



## MARLBOROUGH COLLEGE

### College Policy and Procedures to deal with Sexting/Youth produced Sexual Imagery

In recent years, the issue of Sexting amongst young people has become widespread. It is now recognised by the latest version of KCSIE as a specific safeguarding issue. It is right that the College community does 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. This policy document defines what sexting is and how it is best managed at the College. It is also important to state that sexting is contrary to the Pastoral Aims and School Rules of the College.

This document has been created with reference to **KCSIE September 2019** and **UKCCIS Sexting in Schools and Colleges**.

#### **This Policy should be read in conjunction with:**

Behaviour Management Policy  
Safeguarding & Child Protection Policy/ Peer-on-Peer Abuse Policy  
Policy on Pupil Access to Pastoral Support  
PSHE Policy  
Social Media Policy  
ICT Policy  
Policy on Confiscation of Pupil Property  
Staff Code of Conduct – Firefly  
Rules of Custom for Mobile Devices – Firefly  
School Rules - Almanac

This Policy should also be read with the understanding of the following principles based on the KCSIE Statutory Guidelines for Schools and Colleges September 2016:

- Safeguarding and promoting the welfare of children at Marlborough College is the responsibility of **all** staff.
- Staff 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 sexting behaviour can put children in danger.
- Staff should be aware that sexting is a type of behaviour in which peer on peer abuse can manifest itself.
- Finally, 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’.

#### **Definition of Sexting:**

There is no clear definition of ‘sexting’. Many professionals consider sexting to be **‘sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobile phone or over the Internet’**. Yet when young people are asked ‘What does sexting mean to you?’ They are more likely to interpret sexting as ‘writing and sharing explicit messages with people they know’. Similarly, many parents think of sexting as flirty or sexual text messages rather than images.

This document refers to the sharing of sexual imagery by young people. Creating and sharing sexual photos and videos of under-18s is illegal, complex to deal with, creates a range of risks for the young people in our care and needs careful management including involvement from a variety of stakeholders

such as pupils, parents, the Child Protection Co-ordinator/DSL, HMs, staff, Medical Centre staff, the Wiltshire Safeguarding Partnership.

In the context of Marlborough College, the phrase ‘youth produced sexual imagery’ gives clarity about the issues involved.

**‘Youth produced sexual imagery’ best describes sexting 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.

The types of incidents which this advice 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.

**It should be noted that this document does not therefore refer to:**

- The sharing of sexual imagery of people under 18 by adults.

This constitutes child sexual abuse and the reporting of any such behaviour should be dealt with in accordance with our Safeguarding & Child Protection Policy referring any incident straight to the Designated Safeguarding Lead. Staff are reminded that they are also able to make a referral to the LADO (Local Area Designated Officer) directly, if they believe a child is at immediate risk of harm. The Designated Safeguarding Lead should be informed as soon as possible that a referral has been made.

- Young people under the age of 18 sharing adult pornography or exchanging sexual texts which don’t contain imagery.  
Such behaviour should be dealt with in line with school rules and sanctions and the Policies listed above. It is important to report such behaviour and share information regarding any such incident as it may be part of a wider picture of behaviour regarding the pupils in our care about which the DSL and staff may have concerns.

**College Procedures:**

**Prevention:**

The College looks to take a proactive, preventive and educative approach to safeguarding issues with its staff and pupils. Opportunities are sought to give teaching and learning opportunities to our pupils, within the context of PSHE. The possible avenues for such education to take place, including education about Sexting, include the following:

- College year group assemblies
- House assemblies
- Pastoral discussion between pupils and HMs, RHTs, Tutors, MT
- Artemis sessions in House led by Artemis Tutors – Sexting covered in Remove
- Year Group PSHE lectures from external speakers - Sexting included in Digital Safety
- Talks from School Medical Officer
- Year group meetings with School Counsellor

Such lessons should be given in an emotionally safe environment; ground rules of confidentiality should be given and any vulnerable pupils identified and managed in line with our Child Protection Policy.

Lessons on sexting in Artemis should include what sexting is; 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; the strategies and skills required to manage requests or pressure to provide (or forward) such images or the receipt of 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.

The College 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.

The College believes that other underpinning preventive learning about issues such as consent, relationships, online safety, recognising abusive and coercive behaviour, covered in the avenues outlined above, may help to support learning on sexting.

### **Procedures Adopted when an incident of Sexting comes to the College's attention:**

The following general principles and guidelines should be followed:

#### *Initial response*

- All incidents should be responded to in line with the College's Safeguarding and Child Protection Policy.
- Any direct disclosure by a pupil of an incident of sexting should be taken very seriously.
- Any incident should be referred to the DSL and/or the Second Master without delay.
- The DSL should meet with College staff involved and there should be subsequent interviews with the young people involved if appropriate.
- The DSL will use professional judgement to decide if it is necessary to view the imagery to safeguard the pupil/pupils involved but in most cases, imagery should **not** be viewed (see below).
- Staff should **not** view any sexual imagery involved but rather try and establish the content through conversation.
- If viewing of any imagery is deemed necessary then this will take place with the following advice in mind: no copying, printing or sharing of the imagery should occur, as this is illegal; ensure viewing is undertaken by the DSL with another member of staff present in the room, ideally the Master or Second Master who does not need to view the image/s; whenever possible ensure viewing takes place on school or college premises and ideally that images are viewed by a staff member of the same sex as the young person in the imagery and viewing of the imagery should be recorded.

#### *Investigation*

- The DSL will decide if further information is required to decide on the best response.
- The DSL and staff involved should establish whether the imagery has been shared widely and via what services and/or platform although this may be difficult to establish.
- The DSL will determine if immediate action should be taken to delete or remove images from devices or online services.
- The HM and pastoral team provide relevant facts about the circumstances of the pupil/pupils involved which could influence the decisions of the DSL and Second Master.
- In incidents that involve young people not at the College, the DSL or Master will decide if there is a need to contact another school, college, setting or individual.

### *Risk Assessment and Referral*

- The DSL, will assess the risk presented by the incident to the pupil/pupils involved and in conjunction with the Master decide whether a referral to the police or Wiltshire Safeguarding Partnership is required or whether to proceed using the College's pastoral support and disciplinary system or, if required, Early Help from our local network of supporting services as outlined in the College Safeguarding and Child Protection Policy.
- The HM should inform parents at an early stage and involve them 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 the WSP. Any staff member can make such a referral but should inform the DSL as soon as possible that a referral has been made.
- An immediate referral to police and/or children's social care will always be made:
  - if the sexting involves an adult;
  - if there is reason to believe that a young person has been coerced, blackmailed or groomed;
  - if there are concerns about their capacity to consent (for example owing to special educational needs);
  - what we know about the imagery suggests the content depicts sexual behaviour which is unusual for the young person's developmental stage, (ref. Brook Tool) or are violent;
  - the pupils concerned are at immediate risk of harm owing to the sharing of the imagery, for example, the young person is presenting as suicidal or self-harming.

If none of the above apply then the College may decide to respond to the incident without involving the police or children's social care, with the clear understanding that it can choose to escalate the incident at any time if further information/concerns come to light.

- Whilst incidents of sexting are likely to be dealt with primarily by HMs, pupils are able to inform any member of staff of their involvement in an incident of sexting. Any staff involved should follow closely the advice given in the College Safeguarding and Child Protection Policy on pages 9 and 10 regarding how to respond. Basic principles of listening sensitively, providing reassurance, not asking leading questions and not guaranteeing confidentiality should be remembered.

### *Recording Process and Outcomes*

- All conversations and meetings to do with any incident should be recorded. Formal written records should be completed immediately or within 24 hours. Records should include date, time, place, persons involved, nature of disclosure and any relevant details. These should be emailed to the DSL immediately and if not being completed by the HM, a copy also emailed to the HM. 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 College Policy for the Confiscation of Pupil Property.
- Mobile devices could also be searched, if required, with permission from the Master or DSL, but a search of a mobile device should not be done alone or without this permission, and preferably by the DSL. In some cases, mobile devices may be passed onto the DOFA/police.
- The DSL in conjunction with HMs will make provision for the deletion of any sexual imagery as appropriate at any stage of the incident.
- The DSL and HMs and Pastoral teams will offer ongoing support in the best interests of the pupils in our care.

Author: Management Team  
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