**Suspected Indecent Imagery Protocol**

‘Indecent’ is not defined in legislation. For most purposes, if imagery (moving or still) contains a naked young person, a topless girl, and/or displays genitals or sex acts, including masturbation, then it will be considered indecent. Indecent images may also include overtly sexual images of young people in their underwear.

|  |  |  |
| --- | --- | --- |
| **Confiscate it** | **Close it down** | **Report it** |

**ALL STAFF**

*If you have reason to believe,* ***without looking****, that there is a possibility that there are indecent images on a personal mobile device images you must*

Always…

* Confiscate and secure the device(s)
* Inform any DSL

Never...

* View the imagery (if viewed accidentally always report this)
* Send, share or save the image anywhere
* Allow students to do any of the above once you know about the imagery
* Delete the imagery unless directed to do so by the DSL

If the imagery has been shared across a **school network, a website or a social network**:

Always…

* Block the network to all users and isolate the imagery
* Inform the DSL

Never...

* Send or print the image
* Move the material from one place to another
* View the image outside of the protocols in your safeguarding and child protection policies and procedures.
* Delete the imagery unless directed to do so by the DSL

Additionally never…

* Search a mobile device even in response to an allegation or disclosure if this is likely to cause additional stress to the student/young person UNLESS there is clear evidence to suggest that there is an immediate problem
* Print out any material for evidence
* Move any material from one storage device to another

**DSL ACTIONS**

The DSL may need to seek clarification of a disclosure or allegation after they have been made aware of the concern, but should not conduct an investigation. Full notes will be kept in a learner safeguarding file. Seeking clarification may involve:

* Identifying, without looking, what the image contains and whether anyone else has been involved.
* Finding out who has seen or shared the image and how further distribution can be prevented.

The DSL **must immediately** refer to police and/or children’s social care if:

* 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 pupil in the imagery is under 13
* 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

**Schools should make clear in their behaviour policies expectations in respect of holding and use of electronic devices**.

Reference documents:

‘Keeping children safe in education - Statutory guidance for schools and colleges

Part one: Information for all school and college staff’ September 2019

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828587/Keeping_children_safe_in_education_part_one.pdf>

 ‘Sexting in schools and colleges: Responding to incidents and safeguarding young people’.

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/759007/6_2939_SP_NCA_Sexting_In_Schools_FINAL_Update_Jan17.pdf>

‘Sexting: how to respond to an incident - An overview for all teaching and non-teaching staff in schools and colleges’ <https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/647389/Overview_of_Sexting_Guidance.pdf>

 ‘Searching, screening and confiscation - Advice for headteachers, school staff and governing bodies’, January 2018, which includes statutory advice.

<https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/674416/Searching_screening_and_confiscation.pdf>

Section 15 sets out the statutory guidance for dealing with electronic devices.

**Acknowledgements: Harrow High School**

**Endorsed by Harrow Safeguarding Children Board**

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