PHOTO REDACTED DUE TO THIRD PARTY RIGHTS OR OTHER LEGAL ISSUES

A practitioner's guide to responding to incidents of nudes and semi-nudes being shared

Mae'r ddogfen yma hefyd ar gael yn Gymraeg. This document is also available in Welsh.



Sharing nudes and semi-nudes – sometimes referred to as 'sexting' – is the creation and/or sharing of nude or semi-nude images, videos or live streams by young people under the age of 18. Children and young people often share such photos and videos through devices, online platforms and messaging apps.

Why does it happen?

A child or young person may create or share this type of image as:

- a form of flirting
- part of a consensual or romantic relationship
- a result of peer pressure, either from a partner or friend(s)
- a means to explore their sexual feelings or identity
- a form of attention-seeking or validation
- a response to a dare
- a result of coercion or threatening behaviour such as bullying or blackmail (often referred to as 'sextortion').

Where does the law stand?

In England and Wales, the <u>Protection of Children Act 1978</u> makes it an offence to take, make, show, possess or distribute indecent images of anyone under the age of 18.

This can be a confusing situation for a child or young person. If they have taken a nude image of themselves and stored it privately on their device, this is still an offence, even if the image only shows them.

However, the police now view many sharing nudes and semi-nudes incidents that only involve children and young people as a safeguarding issue, rather than a criminal matter. Criminalising children and young people who take and share nudes and semi-nudes of themselves, apart from in exceptional cases, is not in the public interest or best interests of those involved.

This can create complicated situations for adults working with children and young people. If an incident involving sharing nudes and semi-nudes occurs, you should act carefully to ensure that you don't do anything that could in any way also be considered an offence related to indecent images of children.

What should I do if I become aware of an incident of nudes and semi-nudes being shared?

If you become aware of a child or young person in possession of indecent images of either themselves or others under 18, then it's important to act.

Firstly, stay calm. Responding rashly can make the incident more difficult to resolve and may also put you in a difficult position both professionally and personally.

Unless you have specific responsibility for safeguarding in your school, your first priority is to follow your school's safeguarding procedures and report the incident to the Designated Safeguarding Person (DSP).

The 'Sharing nudes and semi-nudes: how to respond to an incident' overview document for all staff provides a short summary on what to do if an incident comes to your attention. This accompanies the full guidance, <u>'Sharing nudes and semi-nudes: responding to incidents</u> and safeguarding children and young people', which all DSPs will need to be familiar with.

What should you do if an incident comes to your attention?

- Never view, download or share the imagery yourself or ask a child or young person to share it with you or download it to another device. This is illegal, even if you do it with the best intentions of helping that child or young person with their problem.
- **Report it to the DSP** if you've seen the image by accident (e.g. a child or young person showed it to you before you could advise them not to).
- Do not delete the image or ask the child or young person to delete it.
- **Do not ask any children or young people involved** in the incident to disclose information about the image or the incident this is the responsibility of the DSP.
- **Do explain to the child or young person(s) involved** that you need to report the incident, and reassure them they will receive support and help from the DSP.
- **Do respect the confidentiality** of this safeguarding matter you should not share information about the incident with other staff members, children or young people, or parents/carers.
- **Do be supportive** of the child or young person(s) involved blaming and shaming is not appropriate in such a sensitive situation. If any sanctions or referrals to other agencies are required, they will be agreed by the DSP and senior leadership.
- **Do ensure you understand** your school's policies around confiscation and searching. You should not attempt to search a child or young person's device for nudes and semi-nudes, even if you hold responsibility for carrying out searches for other prohibited content in school. This is a matter for the police.
- You must inform the DSP immediately if you have any concerns that an adult has been involved in the creation, distribution or possession of an indecent image of anyone under 18. You can also report your suspicions directly to <u>CEOP Command</u> at the UK's National Crime Agency.

What can I do to support my learners?

Although it's not your responsibility to investigate the incident, or take any further action required to safeguard the children or young people involved in an incident of sharing nudes and semi-nudes, there are still things you can do to support your learners.

If a child or young person discloses an incident to you, try to reassure them that the DSP will help and support them. Aim to take a non-judgemental approach and don't make assumptions about what has happened or who is involved.

Depending on the nature of the incident, the child or young person may turn to you again for further support regarding it. If they disclosed to you, then it is because they trust you. It's very important to inform the DSP if the child or young person does wish to talk to you further about an incident. The DSP can then advise as to whether or not this is appropriate, and the best way to facilitate that support. For example, the child or young person involved might want you to attend any meetings they have with the DSP or other safeguarding agencies, as moral support.

Any awareness you have of an incident can be important, even after it has been resolved. The child or young person(s) involved may have been affected in a number of ways that have negatively impacted their mental health, well-being, relationships and reputation. As a trusted member of staff, you'll play an important role in helping them to rebuild confidence, re-establish relationships and move on from the incident.

How can I educate learners about the risks and issues surrounding sharing nudes and semi-nudes?

Education can be an important preventative measure. It presents valuable opportunities for children and young people to learn and ask questions about the risks relating to the creation and sharing of nudes and semi-nudes.

Helping your learners to understand the safeguarding procedures in your school can give them greater confidence to disclose concerns or incidents. Ensuring they know who they can talk to, and that any disclosures will be treated confidentially and respectfully, can remove barriers to seeking help. Project deSHAME's research report found that, among the children and young people surveyed, the top reason for not telling a teacher about online sexual harassment was that they were "worried that their school would overreact". You can use the following resources to help educate children and young people on issues around sharing nudes and semi-nudes.

Primary-aged learners

- Sharing images (Primary) Hwb Keeping safe online
- <u>Share Aware</u> NSPCC

Secondary-aged learners

- Sharing images (Secondary) Hwb Keeping safe online
- <u>Project deSHAME</u> Childnet (UK), Kek Vonal (Hungary), Save the Children (Denmark) and UCLan (UK)
- So You Got Naked Online SWGfL
- Crossing the Line Childnet
- Online blackmail CEOP
- <u>Zipit app</u> Childline

Should you require any support, contact the Professionals Online Safety Helpline on: 0844 381 4772 or <u>helpline@saferinternet.org.uk</u>

It is recommended that you visit the <u>trusted partners and organisations</u> or <u>support services</u> pages if you require further guidance, resources and/or specialist support:

These include signposting information for organisations including Barnado's, Childline, NSPCC, SchoolBeat Cymru, the National Crime Agency-CEOP (See specifically the Thinkuknow education programme), Stop it Now! Wales, and others who have expertise in this area.

For more information about keeping learners safe online, you'll find a wide range of bilingual online safety resources available on the <u>Keeping Safe Online area of Hwb.</u>