

Privacy Notice Recruitment

Approved By: Executive Leadership Team

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1. Privacy Notice for the Recruitment of Staff

Under data protection law (UK GDPR and Data Protection Act 2018), individuals have a right to be informed about how the school uses any personal data that Think Differently Education Trust (the Trust) holds about them.

The Trust complies with this right by providing privacy notices (sometimes called fair processing notices) to individuals where the Trust processes their personal data.

This privacy notice explains how the Trust collects, stores and uses personal data about job applicants and prospective candidates.

The Trust is the data controller for the purposes of data protection law. The Trust is registered with the ICO, reference number Z519817X.

2. The personal data we hold, why we use this data and the lawful basis for processing

The Trust processes data relating to job applicants and prospective candidates.

Personal data that the Trust may collect, use, store and share (when appropriate) about job applicants and prospective candidates includes, but is not restricted to:

Data we collect	Why we use this data	Lawful basis for using this data
Personal details, including name, email address, contact number(s), postal address and preferred method of contact	For the purpose of assessing job applications and entering into an employment contract	Legitimate interest
Eligibility and availability to work in the UK, including notice period, preferred start date, current and/or future work status, visa type, visa expiry date	For the purpose of assessing job applications and entering into an employment contract	Legitimate interest
Employment and education history, including academic qualifications, professional training and certifications, skills and experiences	For the purpose of assessing job applications and entering into an employment contract	Legitimate interest
Other application information, such as salary history and expectations, equal opportunities statements	For the purpose of assessing job applications and entering into an employment contract	Legitimate interest
Occupational health referrals	Preventive or occupational medicine and our obligations	Legitimate interest

	and specific rights in the field of employment law	
Paper and electronic communications with the Trust regarding your application	For the purpose of assessing job applications and entering into an employment contract	Legitimate interest

Where you have provided the Trust with consent to use your data, you may withdraw this consent at any time. The trust will make this clear when requesting your consent and explain how you go about withdrawing consent if you wish to do so.

Some of the reasons listed above for collecting and using personal information about you overlap, and there may be several grounds which justify the Trust's use of your data.

3. Collecting This Information

The data the Trust collects may come from a combination of any of the following sources:

- Information you provide as part of the application and selection process, including but not limited to application forms, emails
- Information the Trust collects from publicly available sources online
- Information the Trust generates during the application and selection process, including but not limited to notes taken from telephone conversations, interviews and other selection methods
- Information provided by third parties, such as recruitment agencies or via referrals or references.

While the majority of information the Trust collects from you is mandatory, there is some information that you can choose whether or not to provide to us.

Whenever the Trust seeks to collect information from you, the Trust will make it clear whether you must provide this information (and if so, what the possible consequences are of not complying), or whether you have a choice.

4. How We Store This Data

Personal data is stored in line with the academy Data Protection Policy.

The Trust uses recruitment software for the management of the application and selection process in line with a Data Protection Impact Assessment reviewed and approved by the Data Protection Officer.

The Trust creates and maintains a file for each staff member or volunteer. The information contained in this file is kept secure and is only used for purposes directly relevant to your application and, if applicable, employment with the Trust.

Once your employment with the Trust has ended, the Trust will retain your file for 6 years and delete the information in it in accordance with the Information and Records Management Society's toolkit for academies.

The Trust has controls in place to mitigate against any data breach and procedures in place to deal with any suspected data breach. The Trust will notify you and any applicable regulator of any suspected data breach.

5. Data Sharing

The Trust does not share information about you with any third party without your consent unless the law and our policies allows the Trust to do so.

Where it is legally required, or necessary (and it complies with data protection law), the Trust may share personal information about you.

6. Transferring Data Internationally

Where the Trust transfers personal data to a country or territory outside the European Economic Area, the Trust will only do so in accordance with data protection law.

7. Your Rights

Under UK GDPR you have a number of important rights, including the right to access the personal data held about you, the right to request corrections and the right to partial or full erasure.

How to access personal information the Trust holds about you

Individuals have a right to make a data subject access request to gain access to personal information that the Trust holds about them.

If you make a data subject access request, and if the Trust holds information about you, the Trust will:

- Give you a description of the data
- Tell you why the data is being held and how long we will keep it for
- Explain where the data came from, if this was not you
- Tell you who the data has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the data in an intelligible form

You may also have the right for your personal information to be transmitted electronically to another organisation in certain circumstances.

If you would like to make a request, please contact the Trust's Data Protection Officer.

Your other rights regarding your data

Under data protection law, individuals have certain rights regarding how their personal data is used and kept safe. You have the right to:

- Object to the use of your personal data if it would cause, or is causing, damage or distress
- Prevent your data being used to send direct marketing
- Object to the use of your personal data for decisions being taken by automated means (by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing

- Claim compensation for damages caused by a breach of the data protection regulations

To request a correction, partial or full deletion of your personal data you must make an explicit request clearly indicating which data is in need of amendment and/or you request is deleted. The Trust will respond to any requests within ten working days.

Your right to have personal data deleted is not an absolute right. The Trust reserves the right to refuse such as request where there is an appropriate legal justification for doing so. The Trust also reserves the right to escalate any request for partial deletion to full deletion of personal data where the request is not sufficiently explicit.

To exercise any of these rights, please contact the Trust's Data Protection Officer.

8. Complaints

The Trust takes any complaints about data collection and use of personal information very seriously.

If you think that the Trust's collection or use of personal information is unfair, misleading or inappropriate, or have any other concern about our data processing, please raise this with the Trust's Data Protection Officer in the first instance.

To make a complaint, please contact the Trust's Data Protection Officer.

Alternatively, you can make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/concerns/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

Appendix 1 – How Government uses your data

The workforce data that the Trust lawfully shares with the Department for Education (DfE) through data collections:

- informs the Department for Education (DfE) policy on pay and the monitoring of the effectiveness and diversity of the school workforce
- links to school funding and expenditure
- supports 'longer term' research and monitoring of educational policy

Data collection requirements

To find out more about the data collection requirements placed on the Trust by the DfE including the data shared with them, go to <https://www.gov.uk/education/data-collection-and-censuses-for-schools>.

Sharing by the DfE

The DfE may share information about school employees with third parties who promote the education or well-being of children or the effective deployment of school staff in England by:

- conducting research or analysis
- producing statistics
- providing information, advice or guidance

The DfE has robust processes in place to ensure that the confidentiality of personal data is maintained and there are stringent controls in place regarding access to it and its use.

Decisions on whether the DfE releases personal data to third parties are subject to a strict approval process and based on a detailed assessment of:

- who is requesting the data
- the purpose for which it is required
- the level and sensitivity of data requested; and
- the arrangements in place to securely store and handle the data

To be granted access to school workforce information, organisations must comply with its strict terms and conditions covering the confidentiality and handling of the data, security arrangements and retention and use of the data.

How to find out what personal information the DfE holds about you

Under the terms of the Data Protection Act 2018, you're entitled to ask the DfE:

- if they are processing your personal data
- for a description of the data they hold about you
- the reasons they're holding it and any recipient it may be disclosed to
- for a copy of your personal data and any details of its source

If you want to see the personal data held about you by the DfE, you should make a 'subject access request'. Further information on how to do this can be found within the DfE personal information charter.