

# Sexting: Information, Guidance and Resources

## Introduction

### What is sexting?

Sexting describes the use of technology to generate text, images or videos that are of a sexual nature and are indecent. The content can vary, from text messages to images of partial or full nudity to sexual images or video. These images are then shared between young people and/or adults and with people they may not even know. Young people are not always aware that their actions are illegal and the increasing use of smart phones has made the practice much more common place.

Children and young people should be discouraged from taking sexually explicit pictures of themselves and sharing them on the internet or by text. It is essential that young people understand the legal implications and the risks they are taking. It is illegal to create, possess and distribute an indecent image of a child (a child being defined as under the age of 18). Children also need to be made aware of the long term impact of sharing images such as the detrimental impact on future employment prospects or relationships. The initial risk posed by sexting may come from peers, friends and others in their social network who may share the images. Once an image has been sent, it is then out of your control and could be shared with others or posted elsewhere online.

### Age

We may automatically think of teenagers when we talk about sexting, but as individuals working with children and young people we must be aware that it is also happening among our younger children. They are sending/ taking provocative images which may not always be nude / partially nude but may still be sexually explicit. Some are also using associated vocabulary.

While the word sexting may not be appropriate with the younger age group (e.g. years 5 or 6) depending on previous relationship education that has taken place, it is advised to approach the subject within the context of sharing images, using age appropriate tools, materials and language to address the issue (This will not always mean going into explicit detail or specifically mentioning associated body parts). In regards to the law anyone over the age of 10 needs to know the consequences of such activity. You will find some appropriate resources in the below table.

### The Law

- The law sees any person under 18 as a child therefore if anybody under the age of 18 creates, sends, receives, uploads or forwards indecent images or videos of another child (under 18) onto friends or boyfriends/girlfriends, they are breaking the law, even if they are photos / videos of themselves ("selfies").
- The age of criminal responsibility is 10 and therefore anyone over this age would be committing a crime if involved in any of the above.
- This is because they would technically be in possession of **an indecent image of a child** – even if they are the same age and in a relationship.
- This is an offence under the Protection of Children Act 1978 and the Criminal Justice Act 1988.
- Under the Criminal Justice and Courts Act (2015), the offence of disclosing private sexual photographs and films with intent to cause distress, commonly referred to as 'revenge porn' also relates to sexting. This is where an ex-partner posts previously private photos, (sexually explicit),

online to get revenge when a relationship breaks down. If the victim is under 18, this will also be an offence under the protection of children act 1988

- An investigation will take place and the outcome will be dependent on the image. If the child has an additional vulnerability it will be seen as an aggravating factor and dealt with as such
- If the child is over 18 and vulnerable the incident would be investigated under vulnerable adult legislation / offences, however the Children Act 1989 can be used to safeguard children up to 25 if they have additional needs

## **Outcome 21**

Every 'crime' recorded on police systems has to be assigned an outcome from a predefined list of outcome codes. As of January 2016 the Home Office launched a new outcome code (Outcome 21) to help formalise the discretion available to the police when handling crimes such as youth produced sexual imagery.

Outcome 21 states: This means that even though a young person has broken the law and the police could provide evidence that they have done so, the police can record that they chose not to take further action as it was not in the public interest.

## **DBS Certificate**

Whether or not an Outcome 21 offence would appear on a person's DBS certificate would all depend on a number of different factors.

An Enhanced DBS certificate can take in to consideration all non-conviction information, regardless of whether a person was found not guilty or was never arrested etc. However, there would also be consideration whether the information was relevant and proportionate for disclosure. If there was one occurrence of an Outcome 21 offence, it **MAY** not be disclosed on a person's DBS certificate (this is not to say it definitely would not). However, if it formed a pattern or there were other similar offences, then it might be brought back in to play and could be considered for disclosure, as it would form part of a bigger picture.

**Where a sexting incident has taken place, settings should follow the national guidance ['Sexting in schools and colleges: Responding to incidents and safeguarding young people'](#) (for a quick guide see [Advice for schools: Responding to & Managing Sexting Incidents](#) )**

## **Useful documents for staff**

Some of the below documents are specifically aimed at school settings, however please note that the advice is transferable to any setting that has a safeguarding lead

['Sexting in schools and Colleges'- Responding to incidents and Safeguarding young people-UKCCIS publication.](#)

[Advice for schools: Responding to & Managing Sexting Incidents](#)

[Responding to and Managing Sexting Incidents: Updated Advice for Schools](#)

[Dudley Safe and Sound- Sexting Resources](#)

[Schools, Colleges and Children's Services: Safeguarding Children- Various publications](#)

## Statutory Guidance

Statutory Guidance- Keeping Children Safe in Education-2016

Statutory Guidance- Working together to safeguard children

### Governors

In addition to the information in this document School Governors will find guidance developed by The UKCCIS Education Group useful. This guidance has been developed for school governors to help governing boards support their school leaders to keep children safe online (including sexting).

Governors can use [Online safety in schools and colleges: Questions from the Governing Board](#) to gain a basic understanding of the school's current approach to keeping children safe online; learn how to improve this approach where appropriate; and find out about tools which can be used to improve the approach.

The document includes examples of good and outstanding practice, as well as identifying when governors should be concerned. This guidance is non-statutory and should be read alongside the Department for Education's Keeping Children Safe in Education statutory guidance (see above).

### Sexting in the Curriculum: Resources

Teachers (and other individuals that work with children and young people) may find the following free resources and guidance helpful in their planning.

Age ranges are only suggestions. Professional judgement should be used in ensuring that any resource matches the needs and readiness of their pupils / service users.

The below table is taken from: *'Sexting in schools and Colleges' Responding to incidents and Safeguarding young people-UKCCIS publication.*

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	<a href="http://www.childnet.com/pshetoolkit">www.childnet.com/pshetoolkit</a>
Picture This	Childnet International	A teaching pack comprised of a 25-minute play script and lesson plans.	14-18	<a href="http://www.childnet.com/resources/picture-this">http://www.childnet.com/resources/picture-this</a>
I saw Alex's willy	NSPCC	Film and lesson plans aimed at younger children, Key Stages 1-2, which cover the	5-11	<a href="https://www.nspcc.org.uk/preventing-abuse/keeping-children-">https://www.nspcc.org.uk/preventing-abuse/keeping-children-</a>

		importance of not sharing naked images.		<a href="#">safe/share-aware/teaching-resources/</a>
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 13+	<a href="https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/?utm_source=google&amp;utm_medium=cpc&amp;utm_campaign=UK_GO_S_E_BND_New_Grant_ChildLine_Sexting&amp;utm_term=childline_sextimg&amp;gclid=CMSaI8TxrNACFa0K0wodSOEJrg&amp;gclsrc=aw.ds">https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/?utm_source=google&amp;utm_medium=cpc&amp;utm_campaign=UK_GO_S_E_BND_New_Grant_ChildLine_Sexting&amp;utm_term=childline_sextimg&amp;gclid=CMSaI8TxrNACFa0K0wodSOEJrg&amp;gclsrc=aw.ds</a>
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	Target 11- 14, but up to 18 13+	<a href="https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/zipit-app/">https://www.childline.org.uk/info-advice/bullying-abuse-safety/online-mobile-safety/sexting/zipit-app/</a>
Exposed	NCA-CEOP	A film and accompanying lesson plan exploring the consequences of sharing sexual imagery	14+	<a href="http://www.thinkuknow.co.uk/teachers">www.thinkuknow.co.uk/teachers</a>
Thinkuknow Toolkit	NCA-CEOP	A set of 15 lesson plans including an activity exploring the influence of the media in 'sexting'	11+	<a href="http://www.thinkuknow.co.uk/teachers">www.thinkuknow.co.uk/teachers</a>
Thinkuknow Website	NCA-CEOP	Wide range of resources providing advice and guidance for young people, parents and professionals on topics including image sharing online.	13-18	<a href="http://www.thinkuknow.co.uk">www.thinkuknow.co.uk</a>
First to a Million	NCA-CEOP	An interactive film	13-18	<a href="http://www.thinkuknow.co.uk">www.thinkuknow.co.uk</a>

		and lesson plans exploring the opportunities and risks of sharing videos online.		<a href="https://www.pshe-association.org.uk/curriculum-and-resources/resources/guidance-teaching-about-consent-pshe-education-key">co.uk/teachers</a>
Guidance on teaching about consent in PSHE education	PSHE Association	General advice for schools on teaching about consent accompanied by eight lesson plans.	Key Stages 3 and 4	<a href="https://www.pshe-association.org.uk/curriculum-and-resources/resources/guidance-teaching-about-consent-pshe-education-key">https://www.pshe-association.org.uk/curriculum-and-resources/resources/guidance-teaching-about-consent-pshe-education-key</a>
FAQs on pornography and sharing of sexual images	PSHE Association	Guidance on existing legislation, school policies, and teaching approaches to address pornography and the sharing of sexual images.	Guidance for teachers	<a href="https://www.pshe-association.org.uk/curriculum-and-resources/resources/frequently-asked-questions-pornography-and-sharing">https://www.pshe-association.org.uk/curriculum-and-resources/resources/frequently-asked-questions-pornography-and-sharing</a>
Disrespect NoBody Discussion guide  Disrespect NoBody website	Home Office – PSHE Association	A teaching resource which supports the Government’s Disrespect NoBody campaign aimed at preventing abuse in teenage relationships.	13+	<a href="https://www.pshe-association.org.uk/curriculum-and-resources/resources/disrespect-nobody-discussion-guide">https://www.pshe-association.org.uk/curriculum-and-resources/resources/disrespect-nobody-discussion-guide</a>  <a href="https://www.disrespectnobody.co.uk/">https://www.disrespectnobody.co.uk/</a>
Tagged	Office of the Children’s eSafety Commissioner (Australia)	Australian film resource with lesson plans and video interviews with key characters.	14+	<a href="https://www.esafety.gov.au/education-resources/classroom-resources/tagged">https://www.esafety.gov.au/education-resources/classroom-resources/tagged</a>
‘Selfies’	A You Tube Video from the Chainsmokers	Didn’t See your Selfie? A prompt for discussion about the ‘selfie’. May be used as a lead into a discussion about Sexting.	14+	<a href="https://www.youtube.com/watch?v=kdemFfbS5HQ">https://www.youtube.com/watch?v=kdemFfbS5HQ</a>

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+	<a href="https://www.webwise.ie/lockers/">https://www.webwise.ie/lockers/</a>
App/social media awareness	Net Aware	A guide for adults to the social media apps and sites that children may use	Adults who work with children/parents and carers	<a href="https://www.net-aware.org.uk/">https://www.net-aware.org.uk/</a>
So You Got Naked Online	SWGfL	A resource that offers children, young people and parents advice and strategies to support the issues resulting from sexting incidents.	Adults and children-age/maturity related	<a href="http://swgfl.org.uk/products-services/esafety/resources/So-You-Got-Naked-Online">http://swgfl.org.uk/products-services/esafety/resources/So-You-Got-Naked-Online</a>
Professionals Online Safety Helpline	SWGfL	Help with any online safety issues - privacy, online reputation, gaming, grooming, cyberbullying, sexting, fraud, unsolicited content, inappropriate behaviour on social media, extortion, illegal content, online rationalization, eating disorders, self-harm, online harassment and other concerns linked to the internet.	Adults who work with children	<a href="http://www.saferinternet.org.uk/professionals-online-safety-helpline">http://www.saferinternet.org.uk/professionals-online-safety-helpline</a>