

DAUNTSEY'S SCHOOL

POLICY AND PROCEDURES TO DEAL WITH THE SHARING OF NUDES AND SEMI-NUDES

In recent years, the issue of the sharing of nudes and semi-nudes amongst young people has become widespread. It is now recognised by KCSIE as a specific safeguarding issue. It is right that Dauntsey's is committed to do all it can to manage such behaviour within our community to the best of our ability and in line with expectations laid down by KCSIE 2023. This policy defines what the sharing of nudes is and how it is managed at Dauntsey's.

This document has been created with reference to **KCSIE September 2023, UKCCIS Sharing nudes and semi-nudes: how to respond to an incident:**

<https://UKCCIS Sharing nudes and semi-nudes how to respond to an incident pdf>

and **UKCIS Sharing nudes and semi-nudes: advice for educational settings working with children and young people:**

<https://UKCIS Sharing nudes and semi nudes advice for education settings pdf>

This Policy should be read in conjunction with:

Safeguarding and Child Protection Policy

Policy and Procedures on Child-on-Child Abuse

Complementary Curriculum(PSHE) Policy

E-Safety Policy

Acceptable Use Policy for Pupils

The Use and Abuse of Technology Policy

Anti-bullying Policy (including Cyber and Sexual Bullying)

Rules, Rewards and Sanctions

UKCCIS Sharing nudes and semi-nudes: how to respond to an incident

UKCIS Sharing nudes and semi-nudes: advice for educational settings working with children and young people

This Policy should also be read with the understanding of the following principles based on the KCSIE Statutory Guidelines for Schools and Colleges September 2023:

- Safeguarding and promoting the welfare of children at Dauntsey's is the responsibility of *all* staff.
- Staff approach must be child-centred which means that they should always consider what is in the best interests of the pupils in our care.
- Prompt action and sharing of information is crucial in order to safeguard the welfare of pupils.
- Staff should be aware that the sharing of nude and semi-nude images can put children in danger.
- Staff should be aware that this behaviour is one in which peer on peer abuse can manifest itself.
- As regarding any safeguarding issue, all members of the community are asked to cultivate an understanding that 'it could happen here' and be prepared to 'think the unthinkable'.

'Sharing nudes and semi-nudes': definition:

This policy uses the term 'sharing nudes and semi-nudes' to mean the sending or posting of nude or semi-nude images, videos or live streams by children and young people online. This could be via 1:1 messaging, social media, gaming platforms, chat apps or forums. It could also involve sharing between devices via services like Apple's AirDrop which works offline.

Professionals may also refer to 'nudes and semi-nudes' as:

- youth produced sexual imagery or 'youth involved' sexual imagery
- indecent imagery. This is the legal term used to define nude or semi-nude images and videos of children and young people under the age of 18.
- 'sexting'. Many adults may use this term, however some young people interpret sexting as 'writing and sharing explicit messages with people they know' rather than sharing images
- image-based sexual abuse. This term may be used when referring to the non-consensual sharing of nudes and semi-nudes

Terms such as 'revenge porn' and 'upskirting' are also used to refer to specific incidents of nudes and semi-nudes being shared. Whilst these terms are more often used in the context of adult-to-adult non-consensual image sharing offences, Dauntsey's recognises that incidents of this nature can also involve children.

The Law

Making, possessing, showing and distributing any imagery of someone under 18 which is 'indecent' is illegal. This includes imagery of oneself if under 18.

'Indecent' is not defined in legislation. Indecent imagery does not always include nudity; however, images are likely to be considered indecent if they meet one or more of the following criteria:

- nude or semi-nude sexual posing e.g. displaying genitals and/or breasts or overtly sexual images of young people in their underwear
- someone nude or semi-nude touching themselves in a sexual way
- any sexual activity involving a child or young person
- someone hurting someone else sexually
- sexual activity that includes animals

The non-consensual sharing of private sexual images or videos with the intent to cause distress is also illegal.

The types of incidents which this document covers are:

- 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 or an adult.

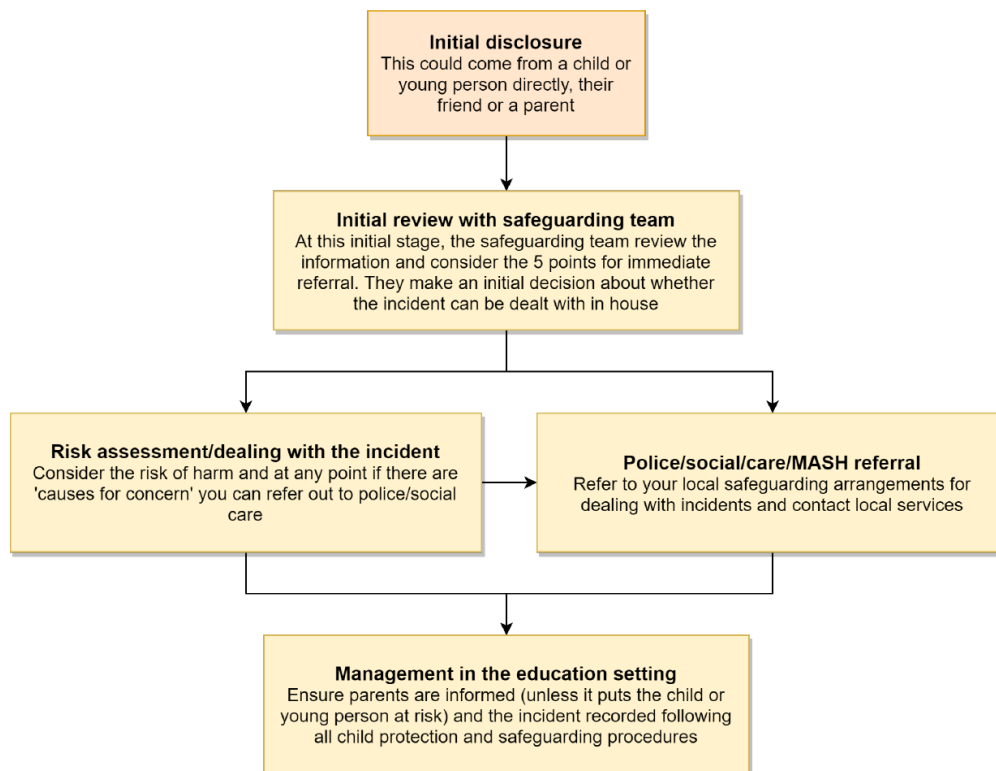
Procedures Adopted when an incident of sharing nudes and semi-nudes comes to the attention of any member of staff

The following general principles and guidelines should be followed:

Initial response

- the response to all incidents should be in line with the School's Safeguarding and Child Protection Policy.
- any direct disclosure by a pupil of an incident of sharing sexual imagery should be taken very seriously.
- the incident should be referred to the DSL as soon as possible.
- the DSL should hold an initial review meeting with appropriate staff. This may include the staff member(s) who heard the disclosure and the safeguarding team.
- there should be subsequent interviews with the children or young people involved (if appropriate)

- parents and carers should be informed at an early stage and involved in the process in order to best support the child or young person unless there is good reason to believe that involving them would put the child or young person at risk of harm
- a referral should be made to children’s social care and/or the police immediately if there is a concern that a child or young person has been harmed or is at risk of immediate harm at any point in the process



Initial review meeting

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

- whether there is an immediate risk to any child or young person
- if a referral should be made to the police and/or children’s social care if it is necessary to view the image(s) in order to safeguard the child or young person – **in most cases, images or videos should not be viewed (see section 2.10 of UKCIS Sharing nudes and semi-nudes: advice for educational settings working with children and young people for further guidance on when an image may need to be viewed)**
<https://UKCIS Sharing nudes and semi nudes advice for education settings pdf>
- what further information is required to decide on the best response
- whether the image(s) has been shared widely and via what services and/or platforms. This may be unknown
- whether immediate action should be taken to delete or remove images or videos from devices or online services

- any relevant facts about the children or young people involved which would influence risk assessment
- if there is a need to contact another education, setting or individual
- whether to contact parents or carers of the children or young people involved-in most cases they should be involved

An immediate referral to police and/or children’s social care through the MASH or equivalent should be made if at this initial stage:

- the incident involves an adult
- there is reason to believe that the child or young person has been coerced, blackmailed or groomed, or there are concerns about their capacity to consent (for example, owing to special educational needs)
- what you know about the images or videos suggests the content depicts sexual acts which are unusual for the young person’s development stage, or are violent.
- the image involves sexual acts and any child or young person in the images or videos is under 13.
- you have reason to believe a child or young person is at immediate risk of harm owing to the sharing of nudes and semi-nudes, for example, they are presenting as suicidal or self-harming.

If none of the above apply, the school may decide to respond to the incident without involving the police or children’s social care. They can still choose to escalate the incident at any time if further information/concerns are disclosed at a later date.

The decision to respond to the incident without involving the police or children’s social care should only be made in cases where the DSL is confident that they have enough information to assess the risks to any child or young person involved and the risks can be managed within the education setting’s pastoral support and disciplinary framework and, if appropriate, their local network of support.

The decision should be made by the DSL with input from the Head Master and leadership team and input from other members of staff if appropriate. The decision should be made and recorded in line with Dauntsey’s safeguarding and child protection procedures and should be based on consideration of the best interests of any child or young person involved. This should take into account proportionality as well as the welfare and protection of any child or young person. The decision should be reviewed throughout the process of responding to the incident.

If doubts remain after following child protection procedures, local safeguarding arrangements should be followed.

Assessing the risks

The circumstances of incidents can vary widely. If at the initial review stage a decision has been made not to refer to police and/or children's social care, the DSL should conduct a further review (including an interview with any child or young person involved) to establish the facts and assess the risks, referring back to any relevant assessment tools.

When assessing the risks and determining whether a referral is needed, the following should be also considered:

- why was the nude or semi-nude shared? Was it consensual or was the child or young person put under pressure or coerced?
- has the nude or semi-nude been shared beyond its intended recipient? Was it shared without the consent of the child or young person who produced the image?
- has the nude or semi-nude been shared on social media or anywhere else online? If so, what steps have been taken to contain the spread of the image?
- how old are any of the children or young people involved?
- did the child or young person send the nude or semi-nude to more than one person?
- Does the young person understand the possible implications of sharing the image?
- do you have any concerns about the child or young person's vulnerability?
- are there additional concerns if the parents or carers are informed?

These questions will help the DSL decide whether a child or young person is at risk of harm, in which case a referral will be appropriate, whether additional information or support is needed from other agencies or whether the education setting can manage the incident and support any child or young person directly. The DSL will use their professional judgement in conjunction with that of their colleagues to assess incidents.

Recording incidents

All incidents relating to nudes and semi-nudes being shared need to be recorded. This includes incidents that have been referred to external agencies and those that have not. Incidents that have not been reported out to police or children's social care, education settings should record their reason for doing so and ensure it is signed off by the headteacher or setting's manager/leadership team. Please note copies of imagery should not be taken.

Records should be kept in line with statutory requirements set out in Keeping Children Safe in Education, where applicable, and your local safeguarding procedures.

Recording Process and Outcomes

- All conversations and meetings to do with any incident should be recorded on MyConcern immediately or within 24 hours at the latest. Records should include date, time, place, persons involved, nature of disclosure and any relevant details. Records of safeguarding incidents are kept by the DSL.
- At any stage of the incident, mobile devices can be confiscated by members of staff but should be done so in accordance with the Protocol for the searching of the possessions of a pupil.
- Mobile devices could also be searched, if required, with permission from the Head Master or DSL/DDSL. But a search of a mobile device should not be done alone or without this permission and should preferably be carried out by the DSL/DDSL. In some cases, mobile devices may be passed onto the DOFA/Police.
- The DSL/DDSL in conjunction with the Housemaster/Housemistress will make provision for the deletion of any sexual imagery as appropriate at any stage of the incident.
- The DSL and Pastoral staff will offer ongoing support in the best interests of the pupils in our care.

Education:

Dauntsey's takes a proactive approach to safeguarding issues with its staff and pupils which aims at prevention and education, through CC and talks from external speakers. Teaching about safeguarding issues can prevent harm by providing pupils with skills, attributes and knowledge to help them navigate risks. Dauntsey's provides its pupils with opportunities to learn about the issue of sharing nudes and semi-nudes as part of its commitment to ensure that they are taught about safeguarding, including online, through teaching and learning opportunities. The learning focuses on:

- what the sharing of nudes and semi-nudes is
- how it is likely to be encountered
- the consequences of forwarding or providing such images
- issues of legality
- the risk of damage to people's feeling and reputations
- the strategies and skills required to manage the receipt of such images or requests/pressure to provide (or forward) such images. This will include who to tell; what to say; what to do; what not to do and where to get support from within and outside of the School.

Dauntsey's recognises the challenge that young people find in talking about such issues and so learning opportunities should aim to develop confidence in our pupils so that they feel they can communicate about safeguarding issues.

Dauntsey's believes that preventive learning about other issues, such as consent, relationships, online safety and recognising abusive and coercive behaviour, may help to support learning on the sharing of sexual imagery.

A. L. Jackson
Deputy Head (Pastoral)

Reviewed: September 2023
Next Review: September 2024