

**Ysgol Maes Hyfryd
Flintshire
Sexting Policy (Also known as
oversharing)**



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Policy Written June 2018

Policy approved by the Governing Body July 2018

Policy will be reviewed by June 2022
(At least once every four years 2022 or earlier if required)

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1. Introduction

Ysgol Maes Hyfryd is an inclusive school where we focus on the well-being and progress of every child and where all members of our community are of equal worth. Maes Hyfryd promotes respect for difference and diversity through the school's vision, ethos and values, it underpins all we do on a day to day basis.

This policy is a working document which provides guidance and information on Sexting, and aims to provide a secure framework within which staff can work.

We try to;

- Ensure that everyone is treated fairly and with respect.
- Make sure that our school is a safe, secure and stimulating place for everyone.
- Recognise that people have different needs, and we understand that treating people equally does not always involve treating them all exactly the same.
- Recognise that for all of our pupils' extra support is needed to help them to achieve and be successful.
- Make sure that people from different groups are consulted and involved in our decisions, for example through talking to pupils and parents/carers, through our School Council and external support agencies
- Make sure that no-one experiences harassment, less favourable treatment or discrimination because of their sex, race, disability, religion or belief; sexual orientation and gender reassignment.

Personal and social education (PSE) forms part of the basic curriculum for all our pupils. The policy and framework for teaching has been updated to incorporate Welsh Assembly Government themes, policies and relevant guidance. Ysgol Maes Hyfryd aims to implementation a broad, balanced, holistic PSE provision based on the PSE framework.

The Digital Competency framework is followed and discrete ICT lessons are delivered, in these lessons Internet Safety and Sexting are taught.

Ysgol Maes Hyfryd has regards for '**Sexting – responding to incidents and safeguarding learners - Guidance for educational settings in Wales**'

This policy has been written taking it into account and this document should be referred to for any further information or clarification.

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2. Our School and Community

2.1 Our Vision



Skills
Salliau



Wellbeing
Lles



Attitude
Agwedd



Knowledge
Gwybodaeth

We ensure that every pupil reaches their full potential in the four aspects of our vision and in school life. PSE within Ysgol Maes Hyfryd aims to support and address the four aspects of our vision within a holistic approach and discrete lessons

2.2 Profile

Ysgol Maes Hyfryd is based in Flintshire, North Wales It provides a high quality specialist provision catering for pupils with a wide range of severe and complex needs. All pupils will be given the opportunity of learning in a caring, stimulating environment. Staff and governors are committed to providing for all of our pupils an education of the highest possible quality whilst also catering for varied individual needs where we build on skills needed for their future place in society. In order to provide the pupils with these opportunities we invest a great deal of time and positive commitment into the curriculum development and training, pupil inspired specialist resources and raising standards. All school Governors and employees have responsibility for promoting the content of the PSE curriculum, Digital Competency Framework and adhering to the policy.

3. Statutory requirements

Under the United Nations Convention on the Rights of the Child and the Welsh Assembly Government's overarching strategy document Rights to Action, all children and young people must be provided with an education which develops their personality and talents to the full. The Education Act 2002 further strengthens schools' duty to safeguard and promote the welfare of all children and young people.

Keeping learners' safe statutory guidance sets out that everyone in the education service should create and maintain a safe learning environment and identify where there are child welfare concerns and maintain a safe learning environment and identify where there are child welfare concerns and take action to address them.

This policy supports our statutory responsibility to support pupils' spiritual, moral, cultural, mental and physical development, and prepare children for the opportunities, responsibilities and experiences of life as set out in Section 78 of the Education Act 2002.

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4. Policy Development

This policy has been developed in consultation with staff following the Sexting – responding to incidents and safeguarding learners. Guidance for educational settings for Wales.

Ratification – once amendments were made, the policy was shared with Governors and ratified

5. Definition

Whilst practitioners refer to the issue of ‘sexting’ there is no clear definition of what ‘sexting’ is.

The AWSLCP uses the following definition

‘Posting online or sending sexual messages or naked or semi naked photos or video clips via any digital device’

6. Sexting and the Law

This policy covers the sharing of sexual imagery by young people. Creating, possessing and sharing (distributing) any imagery of someone under 18 which is ‘indecent’ is illegal. This includes personal imagery if the young person is under 18.

Once taken and sent, the sender has lost control of these images and these images could end up anywhere. They could be seen by your child’s future employers, their friends or even by child sex offenders. By having in their possession, or distributing, indecent images of a person under 18 on to someone else – young people are not even aware that they could be breaking the law as these are offences under the Sexual Offences Act 2003. (CEOP, 2015)

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 take, make, permit to be taken, distribute, show, possess, possess with intent to distribute or to advertise indecent photographs or pseudo photographs of a child.

The Sexual Offences Act 2003 (England and Wales) defines a child, for the purpose of indecent images, as anyone under the age of 18.

7. Sexting covered in this policy

This document addressing ‘youth produced sexual imagery’. This is to ensure clarity about the issues this policy addresses.

Youth produced sexual imagery;

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Includes young people sharing images that they, or another young person, have created themselves.

Sexual is clearer than indecent. A judgement of whether something is decent is both a value judgment and dependent on context.

Imagery covers both still photos and moving videos (this is what is meant by reference to imagery throughout the policy document)

The types of incidents covered in this policy document;

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 policy does not cover

The sharing of sexual imagery of people under 18 by adults as this constitutes child sexual abuse and schools will always inform the police.

Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don't contain imagery.

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. Ysgol Maes Hyfryd apply a consistent approach when dealing with an incident to help protect staff, the school and the pupil. The range of contributory factors in each case is considered in order to determine an appropriate and proportionate response. All staff should be familiar with this policy.

8. Context

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, via mobile apps, such as Snapchat, WhatsApp or Facebook Messenger.

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, including embarrassment, bullying and increased sexual exploitation. Producing and sharing sexual images of under 18s is also illegal.

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9. Responding to Sexting at Ysgol Maes Hyfryd

The National Police Chiefs Council (NPCC) has made clear that incidents involving youth produced sexual imagery should primarily be treated as a safeguarding issue.

Ysgol Maes Hyfryd will respond to incidents without involving the police. They will however take necessary advice on when it would be appropriate to do so. The police may, however need to be involved in cases to ensure thorough investigation. When involved a criminal justice response and formal sanction against a young person would only be considered proportionate in certain circumstances.

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.

All incidents involving youth produced sexual imagery will be responded to in line with Ysgol Maes Hyfryd's safeguarding and child protection policy.

10. Procedures following a disclosure

Initial Action

When an incident involving youth produced sexual imagery comes to staff attention it will be referred to The Head teacher, or Deputy – designated lead for Child Protection as soon as possible

The DSP will hold an initial review meeting with appropriate staff

There will be subsequent interviews with the young people involved (if appropriate)

Carers and parents will be informed at an early stage and involved in the process unless there is good reason to believe that involving the parents would put the young person at harm.

If at any point there is a concern a pupil has been harmed or is at risk of harm a referral will be made following Ysgol Maes Hyfryd's child protection procedures.

Disclosures about youth produced sexual imagery can happen in a variety of ways. The pupil may inform a staff member; a staff member may become aware through pupil discussions or a parent may come directly to the school or police.

Any 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.

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Upon disclosure the head teacher Helen Millard as the DSP will be informed. She will then decide if there is an immediate risk to the pupil and follow child protection procedures and or inform the police.

If the pupil is not in immediate risk and the incident does not;

- Involve an adult
- Lead to staff believing the pupil has been coerced, blackmailed or groomed
- Staff believing the imagery suggests the content depicts sexual acts which is unusual for the pupils developmental stage, or are violent
- The imagery involves sexual acts and any child in the imagery is under 13
- Lead to you believing the pupil is at immediate risk of harm due to the sharing of imagery

If none of the above apply, then Ysgol Maes Hyfryd may decide to respond to the incident without involving the police or social services. The decision to respond without involving the police will be the decision will be made by the DSP, this decision should be recorded. The decision should will be in line with Ysgol Maes Hyfryd child protection policy and procedures. The decision will also be based on the consideration of the best interest of the young person involved.

If a pupil has shared imagery consensually, such as when in a romantic relationship, or as a joke, and there is no intended malice, Ysgol Maes Hyfryd will usually see it as appropriate for the school to manage the incident directly. In contrast any incidents with aggravating factors, fo example, a pupil sharing someone else's imagery without consent and with malicious intent will generally be referred to the police and/or social services.

11. Images

Viewing and deleting

Adults SHOULD NOT view youth produced sexual imagery unless there is a good and clear reason to do so, such as a circumstance where it is absolutely necessary to safe guard a pupil.

If youth produced sexual imagery has been unavoidably viewed by a member of staff following a disclosure from a pupil then the DSP will ensure that the staff member has appropriate support.

Deletion of images

If Ysgol Maes Hyfryd decides that other agencies do not need to be involved and that this is reasonable, then consideration should be given to deleting the imagery from devices and online services, to limit any further sharing of the imagery.

In most cases the pupil should be asked to delete the imagery from the device and online services and to confirm that they have deleted the imagery. The pupil should be given a deadline for deletion across all devices, online storage and social media sites.

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The young person 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 these decisions will be recorded, including times, dates and reasons for decisions made. Any statements from pupils will be recorded in their own words.

12. Informing parents or carers

Parents or carers will be informed and involved in the process at an early stage, unless informing the parent will put the pupil at risk of harm. Any decision not to inform them will generally be made in conjunction with other services such as social services and /or the police.

13. Interviewing and talking to the pupil involved

It may be necessary to have a conversation with the pupil involved and decide upon the best course of action. If possible the DSP should have this conversation however if a pupil is more comfortable talking to another member of staff, this will be facilitated.

When discussing the sharing of youth produced sexual imagery it is important staff;

- recognise the pressures that young people can be under to take part in sharing imagery.
- remain solution focused, avoid questions such as 'why have you done this'
- reassure the pupil that they are not alone and Ysgol Maes Hyfryd will do all they can to support them
- help the pupil to understand what has happened by discussing the wider pressures that they may face
- discuss issues of consent and trust within a healthy relationship.

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.

14. Recording incidents

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

15. Youth produced sexual imagery in the curriculum.

Ysgol Maes Hyfryd uses the PSE and DCF – specifically the citizenship strand to teach about safeguarding issues. It attempts to provide our pupils with skills, attributes and knowledge to help them navigate risks.

The issue is taught within an emotionally safe classroom where clear ground rules have been negotiated and established, and where boundaries of the staff confidentiality has been clarified. If during any lesson a member of staff suspects a pupil as vulnerable or at risk, the school's safeguarding protocols will be followed.

In addition to teaching the pupils about the law and what youth produced sexual imagery is the curriculum will address giving the pupils the strategies and skills needed to handle peer pressure and what to do if they become in receipt of images. This will include who to tell, what to say and what to do.

Strategies for Teaching

It is the responsibility of all staff to support students in developing friendship, self-esteem, respect for self and others and family values.

Strategies for teaching PSE at YMH will be tailored to individual student needs and may include the following

- ground rules will be agreed and adhered to between staff and students
- a professional distance will be maintained by staff
- 1:1 personalised work
- Small group
- Class group
- Role play
- Visiting theatre companies
- Videos
- Visiting professional

16. Working with others

Elements of PSE may be provided by others from the wider community. These may include health professionals, social workers and youth workers. These visitors will only be invited as part of a planned programme and they will be made aware of the school's policy and abide by it.

All visitors are supervised/supported by a member of staff at all times

The input of visitors is monitored and evaluated by staff and pupils, which will be used to inform future planning

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17. Roles and responsibilities

The governing board

The governing board will:

- Approve the sexting policy, and hold the Headteacher to account for its implementation.
- Ensure they are familiar with all relevant legislation and the contents of this document
- Attend appropriate training as necessary

The Headteacher and SMT

The Headteacher and SMT are responsible for ensuring that sexting is managed consistently across the school.

Staff

All school staff are expected to have regard to this document and to respond appropriately

- Modelling positive attitudes
- Responding to the needs of individual pupils

Confidentiality

There may occasions when students share information with staff. Staff must remind students that they are not able to keep information which may be harmful to themselves or others but must follow the clear guidelines of the safe guarding/ child protection policy.

Training

Staff are provided with continuing professional development training throughout the school calendar, this will be through staff meetings and upon individual requests for training. Areas identified in staff school development interviews and the school development plan will be acted upon accordingly. The headteacher and coordinator will also invite visitors from outside the school, to provide support and training to staff if required.

18. Equality

As an employer and provider of services Ysgol Maes Hyfryd will not unlawfully discriminate on grounds of age, disability, gender, gender reassignment, race or ethnicity, religion or belief, sexual orientation, marriage or civil partnership, pregnancy and maternity or on the grounds of Welsh language.

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All pupils, their parents and guardians, volunteers, staff and school governors are valued and will be treated with dignity and respect. We will not tolerate any form of discrimination, harassment or victimisation.

We will work across our school community to ensure our commitment to equality and fairness is shared and take steps to ensure that our school is accessible, welcoming and inclusive.

Ysgol Maes Hyfryd values the individuality of all students and is committed to giving each one every opportunity to achieve the highest standards. The expectations of all staff are high and students are encouraged to have a positive attitude and to achieve the best that they possibly can, both in and out of the classroom.

Our teaching strategies enhance learning and participation in a broad and balanced curriculum. All lessons and out-of-school activities and school trips are fully inclusive. We use language that does not offend, and we make staff and students aware of the importance of language. Our resources contain positive images of people with disabilities, and students are able to improve their understanding through activities such as learning to use Makaton. Information can be made available in alternative formats that are clear and user-friendly, as required. This will include Braille, audiotape, and large print, or it may be transmitted orally, or through lip-speaking or sign language, or through a recognised symbol system, or through ICT.

The School aims to be inclusive and actively seeks to remove barriers to learning and participation. Therefore, equality of opportunity must be a reality for all our students.

19. Welsh Language Impact

Wherever possible and appropriate, we will use the Welsh language as a natural part of all aspects discussed in this policy document.

20. Links to other documents and policies

Positive Behaviour (Anti-Bullying Policy)
SRE Policy
Substance and Alcohol Misuse
Sexting Policy
Appropriate use of ICT policy
Equality Policy
Safeguarding Policy
CSE Policy
The sensory department curriculum document

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Useful resources

[The Online Safety Zone](#) on Hwb provides a range of bilingual resources for children, teachers, parents and carers including resources around sexting.

Further resources available in English only:

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/cshetoolkit
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
Share Aware	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 to 18	https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/
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	13+	
Exceed	NCA-CEOP	A film and accompanying lesson plan exploring the consequences of sharing sexual imagery	14+	https://www.thisisknow.co.uk/14-plus/Films/Exceed/
Thinkuknow Toolkit	NCA-CEOP	A set of 15 lesson plans including an activity exploring the influence of the media in 'sexting'	11+	https://www.thisisknow.co.uk/professionals/resources/thinkuknow-toolkit/

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Thinkuknow Website	NCA-CEOP	Wide range of resources providing advice and guidance for young people, parents and professionals on topics including image sharing online.	13-19	www.thinkuknow.co.uk
First to a Million	NCA-CEOP	An interactive film and lesson plans exploring the opportunities and risks of sharing videos online.	13-19	https://www.thinkuknow.co.uk/14_plus/Films/ETAM/
Disrespect NoBody Discussion guide	Home Office	A teaching resource which supports the Government's Disrespect NoBody campaign aimed at preventing abuse in teenage relationships.	13+	https://www.pehs-association.org.uk/curriculum-and-resources/resources/disrespect-nobody-teaching-resources-preventing
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/
Review of resources	Welsh Government	This toolkit, information and guidance provides primary, secondary and further education providers with a package of recommended materials in relation to violence against women, domestic abuse and sexual violence	5-19	http://livefaafrsa.gov.wales/policies-and-guidance/violence-teaching-resources?lang=en
NetAware	NSPCC O2	A guide to the social networks used by children	All	https://www.net-aware.org.uk/
AGENDA	Cardiff University	A young people's guide to making positive relationships matter.	All	http://agenda.wales/