



# **E-SAFETY POLICY**

## **CRYSTAL CARE SOLUTIONS LIMITED**

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## Scope of this Policy

This policy applies to all staff.

The purpose of this policy is to:

- Safeguard young people within the service
- Ensure staff have a framework in which to report their concerns
- Develop staff so that they have enough guidance to recognise concerns
- Ensure that we work within the law as an unregulated provision

## Underpinning Knowledge and References

### England

CQC, (2018), Statement on CQC's roles and responsibilities for safeguarding children and adults  
Children and Families Act 2014  
Counter-Terrorism and Border Security Act 2019  
Counter- Terrorism and Security Act 2015  
Children and Social Work Act 2017  
Children and Young Persons Act 1933  
Serious Crime Act 2015  
Adoption and Children's Act 2002  
Digital Economy Act 2017  
Modern Slavery Act 2015  
The Sexual Offences Act 2003  
Malicious Communications Act 1988  
The Police Act 1997  
The Care Act 2014  
Children Act 1989  
Children Act 2004  
Equality Act 2010  
Human Rights Act 1998  
Communications Act 2003  
Telecommunications Act 1984  
Public Interest Disclosure Act 1998  
Safeguarding Vulnerable Groups Act 2006  
General Data Protection Regulation 2016  
Data Protection Act 2018  
HM Government, (2018), Information sharing - Advice for practitioners providing safeguarding services to children, young people, parents and carers  
HM Government, (2018), Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children  
Criminal Justice and Public Order Act 1994  
Racial and Religious Hatred Act 2006  
Protection from Harassment Act 1997  
Public Order Act 1986  
Obscene Publications Act 1959 and 1964

### Wales

The Social Services and Wellbeing Act (Wales) 2014  
All Wales Child protection Procedures  
Children and Families Act 2014  
Counter-Terrorism and Border Security Act 2019  
Counter- Terrorism and Security Act 2015  
Children and Social Work Act 2017  
Children and Young Persons Act 1933  
Serious Crime Act 2015  
Adoption and Children's Act 2002  
Digital Economy Act 2017  
Modern Slavery Act 2015  
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Public Order Act 1986  
Obscene Publications Act 1959 and 1964

## Definition

'Internet Abuse' relates to four main areas of abuse to young people:

- Sharing and production of abusive images of children and young people (although these are not confined to the internet);
- A child or young person being groomed online for the purpose of Sexual Abuse;
- Exposure to pornographic or other offensive material via the internet; and
- The use of the internet, and in particular social media, to engage children and young people in extremist ideologies or to promote gang related violence.

The term digital (data carrying signals carrying electronic or optical pulses) and interactive (a message relates to other previous message/s and the relationship between them) technology covers a range of electronic devices. These are constantly being upgraded and their use has become more widespread as the internet can be accessed easily on mobile phones, laptops, computers, tablets, and games consoles.

Social networking sites may be used by perpetrators as an easy way to access young people and groom them for sexual abuse. In addition radical and extremist groups may use social networking to attract young people into rigid and narrow ideologies that are intolerant of diversity: this is similar to the grooming process and exploits the same vulnerabilities.

Internet abuse may also include cyber-bullying. This is when a young person is tormented, threatened, harassed, humiliated, embarrassed or otherwise targeted by another young person using the internet and/or mobile devices. In the case of online bullying it is possible for one victim to be bullied by many perpetrators. In any case of severe bullying it may be appropriate to consider the behaviour as child abuse by another young person.

E-Safety is the generic term that refers to raising awareness about how children, young people and adults can protect themselves when using digital technology and in the online environment, and examples of interventions that can reduce the level of risk for young people.

Sexting is a term used when a person shares describe sexual, naked or semi-naked images or videos of themselves or others, or sends sexually explicit messages. They can be sent using mobiles, tablets, smartphones, laptops - any device that allows you to share media and messages.

Sexting can be seen as harmless, but creating or sharing explicit images of a child or young person is illegal, even if the person doing it is a young person themselves. 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 or young person, 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 young person gave their permission for it to be created.

However, 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 is not in the public interest (see College of Policing - Briefing note: Police action in response to youth produced sexual imagery ('Sexting'))

## Indicators

Often concerns can come to light through the accidental discovery of images on a computer or other device and can seem to emerge 'out of the blue' from an otherwise trusted and non-suspicious individual. This in itself can make accepting the fact of the abuse difficult for those who know and may have trusted that individual.

The initial indicators of abuse in children and young people are likely to be changes in behaviour and mood. Clearly such changes can also be attributed to many innocent events in a young person's life and cannot be regarded as diagnostic. However changes to a young person's circle of friends or a noticeable change in attitude towards the use of computer or phone could have their origin in abusive behaviour. Similarly a change in their friends or not wanting to be alone with a particular person may be a sign that something is upsetting them.

Young People often show us rather than tell us that something is upsetting them. There may be many reasons for changes in their behaviour, but if we notice a combination of worrying signs it may be time to seek help or advice.

## Encouraging Safe use of the Internet

Young People can access the internet in many different ways, using a variety of devices including mobile phones, games consoles, laptops, tablets and desk top computers. The internet is an integral part of our lives and young people certainly need to learn how to use it safely.

Young People in our provisions are permitted to use the internet within the house. However, this could be used as part of the agreed incentive chart and there must be an individual risk assessment in place that clearly sets out the control measures in place in the provision. The control measures in place must also be stipulated on the Home Risk Assessment.

The use of the internet will be withdrawn if it is misused. The rules around internet use must also be stipulated in the Engagement Contract. These rules should be reviewed and if necessary revised at regular intervals.

Young people should never be given the password for the WI-FI/internet use in the house. It should also be noted on the Home Risk Assessment and the password should be changed at regular intervals.

Ordinarily, the WIFI should be limited to 2300 each night to encourage young people into a substantial routine of sleeping.

Staff need to be aware that young people who have experienced past trauma or have low self-esteem can be more vulnerable to the dangers associated with the internet.

The role of staff in helping young people to learn how to use the internet safely is extremely important. All staff are to have completed Online Safety training and ask for support where needed.

If staff have any concerns about a Young Person's online activities they should report it as an incident to the professional network.

There must be an Internet and Phone usage Risk Management plan in place for all young people.

Prohibiting young people from using social networking sites in the house is not realistic. A more effective way of helping to keep young people safe when using social networking sites is to:

- Ensure young people set their privacy settings appropriately;
- Pay attention to what information the young person is posting; and
- Encourage young people to share their social networking experiences with an appropriate adult.

Young people who wish to post images of themselves on websites must be made aware of the risks involved. A similar approach should be taken around the use of webcams.

The use of social media / electronic communication as a way of maintaining contact with family and friends should be outlined in Risk Management Plan. Staff should support young people to use social media and electronic communication safely and offer advice on what a young person should do if they receive a message which is inappropriate or upsetting.

Where there are concerns about a young person being groomed, exposed to pornographic material or contacted by someone inappropriately, via the internet or other ICT tools like a mobile phone, referrals should be made to the Police and to Children's social care as an incident.

Where there are concerns in relation to exposure to extremist materials, this must be reported to the Dedicated Safeguarding Lead as a child protection incident.

Suspected online terrorist material can be reported through [www.gov.uk/report-terrorism](http://www.gov.uk/report-terrorism). Content of concern can also be reported directly to social media platforms – see Safety Features on Social Networks.

All young people should have a Risk Assessment dedicated to Extremism and Radicalisation.

## Issues

When communicating via the internet, young people tend to become less wary and talk about things far more openly than they might when communicating face to face.

Both male and female adults and some young people may use the internet to harm children and young people. Some do this by looking at, taking and/or distributing photographs and video images on the internet of children and young people naked, in sexual poses and/or being sexually abused.

Young people should be supported to understand that when they use digital technology they should not give out personal information, particularly their name, address, mobile phone numbers to anyone they do not know or trust: this particularly includes social networking and online gaming sites. If they have been asked for such information, they should always check with their parent, staff or other trusted adult before providing such details. It is also important that they understand why they must take a parent or trusted adult with them if they meet someone face to face whom they have only previously met on-line.

Young people should be warned about the risks of taking sexually explicit pictures of themselves and sharing them on the internet or by text.

## Further information

See: UK Safer Internet website and CEOP, ThinkuKnow website.

Behaviour that is illegal if committed offline is also illegal if committed online. It is recommended that legal advice is sought in the event of an online issue or situation. The following legislation may apply:

### **Communications Act 2003**

Sending by means of the Internet a message or other matter that is grossly offensive or of an indecent, obscene or menacing character; or sending a false message by means of or persistently making use of the Internet for the purpose of causing annoyance, inconvenience or needless anxiety is guilty of an offence liable, on conviction, to imprisonment. This wording

is important because an offence is complete as soon as the message has been sent: there is no need to prove any intent or purpose.

#### **Malicious Communications Act 1988**

It is an offence to send an indecent, offensive, or threatening letter, electronic communication or other article to another person.

#### **Telecommunications Act 1984**

It is an offence to send a message or other matter that is grossly offensive or of an indecent, obscene or menacing character. It is also an offence to send a message that is intended to cause annoyance, inconvenience or needless anxiety to another that the sender knows to be false.

#### **Criminal Justice and Public Order Act 1994**

This defines a criminal offence of intentional harassment, which covers all forms of harassment, including sexual. A person is guilty of an offence if, with intent to cause a person harassment, alarm or distress, they:

- Use threatening, abusive or insulting words or behaviour, or disorderly behaviour; or
- Display any writing, sign or other visible representation, which is threatening, abusive or insulting, thereby causing that or another person harassment, alarm or distress.

#### **Racial and Religious Hatred Act 2006**

This Act makes it a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening. Other laws already protect people from threats based on their race, nationality or ethnic background.

#### **Protection from Harassment Act 1997**

A person must not pursue a course of conduct, which amounts to harassment of another, and which he knows or ought to know amounts to harassment of the other. A person whose course of conduct causes another to fear, on at least two occasions, that violence will be used against him is guilty of an offence if he knows or ought to know that his course of conduct will cause the other so to fear on each of those occasions.

#### **Protection of Children Act 1978**

It is an offence to take, permit to be taken, make, possess, show, distribute or advertise indecent images of children in the United Kingdom. A child for these purposes is anyone under the age of 18. Viewing an indecent image of a child on your computer means that you have made a digital image. An image of a child also covers pseudo-photographs (digitally collated or otherwise). A person convicted of such an offence may face up to 10 years in prison.

#### **Sexual Offences Act 2003**

The offence of grooming is committed if you are over 18 and have communicated with a child under 16 on one occasion (including by phone or using the Internet) it is an offence to meet them or travel to meet them anywhere in the world with the intention of committing a sexual

offence. Causing a child under 16 to watch a sexual act is illegal, including looking at images such as videos, photos or webcams, for your own gratification. It is also an offence for a person in a position of trust to engage in sexual activity with any person under 18, with whom they are in a position of trust. (Typically, teachers, social workers, health professionals, connexions staff fall in this category of trust). Any sexual intercourse with a child under the age of 13 commits the offence of rape.

#### **Public Order Act 1986**

This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material which is threatening. Like the Racial and Religious Hatred Act 2006 it also makes the possession of inflammatory material with a view of releasing it a criminal offence.

#### **Obscene Publications Act 1959 and 1964**

Publishing an "obscene" article is a criminal offence. Publishing includes electronic transmission.

#### **Serious Crime Act 2015**

The Act introduces a new offence of sexual communication with a child. This would criminalise an adult who communicates with a child for the purpose of obtaining sexual gratification, where the communication is sexual or if it is intended to elicit from the child a communication which is sexual and the adult reasonably believes the child to be under 16.

### *Additional Resources*

<http://www.nspcc.org.uk/preventing-abuse/keeping-children-safe/sexting/>

[Child Safety Online](#) - A Practical Guide for Parents and Carers whose Children are using Social Media.

[NSPCC Report Remove Tool](#) - The tool enables young people under the age of 18 to report a nude image or video of themselves which has appeared online. The Internet Watch Foundation will review these reports and work to remove any content which breaks the law.

[UK Council for Internet Safety \(UKCIS\) Digital Passport](#) - a communication tool to support children and young people with care experience to talk with their carers about their online lives.

[Sexting: Advice for Parents. NSPCC](#)

[Child Safety Online](#) - A Practical Guide for Parents and Carers whose Children are using Social Media.

[NSPCC Report Remove Tool](#) - The tool enables young people under the age of 18 to report a nude image or video of themselves which has appeared online. The Internet Watch Foundation will review these reports and work to remove any content which breaks the law.

[UK Council for Internet Safety \(UKCIS\) Digital Passport](#) - a communication tool to support children and young people with care experience to talk with their carers about their online lives.

[Childnet Parents and Carers Toolkit](#) - Resources that offer practical tips and advice on different aspects of keeping children safe online.