

Plymouth Argyle Football Club



SEXTING POLICY

Sexting is an increasingly common activity among some young people, where they share inappropriate or explicit images online or through mobile phones. Regrettably, there is a national concern related to young people (under the age of 18 years of age) engaging in sending/sharing inappropriate/indecent photographs of themselves or of other children via texts, 'SnapChat' messages, Facebook, Instagram etc.

Young people may think sexting is harmless, but creating or sharing explicit images of a child is **illegal**, even if the person doing so is a child. A young person is breaking the law if they:

- take an explicit photo or video of themselves or a friend
- share an explicit image or video of a child, even if it's shared between children of the same age
- possess, download or store an explicit image or video of a child, even if the child gave their permission for it to be created.

However, as of January 2016 in England and Wales, if a young person is found creating or sharing images, the police can choose to record that a crime has been committed but that taking formal action isn't considered in the public interest. Crimes recorded this way are unlikely to appear on future records or checks, unless the young person has been involved in other similar activities which may indicate that they're a risk.

Definition

The definition of sexting is 'images or videos generated by children or young person(s) under the age of 18 that are of a sexual nature or are considered to be indecent. These images may be shared between children and young people and / or adults via a mobile phone, webcam, handheld device or website'.

The Law

The sharing of sexual videos and pictures of children or young person(s) under the age of 18, even if the child / young person shares an image of themselves, is a criminal offence - Specifically, crimes involving indecent photographs of a person under 18 years of age fall under Section 1 of the Protection of Children Act 1978 and Section 160 Criminal Justice Act 1988.

Under this legislation it is a crime to take an indecent photograph or allow an indecent photograph to be taken; make an indecent photograph (this includes downloading or opening an image that has been sent via email / text / 'SnapChat' etc.); distribute or show such an image; possess with the intention of distributing images; advertise and possess such images.

Why do young people sext?

There are many reasons why a young person may want to send a naked or semi-naked picture, video or message to someone else:

- joining in because they think that 'everyone is doing it'.
- boosting their self-esteem.
- flirting with others and testing their sexual identity.
- exploring their sexual feelings.
- to get attention and connect with new people on social media.
- they may find it difficult to say no if somebody asks them for an explicit image, especially if the person asking is persistent and maybe known to them.

What are the risks of sexting?

- No control of images and how they're shared.
- It's easy to send a photo or message but the sender has no control about how it's passed on.
- When images are stored or shared online they become public. Some people may think that images and videos only last a few seconds on social media and then they're deleted, but they can still be saved or copied by others. This means that photos or videos which a young person may have shared privately could still be end up being shared between adults they don't know.

Blackmail, bullying and harm

Young people may think 'sexting' is harmless but it can leave them vulnerable to:

- **Blackmail**
An offender may threaten to share the pictures with the child's family and friends unless the child sends money or more images.
- **Bullying**
If images are shared with their peers or in school, the child may be bullied.
- **Unwanted attention**
Images posted online can attract the attention of sex offenders, who know how to search for, collect and modify images.
- **Emotional distress**
Children can feel embarrassed and humiliated. If they're very distressed this could lead to suicide or self-harm

Dealing with sexting incidents – Guidance for Staff

When an incident involving youth produced sexual imagery comes to your attention:

- The incident **MUST** be referred to the Senior Safeguarding Manager (SSM) & Designated Safeguarding Officer (DSO) as soon as possible.
In applying judgement to each sexting incident consider the following:
- Sexting among children and young people can be a common occurrence; where they often describe these incidents as 'mundane'.
- Children, involved in sexting incidents, will be dealt with by the police as victims as opposed to perpetrators unless there are mitigating circumstances.
- Record all incidents of sexting this includes both the actions you did take together with the actions that you didn't take, together with justifications.
- Significant age difference between the sender / receiver involved.

- If there is any external coercion involved or encouragement beyond the sender / receiver.
- If you recognise the child as more vulnerable than is usual (i.e. at risk).
- If the image is of a severe or extreme nature.
- If the situation is not isolated and the image has been more widely distributed.
- If this is not the first time children have been involved in a sexting act.
- If other knowledge of either the sender/recipient may add cause for concern (i.e. difficult home circumstances).

Searching devices, viewing and deleting imagery - Viewing the imagery

Adults should **NOT** under any circumstances view youth produced sexual imagery. Wherever possible responses to incidents should be based on what DSOs have been told about the content of the imagery.

The DSO may decide the imagery needs to be viewed, and must be satisfied that viewing:

- is the only way to make a decision about whether to involve other agencies (i.e. it is not possible to establish the facts from the young people involved).
- is necessary to report the image to a website, app or suitable reporting agency to have it taken down, or to support the young person or parent in making a report.
- is unavoidable because a young person has presented an image directly to a member of staff or the imagery has been found on a club device or network.

If it is necessary to view the imagery then the DSO should:

- Never copy, print or share the imagery; this is illegal.
- Discuss the decision with the SSM.
- Ensure viewing is undertaken by the DSO or another member of the safeguarding team with delegated authority from the SSM.
- Ensure viewing takes place with another member of staff present in the room, ideally the SSM or a member of the Senior Management Team. This staff member does not need to view the images.
- Wherever possible ensure viewing takes place on club premises, ideally in the SSM or a member of the Senior Management Team's office.
- Ensure wherever possible that images are viewed by a staff member of the same sex as the young person in the imagery.

Document the viewing of the imagery in the Club's safeguarding records including who was present, why the image was viewed and any subsequent actions. **Ensure this is signed and dated and the decision is discussed with the SSM.**

Initial response

- The DSO should hold an initial review meeting with appropriate staff.
- There should be subsequent interviews with the young people involved (if appropriate).
- Parents should be informed at an early stage and be 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.
- An immediate referral to police and / or children’s social care 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 student in the imagery is under 18’s.
 - 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.
- If none of the above apply then it may be decided to respond to the incident without involving the police or children’s social care (the incident can be escalated at any time if further information / concerns come to light).
- DSOs should always use their professional judgement in conjunction with their colleagues to assess incidents.

To be read in conjunction with the Safeguarding Policy, Anti Bullying Policy and Behaviour Policy.

PAFC will review this Sexting Policy at least annually. In addition, more frequent reviews will be undertaken following any major safeguarding incident, incident learning outcomes, organisational changes, as well as changes to legislation.

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