

**KCSIE – online recruitment checks**

The [Keeping Children safe in Education statutory guidance](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1080047/KCSIE_2022_revised.pdf) is regularly updated, with a reference to conducting online searches of applicants contained in the latest iteration, due to come into force from September 2022.

On page 51, when detailing the process around shortlisted candidates, the new guidance says:

220. In addition, 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.

We’ve had a number of colleagues contact us for guidance on that new paragraph.

First of all, it’s helpful to understand the incident that prompted the DfE to look to include that “should” within the updated KCSIE guidance.

We understand that some years ago there was a teaching assistant from abroad that was employed by a school in the UK. The school had completed the necessary criminal records checks. However, the law in the specific country stated that if a person under the age of 18 commits an offence, the offence is removed from their criminal record after 10 years. This individual had committed a very serious offence involving a small child, but because they were under 18 and applied for the job in the UK after 10 years their criminal record was clear, and the school was not made aware of this issue. While the school did not do anything wrong, an internet search would have revealed this information.

Consultation revealed varying practice and views, but it was clear that some schools were informally doing this sort of online search, this update to the KCIE guidance is about formalising those searches and turns it into a “should” in relation to shortlisted candidates in relation to safeguarding suitability.

There isn’t currently more detailed guidance, with the DfE suggesting schools should decide for themselves whether they have sufficient information to judge suitability.

Existing HR advice from Local Authorities and Academy Trust specialists should apply. Bearing in mind this is part of a safeguarding check, the search is purely about whether the individual is suitable to work with children. Care must be taken to avoid unconscious bias and any risk of discrimination. In line with that approach, it may be sensible to have someone not on the appointment panel to conduct the search – only sharing info that is relevant and of concern.

We are aware that some organisations are already offering to support schools by conducting these searches at cost, and that some legal and safeguarding experts have shared their interpretation of the DfE guidance which we believe goes further than the DfE policy intention – which is more simply an online search to check suitability of working with children.

As part of an Ofsted inspection, a school’s single central record will be checked to ensure pre-appointment checks have been carried out. Part of the due diligence checks will be an internet search, however, we are aware schools are concerned that the guidance is not prescriptive on how far to go back and are worried this will be identified as a failure by Ofsted. We put this question to the DfE and understand Ofsted have said their inspectors would not normally go into that level of detail when looking at due diligence checks.  We have been advised that the [Ofsted handbook](https://www.gov.uk/government/publications/school-inspection-handbook-eif/schools-inspection-handbook-for-september-2022) will be updated shortly.

If this develops or we get any further information or guidance we will share via the usual channels.

LGA 18/07/22