

1.8.3 Staying in Touch, the Safe Use of the Internet, Social Media and Taking Photographs

Regulations and standards

England

- [Regulation 7: The Children's Views, Wishes and Feelings Standard](#)
- [Regulation 22: Contact and access to communications](#)
- [Regulation 38: Storage of records, etc.](#)
- [Regulation 12: The protection of children standard](#)
<http://www.legislation.gov.uk/uksi/2015/541/regulation/12/made>
- General data protection rules (GDPR)

Wales

- [Regulation 26: Safeguarding – overarching requirement](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/26/made>
- [Regulation 27: Safeguarding policies and procedures](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/27/made>
- [Regulation 48: Facilities and equipment](#)
<https://www.legislation.gov.uk/wsi/2017/1264/regulation/48/made>

Relevant chapters

Contact with Parents / Carers/ Siblings and Others Procedure

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1. Key Principles

It will be in the interests of the majority of **Looked After Children** to maintain contact with their family and friends. Carers in the home should support and encourage children and young people to maintain family contacts and develop new friendships. However, any arrangements for contact and any contact details (telephone numbers etc.) must be included in the My Life Plan/Personal Plan agreed between the home and the child's placing authority. The My life plan/personal plans should be updated regularly.

Appropriate forms of contact should be promoted and facilitated for each child, including visits to the child in the home; visits by the child to relatives and/or friends; sending and receiving letters, emails and texts; use of social media and other forms of contact via the internet.

There may be circumstances where children's homes care team assess that restriction of contact is necessary to safeguard the child. Such decisions should not be taken lightly and must be agreed with the placing authority, where possible, except in an emergency situation, where the placing authority must be notified within 24 hours.

Telephones

Children's homes have a duty to provide access to a telephone that children can use privately. This can include the provision of a mobile phone where appropriate and safe for the child, as long as an alternative is in place for the child to make telephone calls in private if their personal mobile phone is lost, out of credit or broken.

2. Placement Planning

2.1 Planned Placements

As part of the placement process, the registered person and the child's placing authority should agree the arrangements for contact by letter, telephone / mobile, the internet and social media. The My life plan/personal plan should be updated regularly.

If any risks are identified, these must be addressed in the My life plan/personal plan, including any restrictions on contact considered necessary to safeguard the child and promote their welfare. If restrictions are imposed, the arrangements should be regularly reviewed and the arrangements changed if the risks reduce.

2.2 Emergency Placements

If a child is placed in an emergency, the Emergency Review should consider the arrangements for contact by letter, telephone / mobile, the internet and social media.

3. During the Placement

Children will have access to telephones (including mobiles), computers / laptops and tablets at reasonable times, in line with what would be considered acceptable for their peers who are not looked after. The child's My life plan/personal plans should cover delegated authority in relation to the use of social media.

At any time, if a carer/ carers consider that a child or others may be at risk from having access to telephones, mobiles, computers/the internet or other forms of communication, they must take steps to reduce or prevent the risk.

If the risk is of Significant Harm (including online or cyberbullying), serious damage to property or of a criminal offence being committed, carers must consider withdrawal/confiscation. Preferably, withdrawal should be by agreement with the child; if agreement is not forthcoming, the home's manager should apply the same principles as set out for searching a child without consent, in **Searching Children and their Belongings Procedure**.

If any such restrictions are imposed, the home's manager and child's social worker must be notified within 24 hours and consideration must be given to whether any ongoing restrictions should be imposed upon the child; any arrangements for ongoing restrictions must be outlined in the child's My life plan/personal plan.

If a child is prevented from having access to a telephone, or access is reduced, it is deemed to be a Sanction, and must be recorded as such.

4. Seizure and Confiscated Items

As set out above, mobiles or other devices may be seized by carers if it can be shown that the mobile/device is being or may be used to place the child or others (including carers) at risk of Significant Harm, this could include from their use of internet or social networking sites and the exchange of images/video clips (so called sexting) or posting of them on such sites e.g. as a form or cyber/online bullying.

If items are seized, they must be passed to the home's manager, who must record the seizure and come to a decision about whether to confiscate the device.

Confiscation is reasonable where the home's manager considers that the device will be used in a manner which will place the child or others at continuing risk of Significant Harm, in order to caused serious damage to property or if there is a suspicion that the device is not owned by the child e.g. stolen. In such circumstances, the home's manager should pass the device to the Police or keep it safely in the home.

If the device is owned by/the property of the child, the home's manager may retain it until satisfied that it will be used reasonably i.e. in a way that does not place the child or others at risk.

If retained, the home's manager should provide the child with a receipt.

5. Safe use of the Internet /Social Media

The internet is an integral part of our lives, and children in residential care need to learn how to use the internet safely and take responsibility for their own safety. This is best achieved by providing guidance in the home environment

"Children and young people need to be empowered to keep themselves safe – this isn't just about a top-down approach. Children will be children – pushing boundaries and taking risks. At a public swimming pool we have gates, put up signs, have lifeguards and shallow ends, but we also teach children how to swim...

... just like in the offline world, no amount of effort to reduce potential risks to children will eliminate those risks completely. We cannot make the Internet completely safe. Because of this, we must also build children's resilience to the material to which they may be exposed so that they have the confidence and skills to navigate these new media waters more safely".

Safer Children in a Digital World - Report of the Byron Review Executive Summary, March 2008

Children and young people should be supported by a carer/ carers in the home to use the internet and social media safely, including to understand that when they use digital technology they should not give out personal information, particularly their name, address or school, mobile phone numbers to

anyone they do not know or trust. Discussions should also cover safeguard young people must consider if they plan to meet someone face to face whom they have only previously met on-line.

The development of home internet rules can help in setting clear boundaries, using appropriate language, and expectations of the child or young person while in that particular placement. These could include:

- Time limits;
- The type of sites or specific sites that the young person is permitted or not permitted to use;
- Agreement to explain or show carers what they are doing online at any time;
- Any behaviour that is unacceptable e.g.: bullying, gossiping;
- If the young person accesses social networking sites, agreement to share who their online 'friends' are, ensure privacy settings are appropriately set and establish the type of activity that is acceptable;
- The need to tell someone if inappropriate content is accessed or they are upset by anyone while online;
- The need to ask before carrying out certain activities e.g.: setting up an account on a games site, joining a social networking site;
- It is recommended that the home internet rules are displayed or kept near to the device that the child uses most frequently to access the Internet;
- The home internet rules should be reviewed and, if necessary, revised at regular intervals;
- Carers' role in helping children and young people to learn how to use the internet safely is extremely important and they must ask for support and/or further training if they lack confidence in this area;
- If carers have any concerns about children's online activities they should report it to the child's social worker;
- Computers with internet access should be located in a publicly accessible areas;
- Carers and social workers need to be aware that most social networking sites impose age limits on their membership. Facebook, for example, currently denies membership to anyone under 13 years old. YouTube states that their site is not intended for under 13 year olds to view and that members must be over 18 or have parental/guardian consent to add content to the site. It is therefore inappropriate for children under 13 years old to use social networking sites;
- Young people who wish to post images of themselves on websites must be made aware of the risks involved. In some cases it may not be safe for children to post images on social networking sites such as Facebook or Twitter. This must be assessed by the child's social worker on an individual basis;

Furthermore, young people should be warned about the risks of taking sexually explicit pictures of themselves and sharing them on the internet or by text. It is essential, therefore, that young people understand the legal implications and the risks they are taking. 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. It could be shared with others or posted elsewhere online. The Criminal Justice and Courts Act (2015) introduced the offence of Revenge Porn where intimate images are shared with the intent to cause distress to the specific victim.

Social networking sites are often used by perpetrators as an easy way to access children and young people for sexual abuse. The **Serious Crime Act (2015)** introduced an offence of sexual communication with a child. This applies to an adult who communicates with a child and 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 years of age. The Act also amended the Sex Offences Act 2003 so it is now an offence for an adult to arrange to meet with someone under 16 having communicated with them on just one occasion (previously it was on at least two occasions).

In addition radical and extremist groups may use social networking to attract children and young people into rigid and narrow ideologies that are intolerant of diversity: this is similar to the grooming process and exploits the same vulnerabilities. The groups concerned include those linked to extreme Islamist, or Far Right/Neo Nazi ideologies, extremist Animal Rights groups and others who justify political, religious, sexist or racist violence.

Children may be drawn to adopt a radical ideology through a failure to appreciate the bias in extremist material; in addition by repeated viewing of extreme content they may come to view it as normal.

6. Taking Photographs

Records kept in the home on each child, including photographs, represent a significant contribution to their life history. Children will be encouraged to keep appropriate memorabilia of their time spent living at the home, including photographs.

6.1 Photos taken by Young People

The widespread use of mobile phones, smartphones and tablets with cameras mean that children and young people living in residential care will take photos of themselves and others in the home. While it is not realistic to place restrictions on the taking of photos by children and young people, they should be encouraged to consider the following:

- You should ask the person's consent / agreement before taking a photo;
- Photos should not be shared on social media without the agreement of another person;
- The use of photos for online or cyber/online bullying is not acceptable and may lead to restrictions being placed on their use of mobile phones in the future;
- If photos are shared via social media they should not identify the location of the home or other residents and carers;
- When an explicit or sexual image is shared (so called 'sexting') the young person has no control over who it is then shared with. The sharing of such images can have far reaching consequences.

6.2 Photos Taken by Carers

Carers must be sensitive to children who do not want to have their photograph taken.

Carers must not take photographs of children for their personal use or using their personal equipment.

This means that carers should:

- Be clear why the photo is being taken and about what will happen to the images when the activity is concluded;

- Ensure the child/young person understands why the images are being taken and has agreed to this;
- Always ensure that they have the appropriate permission, (Signed) to take and/or display photographs;
- Images should only be stored on company equipment.

7. Support, Training and Resources

There are a wide range of organisations, which offer advice, support and information on internet safety issues. Below is a short list of some of these resources.

Web sites:

- **CEOP** -This is the web site of the Child Exploitation and Online Protection Centre (CEOP), which delivers a multi-agency service dedicated to tackling the exploitation of children. It provides advice to parents, carers and children on Internet safety, an online reporting facility (Click CEOP) and the Thinkuknow web site (see below);
- **Thinkuknow** -These resources help young people, parents and carers and teachers to learn about the risks that young people may encounter whilst using the Internet. Developed by the Child Exploitation and Online Protection Centre (CEOP) the Thinkuknow web site also includes a facility for young people to report online abuse;
- **Childnet International** - This web site provides a range of resources to help children and young people to use the internet constructively and to protect children from being exploited in the online environments provided by new technologies;
- **Child Safety Online: A practical guide for parents and carers (GOV.UK)** - The guide includes practical tips about the use of safety and privacy features on apps and platforms, as well as conversation prompts to help families begin talking about online safety. It also contains pointers to further advice and support.

End

Revision History

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