



An Daras Trust
Igniting Curiosity Growing Capabilities

An Daras Multi Academy Trust

Safer Recruitment and Selection Policy

The An Daras Multi Academy Trust (ADMAT) Company

An Exempt Charity Limited by Guarantee

Company Number/08156955

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Recommended	
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Linked Documents and Policies	ADMAT Child Protection and Safeguarding Policy, Data Protection Policy

1) Introduction

An Daras Multi Academy Trust (**Trust**) is committed to providing the best care and education for pupils and promote welfare and safeguarding among children and young people. The Trust recognises that, in order to achieve these aims, it is fundamental to attract, recruit and retain staff who share this commitment.

The aims and purpose of the Trust's safer recruitment policy are as follows:

- to attract the best possible applicants to vacancies based on their experience, abilities and suitability for the position
- to ensure an anti-discriminatory practice is met and all job applicants are considered equally and consistently
- to ensure that no job applicant is treated unfairly on any grounds, including race, colour, nationality, ethnic or national origin, religion or religious belief, sex or sexual orientation, marital or civil partner status, disability or age (Equality Act 2010)
- to ensure compliance with all current legislation, recommendations and guidance including the statutory guidance published by the Department of Education (DFE), *Keeping children safe in education* (updated annually) (**KCSIE**) and the code of practice published by the Disclosure and Barring Service (DBS) and;
- to ensure the Trust meets its commitments to safeguarding and promoting the welfare of children and young adults by carrying out all the necessary pre-employment checks.

For more information on Safeguarding please read the '*An Daras Safeguarding Child Protection Policy*' found on the Trust website.

2) Data Protection

The Trust is legally required to carry out pre-appointment checks that require confidential and sensitive information to be disclosed to the Trust HR Administrator. The Trust will be required to provide certain information to third parties such as staff absence insurance and the Disclosure and Barring Service.

For more information on collecting and storing data please see the 'Data Protection policy' on the Trust website.

3) Recruitment and selection procedure

3.1) Advertising

Advertisements for posts – whether via agencies, online platforms, LinkedIn and Indeed– will include a safeguarding statement specifically linked to the Trust.

When advertising roles, we will make clear:

- › Our school's commitment to safeguarding and promoting the welfare of children
- › That safeguarding checks will be undertaken
- › The safeguarding requirements and responsibilities of the role, such as the extent to which the role will involve contact with children
- › Whether or not the role is exempt from the Rehabilitation of Offenders Act 1974 and the amendments to the Exceptions Order 1975, 2013 and 2020. If the role is exempt, certain spent convictions and cautions are 'protected', so they do not need to be disclosed, and if they are disclosed, we cannot take them into account

Advertisements for prospective applicants, as a minimum will include the following:

- job description and person specification;
- the Trusts safeguarding policy;
- the Trusts safer recruitment policy (this document);

- the application form;
- the equal opportunity form;
- GDPR Privacy Notice

3.2) Applications

Applicants must complete in full, a Trust application form which can be found attached to the advertisement or on the An Daras Trust website. Due to the specific requirements and information required, a curriculum vitae will not be accepted in place of an application form. Should there be any gaps in employment or academic history, a satisfactory explanation must be provided by the applicant.

Applicants will refer to the job description and person specification for the role applied for via the advertisement and are available to download through the Trusts website.

Should the prospective employee be invited to an interview, a copy of the application form should be hand signed by the applicant to confirm the accuracy of information contained with the application.

If you are unsuccessful within the application stage you are unlikely to hear from us.

3.3) The Selection Procedure

The Trust will conduct a short-listing procedure reviewing all application forms received to determine which applicants to invite to interviews. The applicants will be reviewed against the person specification for the advertised role. This will be conducted by at least two people (members of staff/Local Governing Body/Directors) who ideally will also be involved in the interview process. At least one recruiter must have successfully completed accredited training in safer recruitment procedures.

Our shortlisting process will involve at least 2 people and will:

- › Consider any inconsistencies and look for gaps in employment and reasons given for them
- › Explore all potential concerns

Once we have shortlisted candidates, we will ask shortlisted candidates to:

- › Complete a self-declaration of their criminal record or any information that would make them unsuitable to work with children, so that they have the opportunity to share relevant information and discuss it at interview stage. The information we will ask for includes:
 - If they have a criminal history
 - Whether they are included on the barred list
 - Whether they are prohibited from teaching
 - Information about any criminal offences committed in any country in line with the law as applicable in England and Wales
 - Any relevant overseas information
- › Sign a declaration confirming the information they have provided is true

We will also consider carrying out an online search on shortlisted candidates to help identify any incidents or issues that are publicly available online. Shortlisted candidates will be informed that we may carry out these checks as part of our due diligence process.

Selection techniques will be determined by the nature and duties of the vacant post, but all vacancies will require a formal interview as standard for short-listed applicants. This will be to assess suitability for the role and discuss relevant skills and experience.

Formal interviews will be conducted in conditions where the applicant is able to prove identity, either face to face or via Zoom or other webcam platforms.

Applicants will always be required:

- to explain satisfactorily any gaps in employment;
- to explain satisfactorily any anomalies or discrepancies in the information available to recruiters;

- to declare any information that is likely to appear on a DBS disclosure;
- to demonstrate their capacity to safeguard and protect the welfare of children and young people.

If it is decided to make an offer of employment following the formal interview, any such offer will be made on the conditions that the pre-employment checks are satisfactory. Refer to section 4 for more information.

Where possible, references will be taken up before the interview stage using the Trusts standard reference template. Applicants will be informed of this intention as part of the application pack. The references will be sought directly from the referee using the contacts provided by the applicant in the application form. Personal email addresses for referees will not be accepted and in this case the applicant will be contacted to provide an alternative contact. In line with safer recruitment two to three references will be requested to cover a period of five years, one of which must be a current or previous employer.

In line with KCSIE referees will always be asked specific questions about the candidate's suitability for working with children and young people and any disciplinary warnings, including time-expired warnings, that relate to the safeguarding of children. References of the successful applicant will be verified by telephone. References are to be kept confidential and Trust employees are not entitled to see or receive, if requested, copies of their employment references.

All applicants shortlisted for interview must complete the 'Criminal Declaration' form & submit it prior to interview.

4) Pre-Employment Checks

We will obtain references before interview. Any concerns raised will be explored further with referees and taken up with the candidate at interview.

When seeking references we will:

- › Not accept open references
- › Liaise directly with referees and verify any information contained within references with the referees
- › Ensure any references are from the candidate's current employer and completed by a senior person. Where the referee is school based, we will ask for the reference to be confirmed by the headteacher/principal as accurate in respect to disciplinary investigations
- › Obtain verification of the candidate's most recent relevant period of employment if they are not currently employed
- › Secure a reference from the relevant employer from the last time the candidate worked with children if they are not currently working with children
- › Compare the information on the application form with that in the reference and take up any inconsistencies with the candidate
- › Resolve any concerns before any appointment is confirmed

The Trust fully comply with the Equality Act 2010 and do not discriminate against applicants or staff.

The successful applicant(s) will be required to undertake the below checks.

4.1) Verification of identity, right to work in the UK and Qualifications

Pre-appointment vetting checks

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

New staff

All offers of appointment will be conditional until satisfactory completion of the necessary pre-employment checks. When appointing new staff, we will:

- › Verify their identity
- › Obtain (via the applicant) an enhanced DBS certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will obtain the certificate before, or as soon as practicable after, appointment, including when using the DBS update service. We will not keep a copy of the certificate for longer than 6 months, but when the copy is destroyed we may still keep a record of the fact that vetting took place, the result of the check and recruitment decision taken
- › Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- › Verify their mental and physical fitness to carry out their work responsibilities
- › Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- › Verify their professional qualifications, as appropriate
- › Ensure they are not subject to a prohibition order if they are employed to be a teacher
- › Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK. These could include, where available:
 - For all staff, including teaching positions: criminal records checks for overseas applicants
 - For teaching positions: obtaining a letter from the professional regulating authority in the country where the applicant has worked, confirming that they have not imposed any sanctions or restrictions on that person, and/or are aware of any reason why that person may be unsuitable to teach
- › Check that candidates taking up a management position* are not subject to a prohibition from management (section 128) direction made by the secretary of state

* Management positions are most likely to include, but are not limited to, headteachers, principals and deputy/assistant headteachers.

We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Regulated activity means a person who will be:

- › Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- › Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- › Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not

Existing staff

In certain circumstances we will carry out all the relevant checks on existing staff as if the individual was a new member of staff. These circumstances are when:

- › There are concerns about an existing member of staff's suitability to work with children; or
- › An individual moves from a post that is not regulated activity to one that is; or
- › There has been a break in service of 12 weeks or more

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- › We believe the individual has engaged in relevant conduct; or
- › We believe the individual has received a caution or conviction for a relevant (automatic barring either with or without the right to make representations) offence, under the Safeguarding Vulnerable Groups Act 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009; or
- › We believe the 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- › The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left

Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- › An enhanced DBS check with barred list information for contractors engaging in regulated activity
- › An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors.

We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

Volunteers

We will:

- › Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- › Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- › Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- › Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought

Governors and members

All trustees, local governors and members will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity.

The chair of the board will have their DBS check countersigned by the secretary of state.

All proprietors, trustees, local governors and members will also have the following checks:

- › A section 128 check (to check prohibition on participation in management under section 128 of the Education and Skills Act 2008). [Section 128 checks are only required for local governors if they have retained or been delegated any management responsibilities.]
- › Identity
- › Right to work in the UK
- › Other checks deemed necessary if they have lived or worked outside the UK

5) Induction and probation

All new staff will receive an induction which includes schools safeguarding policies on safer working practices. Standard probation period is six months under which period of time staff will receive two meetings. The meetings will be conducted at the time deemed appropriate by the line manager but no later than 3 months and 5 months.

Annex 1

Right to work

The following documents that prove eligibility to work in the UK are:

List A – acceptable documents to establish a continuous statutory excuse

1. A passport (current or expired) showing the holder is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.
2. A passport or passport card (in either case, whether current or expired) showing that the holder is an Irish citizen.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
4. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
5. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
6. A birth or adoption certificate issued in the UK, **together with** an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
7. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, **together with** an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.
8. A certificate of registration or naturalisation as a British citizen, **together with** an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

3 'Definition includes those with a document which shows that the holder is entitled to readmission to the UK (RUK endorsement)' and ILR endorsements from a Crown Dependency.

4 Definition includes a full birth certificate issued by a UK diplomatic mission (British Embassy or British High Commission) and consular birth certificates. Page 46 of 72

List B Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of permission to enter or permission to stay

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question⁵
2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.
3. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question,

together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

List B Group 2 – documents where a time-limited statutory excuse lasts for six months

1. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.
2. A Certificate of Application (non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home Office Employer Checking Service.
3. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU(J) to the Jersey Immigration Rules or Appendix EU to the Immigration Rules (Bailiwick of Guernsey) Rules 2008, or Appendix EU to the Isle of Man Immigration Rules together with a Positive Verification Notice from the Home Office Employer Checking Service.
4. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.
5. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

The following documents are not acceptable

1. A Home Office Standard Acknowledgement Letter or Immigration Service Letter (IS96W) which states that an asylum seeker can work in the UK. If you are presented with these documents then you should advise the applicant to call the UK Border Agency on 0151 237 6375 for information about how they can apply for an Application Registration Card;
2. A National Insurance number when presented in isolation;
3. A driving licence issued by the Driver and Vehicle Licensing Agency;
4. A bill issued by a financial institution or a utility company;
5. A passport describing the holder as a British Dependent Territories Citizen which states that the holder has a connection with Gibraltar;
6. A licence provided by the Security Industry Authority;
7. A document check by the Criminal Records Bureau;
8. A card or certificate issued by the Inland Revenue under the construction industry scheme.