



Online Searches

The 2022 update of Keeping Children Safe in Education includes a new step in the shortlisting process as follows (CES emphasis):

*“as part of the shortlisting process schools and colleges **should consider** carrying out an online search as part of their due diligence on the shortlisted candidates. This may help identify any incidents or issues that have happened, and are publicly available online, which the school or college might want to explore with the applicant at interview”.*

As Keeping Children Safe in Education is statutory guidance anything recommended as good practice should be followed unless there is a very good reason not to. The CES has discussed this requirement with the Department for Education as we are concerned that schools have not been provided with enough guidance as to what searches should be carried out and how. The Department for Education’s view is that recruiters will need to use their professional judgement in determining what searches to carry out and what weight to put on any information uncovered.

The CES expects Governing Boards to seek advice from their advisers as to the checks that should be carried out, the appropriate methods for carrying out such checks, what information should be retained about the checks carried out and the process that should be followed. Governing Boards will need to consider whether to carry the checks out internally or employ an external provider to carry out the checks on their behalf. Having taken advice, Governing Boards may decide that it is worth engaging an external adviser in order to ensure that consistent, independent checks are made for each candidate.

Before such searches are carried out by internal staff, Governing Boards will need to consider the following:

- Governing Boards should ensure that they have a written policy which sets out clearly what searches will be carried out and by whom. What training will individuals receive in order to ensure that they are able to follow any published policy? It may be sensible for the individual carrying out the searches to be somebody unconnected with the recruitment process in order to ensure that there is no bias.
- How will you ensure that the process is carried out consistently for each applicant? For example, how will you ensure that you always look for publicly available information in the same places for each shortlisted applicant?
- How will you record the searches carried out and the information uncovered?
- Who will be responsible for determining that any information uncovered is material and warrants either bringing the recruitment process to an end or asking further questions at interview? If the recruitment process will be brought to an end this will need to be considered very carefully and advice should be taken.
- What information will you need to request from shortlisted applicants in order to conduct appropriate searches, for example Twitter handles? At shortlisting it will be necessary to ask for former names in order that searches can be carried out. What will the response be if the individual refuses to provide the information?

- How far back will you search?
- Do you need to update the privacy policy that you issue to applicants to make sure that they know what searches you will be carrying out?
- What is your policy for destroying any data once you no longer need it? Governing Boards should seek advice from their data protection advisers about whether any changes are needed to retention policies.
- What account will you use to conduct the searches? For example, you would not expect an individual member of staff to conduct a search from their personal Twitter account.
- How will you ensure that the information uncovered is not used in order to unlawfully discriminate against any of the candidates?
- Should a column be added to the single central register to confirm that the checks were carried out?
- How will you communicate any information uncovered internally?
- Will the firewalls in use at School enable the searches to be carried out?

Governing Boards must remember that the purpose of these searches is to uncover information which may indicate that the individual is unsuitable to work with children and/or where, if the information were discovered by students or parents it could lead to significant reputational damage for the School.

**Any information uncovered must be publicly available and must be considered through this lens.
Records should be kept of the decisions made and the reasons for them.**