social care¹⁶ should be made if at this initial stage:

- The incident involves an adult
- 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)
- 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
- The imagery involves sexual acts and any pupil in the imagery is under 13
- 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

Who does it affect?

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.

How might school support/teach students about the dangers of this?

- What it is and what isn't it
- 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
- Specific requests or pressure to provide (or forward) such images
- What to do should a child or young person receive such images

How do the police view this?

Every 'crime' recorded on police system 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.

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. It will not show in a future DBS.

Key contacts and links:

Sexting in schools and colleges: responding to incidents and safeguarding young people: [UK council for child internet safety](#)

Letter from Devon and Cornwall Police, April 2016;
Youthissuesteam@devonandcornwall.pnn.police.uk

NSPCC - <https://www.nspcc.org.uk/search/?query=sexting>

MASH: Telephone ☎ 0345 155 1071

E-mail ✉ mashsecure@devon.gcsx.gov.uk

Referral form 📄 www.devon.gov.uk/mash-enquiryform.doc



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Sexting-Booklet-FINAL.pdf



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A Parents Guide to