

Government introduces online recruitment checks for education

The government has amended the statutory guidance for schools and colleges in England to include a new section on carrying out online checks as part of the recruitment process.

- In its response to a consultation published by the Department for Education earlier this year, the government has released revised statutory guidance for schools and colleges in England – 'Keeping children safe in education' ("KCSIE").
- The government has decided to implement a proposal that as part of the shortlisting process schools and colleges should consider carrying out an online search on shortlisted candidates.
- Although many schools and colleges already carry out online searches as part of their safer recruitment processes, affected employers will need to review their recruitment procedures to prepare for when the updated guidance comes into force on 1 September 2022.
- Schools and colleges can choose not to carry out an online search on shortlisted candidates, but those who take this approach should record their reasons for their decision and ensure candidates are treated consistently.
- Affected employers will need to consider which sites they are going to search, how far back they are going to go and how they will make sure that the information is not used in a discriminatory way.
- They should also review, and update where necessary, their data protection policies and privacy notice for candidates.

Managing hot weather at work

Whilst there is no legal maximum workplace temperature at which employees can go home, employers should still take steps to keep staff safe and morale high. Relaxing dress codes, offering cool refreshments and allowing fans on desks are all good ways to keep staff comfortable. With reports of rail lines buckling in the heat, employers may need to make contingency plans to cover for employees whose commute is disrupted.

Did you know?

There is a duty to make reasonable adjustments for employees with a disability that is exacerbated by hot weather such as more frequent breaks or working from home.

Potential new rail strikes by train drivers

There may be more disruption to come for businesses as train drivers and station staff have voted to strike in disputes over pay, job security and conditions. The drivers' union, Aslef said its members at eight train companies have voted in favour of industrial action. The strikes could affect services across Britain this summer if the situation cannot be resolved. No date has been confirmed yet for the strikes to take place.

Did you know?

This week parliament has approved plans to allow employers to replace staff on strike with agency workers. The legislation needs to be approved by the House of Lords before it becomes law.

Woman discriminated against due to gender views

Following the Employment Appeal Tribunal's decision last year that a woman's gender-critical views were protected as a philosophical belief, the Employment Tribunal has decided that she was discriminated against because of her beliefs. Maya Forstater made comments on Twitter to the effect that people cannot change their biological sex and her contract at Centre for Global Development was not renewed.

Did you know?

This case demonstrates that even if views are held that others find offensive or distressing, they can still be protected as a philosophical belief under the Equality Act 2010.

Employers in other sectors who want to carry out social media checks on candidates should ensure the process is fair and legally compliant. Contact our 24-hour Advisory Service for up-to-date guidance on this and more.

Please contact the 24 Hour Advice Service for advice on your specific situation before acting on the information in this publication.