

Privacy notice: How we use job applicants' information

Date: reviewed Spring 2026; next review 2028

This privacy notice details and explains what personal data we collect, share, store, and use (referred to as 'processing' in data protection legislation).

The relevant legislation governing data privacy in the UK is:

- The Data Protection Act 2018
- The UK General Data Protection Regulation (UK GDPR)
- The Data (Use and Access) Act 2025 (DUUA)

The categories of information that we process

These include:

- contact details
- copies of right to work documentation
- references
- evidence of qualifications
- employment records, including work history, job titles, training records and professional memberships
- online/social media checks at the shortlisting stage

We may also process (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This may include information about:

- race, ethnicity, sexual orientation, religious beliefs, and political opinions
- disability and access requirements
- photographs and CCTV footage
- criminal convictions and offences
- data about you that we have received from other organisations such as other schools, local authorities and the Disclosure and Barring Service in respect of criminal offence data.

This list is not exhaustive; please see our data processing map (Record of Processing Activities - RoPA) for the current list.

Storing information about members of staff

We use job applicants' data to:

- enable us to confirm relevant experience and qualifications
- facilitate Safer Recruitment in accordance with our safeguarding obligations towards pupils
- enable us to monitor equalities
- ensure access requirements can be met for candidates that need them

Legal bases for processing

Under the UK General Data Protection Regulation (UK GDPR), the lawful bases we rely on for processing pupil information include:

- Article 6 (1)(c): processing is necessary for compliance with a legal obligation to which the controller is subject
- Article 6 (1)(e): processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority
- For special category data, we rely on:
 - Article 9 (2)(a): the data subject has given explicit consent to the processing for specified purposes
 - Article 9 (2)(c): to protect the vital interests of the individual
 - Article 9 (2)(f): legitimate purposes involving legal claims
 - Article 9 (2)(i): required for purposes of public health

We do not currently process any job applicants' data through automated decision-making or profiling. Should this change in the future we will amend the privacy notice to include the rationale and your right to object to it.

Collecting job applicants' information

We collect personal information from individuals directly eg from application forms and references. Most data held will have come from you, but we may hold data about you from:

- local authorities
- government departments or agencies
- police forces, courts, or tribunals

Data is essential for the school to function. Whilst the majority of personal information you provide to us is mandatory, some of it is requested on a voluntary basis. In order to comply with UK GDPR, we will inform you at the point of collection, whether you are required to provide certain information to us or if you have a choice in this and that you can change your mind at any time.

Storing information about members of staff

We hold data securely for the set amount of time shown in our data retention schedule. For more information on our data retention schedule and how we keep your data safe, please see the Data Map/RoPA and the [Information and Records Management \(IRMS\) Toolkit for Schools](#)

Who we share information about job applicants with

We do not routinely share information about job applicants with any third parties without consent unless the law requires us, or our policies allow us to do so. Where we are legally required to share personal information or our policies comply with the UK data protection law), we may share it with:

- Local Authority Children's Services eg for safeguarding concerns
- service providers such as HR (Human Resources) and recruitment advisers and consultants
- employment and recruitment agencies

This list is not exhaustive.

Requesting access to your personal data

Under data protection legislation, you have the right to request access to information about you that we hold. However, please note that references provided during the recruitment process will not be routinely shared with the applicant, in line with the employment reference exemption under the Data Protection Act 2018 and UK GDPR. This exemption allows us to withhold the content of references where necessary to protect the confidentiality of the information provided. To make a request for your personal information, contact the Sphere Federation Resources Manager.

You also have the right to:

- ask us for access to information about you that we hold
- have your personal data rectified if it is inaccurate or incomplete
- request the deletion or removal of personal data where there is no compelling reason for its continued processing
- restrict our processing of your personal data (ie permitting its storage but no further processing)
- object to direct marketing (including profiling) and processing for the purposes of scientific/historical research and statistics
- not be subject to decisions based purely on automated processing where it produces a legal or similarly significant effect on you

If you have a concern about the way we are collecting or using your personal data, we ask that you raise your concern with us in the first instance. Alternatively, you can contact the Information Commissioner's Office:

<https://ico.org.uk/concerns/>

For further information on how to request access to personal information held centrally by the Department for Education (DfE), please see the 'How government uses your data' section of this notice.

Withdrawal of consent

Where we process your personal data with your consent, you have the right to withdraw that consent. If you are unhappy with our use of your personal data, please contact:

- the Sphere Federation Resources Manager: srm@spherefederation.org
or
- the Data Protection Officer, Richard Lewis-Ogden: DPO@bywaterkent.co.uk

Complaints

If you wish to raise a complaint about how the school manages your personal data, please refer to our Data Protection Policy for further information on the complaints process.

Contact

If you would like to discuss anything in this privacy notice, please contact our Data Protection Officer:
DPO@bywaterkent.co.uk