



ONLINE SEXUAL HARASSMENT:

SCHOOL POLICY

This policy is intended for use in secondary schools in England and Wales. It seeks to support senior leaders in ensuring that:

- All school staff understand what 'online sexual harassment' means
- A **whole-school approach** is embedded so that young people understand what 'online sexual harassment' is, instances of online sexual harassment are prevented from occurring, and victims are empowered to report perpetrators
- All staff are equipped with the knowledge needed to deal with **disclosures**
- **Curriculum** in RSE and other subjects addresses issues related to online sexual harassment, including ensuring young people understand what constitutes online sexual harassment, their rights and how to seek support.

*For more information, refer to our **Online Sexual Harassment Comprehensive Guidance**.*

WHAT IS ONLINE SEXUAL HARASSMENT?

Online sexual harassment refers to a range of behaviours where digital technologies are used to facilitate both virtual and face-to-face sexually based harms. Online sexual harassment may constitute a number of criminal offences; the nature of the online harassment will dictate what offences may be committed (see Page 8), though many victim-survivors experience it as a form of sexual violence. Throughout this policy, we recognise and address the overtly gendered nature of harms linked to online sexual harassment.

Examples of online sexual harassment can be broadly split into the following areas:

Unsolicited sexual content online refers to any sexual content shared online which is not wanted by the recipient. This could include but is not limited to images, videos and messages seen on apps, messaging services and websites.

Image-based sexual abuse refers to the non-consensual creation and/or distribution of sexual images. This could include but is not limited to images of a sexual nature shared without the consent of the person in the photo.

Sexual coercion, threats and intimidation online could include a person receiving threats of a sexual nature or being coerced to engage in sexual behaviours on or offline via digital technologies. It could also include homophobia or transphobia online, including 'outing' or threatening to out someone. This means disclosing a person's sexuality or gender without their consent.

While we make distinctions between these three categories for the sake of clarity, there are evident overlaps and links.

WHOLE SCHOOL APPROACH

A whole school, joined-up approach is needed to tackle online sexual harassment amongst young people and to support victims. This should include dedicated PSHE and RSE sessions, themes and assemblies via well-trained and well-informed staff. All staff should have a baseline understanding of what constitutes online sexual harassment, recommended responses and curriculum approaches. Senior leaders should ensure that policies and curriculum support a message of equality and a zero-tolerance stance on online sexual harassment and violence for children and young people of all genders and sexualities. They should also recognise that, while it is possible for all young people to experience these issues, these practices are highly gendered. Senior leaders should review as appropriate:

- **Online Safety policies:** need to have gender-sensitive guidelines for online engagement including foregrounding the always changing legal context around under-age sexual content and consent, which are often unknown to young people.
- **School safety policies:** must prioritise new pressures around digital intimacy for young people including social media use and pornography, including onsite and offsite activities.
- **Bullying and cyberbullying policies:** should be connected to wider safety and health initiatives that tackle gender, sexuality and norms. Online sexual harassment can relate strongly to issues of body image and self-esteem.
- **Curriculum and extracurricular activities and policies:** must ensure these do not reproduce the gender binary i.e. the classification of gender into only two distinct groups, typically man and woman, without acknowledging the existence of other genders, such as non-binary or gender fluid. These policies should not reinforce sexual double standards (boys and girls being judged differently for the same sexual behaviours); and sexism and homophobia are tackled head-on through a whole school approach. Core issues to be addressed include providing gender neutral uniforms and toilets, having a stringent policy on protected characteristics, including sexual harassment and homophobia.
- **School uniform policies:** contradictory school policies, such as dress codes that shame girls (e.g. with specific skirt length rules) and protection policies that discourage girls from openly discussing sexual experiences, are reproducing rather than challenging sexism and sexual harassment in schools and need to be changed.

TACKLING ONLINE SEXUAL HARASSMENT THROUGH CURRICULUM

GENDERED HARM

As per the 2019 RSE Guidance, an understanding of gender and sexual inequity is essential to help young people understand and challenge online sexual harassment. Addressing the following through PSHE and RSE can help students to unpick normalised harmful attitudes and behaviours:

- The various sexual and social pressures faced by young people and how these are shaped by gender, race, ability, religious belief, culture, social norms, sexuality and class.
- An intersectional¹, local and global understanding of power relations around girls and women's bodies, both online and offline, in public and private.
- Sexual double standards, i.e. slut-shaming² and victim-blaming as a response to image-based sexual abuse.
- How phenomena such as 'slut-shaming' and 'gay-bashing' stem from the same norms of performing idealised masculinity (sexually dominant and heteronormative) and femininity (passive and virginal).
- How boys, in an effort to be 'manly' might be more likely to feel pressured to non-consensually share sexual images of another young person.
- Heteronormativity, i.e. the assumption or suggestion that all sex and relationships are between a man with a penis and a woman with a vagina.
- Critical considerations of power, inequity and gendered harms should not be confined to RSE or PSHE more broadly. Schools should adopt a cross-curriculum approach e.g. by using a diverse range of identities and experiences in English texts and discussing power in relation to gender, race, class, etc. in other subjects where relevant.

DIGITAL DEFENCE IN THE CLASSROOM CONTENT

Digital defence is a term used to describe a facet of digital literacy which educates young people on how to navigate online platforms and digital devices safely and effectively. It can include aspects of digital literacy related to privacy settings, reporting and blocking other users, identifying and addressing issues of online sexual harassment and recognising misinformation.

As is now commonly good practice in most schools as part of digital defence, senior leaders should ensure curriculum covers:

- **Using technology** including learning how to use and manage social media apps and web platforms. This includes supporting the creation of youth-led change-making and awareness raising resources and providing resources and commitment to youth-led gender activism including girls' rights and LGBTQ+ rights.

¹ An intersectional approach is one that takes into consideration how social categories such as race, class, and gender overlap and intersect, determining the kinds of discrimination and disadvantages people experience.

² To slut shame someone (typically a girl or woman and sometimes also gay men) is to criticise and judge them for sexual behaviour. In the context of IBSA, it is to suggest, for example, that a girl or a woman should not have shared a nude in the first place.

- **Online privacy** (data protection) including how to use privacy settings on their most-used platforms (e.g. Instagram, Snapchat, Tiktok), and knowing how to identify fake profiles.
- **Digital defence strategies**, such as reporting, blocking and being aware of the Internet Watch foundation, CEOP and Revenge Porn Helpline (links below).
- **Being a bystander**: providing young people with an understanding of what they could do if they witnessed someone being harassed or bullied.

It is also essential to support students to understand all forms of online sexual harassment within the context of:

- **Consent** - the idea of it being our responsibility to get consent, the need for freely given, enthusiastic consent which can be withdrawn at any time, and that sexual touch should be good and fun for everyone involved.
- **Respectful relationships** - that digital interactions must also uphold the staples of healthy relationships: fairness, equality, trust and honesty. For instance, that sharing a nude of someone without their consent would be a very clear breach of trust, lack of respect, and not a healthy relationship (10). Students should understand that these notions of consent and respectful relationships apply to all types of relationships - friendships and family relationships as much as intimate relationships.
- **Human rights** – the idea that all individuals have a right to fairness and to having their privacy respected.

SAFEGUARDING: DEALING WITH INCIDENTS

Please refer to *Sexting in Schools and Colleges* for more information including viewing youth-produced images and safeguarding.

1. All staff are required to be familiar with the definitions and examples of online sexual harassment outlined in this policy, and to support the school in its efforts to eliminate all kinds of sexual violence and abuse. They are also required to report any suspicions about any form of online sexual harassment or potential instances of it.
2. It is especially important that Designated Safeguarding Leads are made aware of every case of potential online sexual harassment, so that all concerns can be appropriately logged and form part of a broader overview and activated as necessary.
3. All members of staff are required to inform the Designated Safeguarding Leads (or the police, or local authority, if appropriate) immediately of any instances of online sexual harassment, or anything which could potentially amount to abuse as defined in the School's Safeguarding and Child Protection Policy.
4. Staff should be aware that the police require to be informed of any incident which might constitute a hate crime, here meaning any message, image or film which appears to be motivated by hostility or prejudice based on a person's race or perceived race; religion or perceived religion; sexual orientation or perceived sexual orientation; disability or perceived disability; and any crime motivated by hostility or prejudice against a person who is transgender or perceived to be transgender.
5. The School will always follow the advice of the police or local authority. When the School is dealing with instances of online sexual harassment internally, it will provide support for the victim which, in the case of IBSA, will include directing them to sources which can support the removal of the offending material, and (if necessary) contacting service providers. The School may seek general (not pupil-specific) advice from the UK Safer Internet Centre professionals' online safety helpline.
6. Staff should be aware that "just turn it off!" is rarely helpful advice to offer a young person. Staff should be able to offer pupils guidance on who to contact if they believe they are experiencing online sexual harassment of any form, especially during periods of time away from school.
7. If or when the subject of sexual violence or gender and sexual inequality arise, staff should communicate to the students that these are serious problems and not undermine the impact and consequences of these issues and not put the child at further risk.
8. The school, through the safeguarding and pastoral structures, should liaise with all parents to outline approaches to online sexual harassment and rationale for those approaches so that parents feel equipped and supported enough to work with school staff if issues arise with their own children.
9. All members of staff should be familiar with appropriate language and gendered harm as outlined in 'Key considerations for supporting PSHE and wider curriculum'.
10. Refer to our '**Online Sexual Harassment: Guidance for Students**' document which contains specific advice to offer young people depending on the incident.

THE LAWS RELEVANT TO ONLINE SEXUAL HARASSMENT IN ENGLAND

FAQ: But isn't it illegal for someone under 18 to send an image in the first place?

Technically, yes, it is illegal. However:

- Most law enforcement and government policy recognises that under 18s should not be criminalised for producing their own sexual imagery.
- Global research shows that 'sexting' can be a normal and healthy aspect of sexual development for young people in the digital age.
- Online sexual harassment such as image-based sexual abuse often occurs when young people are in a coercive or exploitative relationship (see also 'Gendered Harm', above). Staff should be able to pinpoint the abuse of power and failure of consent in these exchanges, and know appropriate channels for reporting abuse.
- Senior leaders should ensure all staff grasp the above points, so that they can respond to online sexual abuse when it occurs, in a way that prioritises young people's digital and sexual rights.

It is important to caveat here that these laws were designed prior to the use of digital technologies for online sexual harassment such as unsolicited content sharing and image-based sexual abuse. The laws applied to instances of image-based sexual abuse were, in large part, designed to prevent child sexual abuse material from being created and distributed on the internet. As such, they do not recognise the nuances of consensual youth-generated sexual images which, after creation, can be non-consensually shared. In response, we advocate for a consent, rights and ethics-oriented approach to online sexual harassment issues and IBSA specifically in schools. The laws to some extent underpin this approach but there are gaps because of the nature of their origin, resulting in certain problematic behaviours going unprosecuted, while other seemingly innocuous acts are deemed criminal. Consequently, while a knowledge of the law is important, we advocate for school and curriculum approaches which recognise the law's gaps and adopt a nuanced approach which, as stated, is consent, rights and ethics-oriented.

Unsolicited sexual content online

- There are a number of laws in which a person could be prosecuted for sending unsolicited sexual content online, however, the act in and of itself is not yet illegal in England and Wales (though it is in Scotland).
- Laws which could be applied to this include the Protection from Harassment Act 1997 and some aspects of the Sexual Offences Act 2003 such as 'causing a child to watch a sex act' and 'sexual communication with a child'.
- The Law Commission is currently conducting a review on laws relevant to this area and will release findings in 2021.

Image-Based Sexual Abuse

- As of 2015, it is 'an offence for a person to disclose a private sexual photograph or film if the disclosure is made without the consent of an individual who appears in the photograph or film, and with the intention of causing that individual distress'. In April 2017, the Sentencing Council included the 'threat to disclose intimate material or sexually explicit images', within its guideline for offences under the Communications Act 2003.³
- Under the Protection of Children Act 1978, creating or sharing explicit images of a child is illegal. It is illegal if the person creating the image is under the age of 18, even if they consent to it being created, or share it with children of the same age.
- In January 2016, the Home Office launched 'Outcome 21' a new outcome in the Home Office Recording Rules. This allows police to respond in a proportionate way to reports of youth produced sexual imagery. This states that even though a young person has broken the law and the police may have 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.⁴

Sexual coercion, threats and intimidation online

- Several sections of the Sexual Offences Act 2003 could be relevant in instances of sexual coercion, threats and intimidation including 'causing or inciting a child to engage in sexual activity'
- In situations of demands for sexual images where threats are made, Section 21 of the Theft Act 1968 (Blackmail) is likely to apply
- All kinds of harassment and stalking are offences under the Protection from Harassment Act 1997. What constitutes harassment or stalking is not explicitly defined, but can include a range of actions when considering the context, nature, and duration of the acts.

³. Revenge Porn Helpline, <https://revengepornhelpline.org.uk/information-and-advice/about-intimate-image-abuse/the-law-in-england-and-wales/>.

⁴. College of Policing, [Police action in response to youth produced sexual imagery \(sexting\)](#), 2016.

EXPLORATORY EVALUATION FRAMEWORK

This exploratory evaluation framework is relevant to all school leaders and staff in all schools and colleges. It is intended to help schools and colleges review and where necessary refresh their policies, processes and practices related to preventing and addressing online sexual harassment. It should be used in conjunction with the relevant statutory guidance. In itself, this framework is not sufficient to ensure compliance across the range of statutory duties.

Statutory and non-statutory guidance to accompany this document:

- The UK Council for Internet Safety has produced guidance for schools and colleges on responding in instances of sexting, [available here](#). All frontline staff should read at least the UKCCIS overview of how to respond to an incident of sexting, [available here](#).
- The Department for Education has published advice for schools and colleges on how to prevent and respond to reports of sexual harassment and violence, [available here](#).
- The 2019 Relationships Education, Relationships and Sex Education statutory guidance - [available here](#) - makes clear that children should be taught about consent and healthy relationships, including online.

Additional Resources

- [NSPCC's pages on online safety](#)
- [Supré Foundation and Alannah & Madeline Foundation - Image Based Bullying. So Not OK.](#)
- [Childline - bullying on social media](#)
- [Internet Matters - Cyberbullying](#)
- [Thinkuknow](#)
- [UK Council on Child Internet Safety \(UKCCIS\)](#)
- [Sexplain staff training](#)
- [Childnet](#)

Exploratory Questions

- Has SLT received adequate training around online sexual harassment?
- Have staff, in particular those responsible for teaching Relationships and Sex Education, received adequate training around online sexual harassment?
- Are we confident that if a child is the victim of online sexual harassment they will not be victim-blamed or slut-shamed if they make a disclosure to the school?
- Are we confident that all staff would know how to adequately signpost a child to the relevant support services if they are a victim of online sexual harassment?

- Does our Relationships and Sex Education programme address gendered harms, as outlined in this document?
- Does our wider curriculum allow for critical consideration of power and inequity? Are our staff equipped to have nuanced conversations around gender, race, class and other intersecting inequalities?
- Are we confident that all staff understand why “just don’t send it” and other abstinence-based rhetoric is ineffective and can cause harm?

Supplementary documents:

Online Sexual Harassment: Comprehensive Guidance for Schools

Online Sexual Harassment: Guidance for Students

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SEXPLAIN, 2020

w: sexplain.org.uk

@SexplainUK

e: info@sexplainuk.org