Portobello Primary School

Privacy notice for pupils

2026

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1. Introduction

You have a legal right to be informed about how our school uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice' to you where we are processing your personal data.

This privacy notice explains how we collect, store and use personal data about **pupils at our school**, like you.

We are the 'data controller' for the purposes of UK data protection law.

2. The personal data we hold

We hold some personal information (data) about you to make sure we can help you learn and look after you at school.

For the same reasons, we get information about you from some other places too – such as other schools, the local council and the government.

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Your contact details
- Your test results, details about your learning and what you have achieved at school
- Your attendance records
- Details of any behaviour issues or exclusions
- Information about how you use school computers, approved digital tools, and other IT and communications systems

We may also collect, use, store and share (when appropriate) information about you that falls into 'special categories' of more sensitive personal data. This includes, but is not restricted to:

- Information about your characteristics, such as your ethnic background or any special educational needs (SEN)
- Information about any medical conditions you have
- Photographs and CCTV images

We may also hold data about you that we have received from other organisations, including other schools and local authorities.

3. Why we use this data

We use the data listed above to:

a) Get in touch with you and your parents or carers when we need to

b) Check how you're doing in exams and work out whether you or your teachers need any extra help

c) Track how well the school as a whole is performing

d) Look after your wellbeing and keep you safe

e) Make sure our computers and other school systems and equipment are used appropriately, legally and safely

f) Answer your questions and complaints

g) Publish statistics, for example, about the number of pupils or learners in schools

h) Meet legal requirements placed upon us

We will only use your personal information for the purposes for which we have collected it, unless we reasonably consider that we need to use it for any other reason and that reason is incompatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and explain the legal basis that allows us to do so.

Please note that we may process your personal information without your knowledge or consent in compliance with the above rules where this is required or permitted by law.

We may also use school-approved artificial intelligence (AI) or other automated tools to help staff support teaching, learning, administration, online safety and the secure use of school systems. Where these tools use personal data, we will make sure this is lawful, necessary and appropriate, and that your information is protected.

3.1 Use of your personal data for marketing purposes

Where you have given us consent to do so, we may send you messages by email or text promoting school events, campaigns, charitable causes or services that you might be interested in.

You can take back this consent or 'opt out' of receiving these emails and/or texts at any time by selecting the 'Unsubscribe' link at the bottom of any such communication, or by contacting us (see 'Contact us' below).

3.2 Use of your personal data in automated decision-making and profiling

We do not currently make important decisions about pupils using only computers, AI or other automated systems without meaningful human involvement.

We may sometimes use school-approved AI or other automated tools to help staff review information, support teaching and learning, or help keep school systems safe. These tools will not be used on their own to make significant decisions about you unless the law allows this and we have clearly told you about it.

If this changes in the future, we will update this notice to explain what is happening, how your personal data is being used, and what your rights are.

3.3 Use of your personal data for filtering and monitoring purposes

While you're in school, we may monitor what material you access on our computers and other IT and communication systems. We do this so that we can:

Comply with health and safety law and other laws

Comply with our policies; Child protection policy, IT acceptable use policy

Keep our network(s) and devices safe from people who aren't allowed to access them, and prevent harmful software from damaging our network(s)

Protect your welfare

4. Our lawful basis for using this data

We will only collect and use your information when the law allows us to. We need to establish a 'lawful basis' to do this.

Our lawful bases for processing your personal information for the reasons listed in section 3 above are:

For the purposes of B, in accordance with the 'public task' basis – we need to process data to fulfil our official duties as a school as set out here:

For the purposes of C,D,E,G,H, in accordance with the 'legal obligation' basis – we need to process data to meet our responsibilities under law as set out here:

For the purposes of D, in accordance with the 'vital interests' basis – we will use this personal data in a life-or-death situation

For the purposes of B, in accordance with the 'contract' basis – we need to process personal data to fulfil a contract with you or to help you enter into a contract with us

For the purposes of A,B,E,F,in accordance with the 'legitimate interests' basis – where there's a minimal privacy impact and we have a compelling reason.

Where you've agreed that we're allowed to use your information ('given consent'), you may take this back at any time. We'll make this clear when requesting your consent and explain how you'd go about withdrawing consent if you want to.

4.1 Our basis for using special category data

For ‘special category’ data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and 1 of the following conditions for processing as set out in UK data protection law:

- We have your explicit consent to use your information in a certain way
- We need to use your information under employment, social security or social protection law
- We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation
- We need to use it for health or social care purposes, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for public health reasons, and it’s used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

For criminal offence data, we will only collect and use it when we have both a lawful basis, as set out above, and a condition for processing as set out in UK data protection law. Conditions include:

- We have your consent to use it in a specific way
- We need to protect an individual’s vital interests (i.e. protect your life or someone else’s life), in situations where you’re physically or legally incapable of giving consent
- The data concerned has already been made obviously public by you
- We need to use it as part of legal proceedings, to obtain legal advice, or to make or defend against legal claims
- We need to use it for reasons of substantial public interest as defined in legislation

5. Collecting this data

We will only collect and use your personal information when the law allows us to, as detailed above in section 4 of this notice. While most of the information we collect about you is mandatory (i.e. you have to give us the information), there is some information that you can choose whether or not to provide to us.

Whenever we want to collect information from you, we make it clear whether you have to give us this information (and if so, what the possible consequences are of not doing that), or whether you have a choice.

Most of the data we hold about you will come from you or your parents/carers, but we may also hold data about you from:

Local councils

Government departments or agencies

Police forces, courts or tribunals

Other schools or trusts

Department for Education (DfE)

6. How we store this data

We keep personal information about you while you're attending our school. We may also keep it after you stop attending our school, if this is necessary to comply with our legal obligations or to meet our regulatory requirements. Our record retention schedule sets out how long we keep information about pupils.

We have security measures in place to prevent your personal information from being accidentally lost, used or accessed in an unauthorised way, changed, or disclosed (given or told to someone else).

We'll dispose of your personal data securely when we no longer have a legal requirement to retain it.

7. Who we share data with

We don't share information about you with any third party without your consent unless the law and our policies allow us to do so.

Where it's legally required, or necessary (and it complies with UK data protection law), we may share personal information about you with:

Schools that you may attend after leaving us

Our local authority, Gateshead – because we have to share certain information with it, such as safeguarding concerns and information about exclusions

Government departments or agencies

Youth support services provider

Our regulator, [e.g. Ofsted]

Department for Education

Suppliers and service providers:

- for example catering providers, filtering and monitoring providers, educational technology providers, cloud service providers, and other approved digital service providers

Financial organisations

Our auditors

Survey and research organisations

Health authorities

Security organisations

Health and social welfare organisations

Professional advisers and consultants

Charities and voluntary organisations

Police forces, courts or tribunals

7.1 Sharing data with the Department for Education (DfE)

We have to share information about you with the Department for Education (a government department) either directly or via our local authority, via various statutory data collections.

The data shared will be in line with the following legislation:

Section 3 of The Education (Information About Individual Pupils) (England) Regulations 2013

The data is transferred securely and held by the Department for Education under a combination of software and hardware controls that meet the current government security policy framework.

The data we share about you with the Department for Education is used for a number of different purposes, including to:

Help decide the amount of money that our school receives

Monitor how well the education system is working and how well our school is doing in terms of educating our pupils

Support research

The information shared with the Department for Education about you could include:

Your name and address

Your unique pupil number

Pupil matching reference numbers

Details of your gender or ethnicity

Details of any special educational needs (SEN)

Details of schools attended

Absence and exclusion information

Information relating to exam results

Information relating to any contact with children's services

What you have done since finishing school

Please note: this list is not exhaustive.

Once pupils in our school reach the age of 13, we are legally required to pass on certain information to the local authority or youth services provider, which has responsibilities regarding the education or training of 13 to19 year olds under section 507B of the Education Act 1996. Parents/carers, or pupils if aged 16 or over, can request that only their name, address and date of birth be passed to these agencies by informing the data protection officer (DPO).

National Pupil Database (NPD)

We have to provide information about you to the Department for Education as part of data collections such as the school census.

Some of this information is then stored in the National Pupil Database, which is managed by the Department for Education and provides evidence on how schools are performing. This, in turn, supports research.

The database is held electronically so it can easily be turned into statistics. The information it holds is collected securely from schools, local authorities, exam boards and others.

The Department for Education may share information from the database with other organisations, such as organisations that promote children's education or wellbeing in

England. These organisations must agree to strict terms and conditions about how they will use your data.

You can find more information about this on the Department for Education's webpage on how it collects and shares personal data.

You can also contact the Department for Education if you have any questions about the database.

7.2 Transferring data internationally

We may share personal information about you with the following international third parties (organisations, companies, etc, that are based outside the UK), where different data protection legislation applies:

- Other schools or educational establishments
- Government departments or agencies
- Security organisations
- App, cloud server, or other approved digital service providers
- Filtering and monitoring providers

Where we transfer your personal data to a third-party country or territory, we will follow UK data protection law.

In cases where we have to set up safeguarding arrangements to complete this transfer, you can get a copy of these arrangements by contacting us.

8. Your rights

8.1 How to access personal information that we hold about you

You have a right to make a 'subject access request' to gain access to personal information that we hold about you.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding it, how we are using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with

Let you know whether any automated decision-making is being applied to the data (decisions made by a computer or machine, rather than by a person), and any consequences of this

Give you a copy of the information in an understandable form

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

If you would like to make a request, please contact us (see 'Contact us' below).

8.2 Your other rights regarding your data

Under data protection law, you have certain rights regarding how your personal information is used and kept safe. For example, you have the right to:

Say that you don't want your personal information to be used

Object to the processing of personal data that is likely to cause, or is causing, damage or distress

Stop it being used to send you marketing materials

Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)

In some cases, have it corrected if it's inaccurate

In some cases, have it deleted or destroyed, or restrict its use

Withdraw your consent, where you previously provided consent for your personal information to be collected, processed and transferred for a particular reason

In some cases, be notified of a data breach

Make a complaint to the Information Commissioner's Office (ICO) if you feel we have not used your information in the right way

Claim compensation if the data protection rules are broken and this harms you in some way

We may refuse your information rights request for legitimate reasons, which depend on why we're processing it. Some rights may not apply in these circumstances:

Your right to have all personal data deleted or destroyed doesn't apply when the lawful basis for processing is legal obligation or public task

Your right to receive a copy of your personal data, or have your personal data transmitted to another controller, does not apply when the lawful basis for processing is legal obligation, vital interests, public task or legitimate interests

Right to object to the use of your private data doesn't apply when the lawful basis for processing is contract, legal obligation or vital interests. And if the lawful basis is consent, you don't have the right to object, but you have the right to withdraw consent

See information on types of lawful basis in section 4 of this privacy notice.

To exercise any of these rights, please contact us (see 'Contact us' below).

9. Complaints

We take any complaints about how we collect and use personal information very seriously.

If you think that our collection or use of personal information is unfair, misleading or inappropriate, or have any other concerns about our data processing, please raise this with us in the first instance. You can make a complaint to us at any time by contacting The School DPO Service office@schoolDPOservice.com.

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

Report a concern online at https://ico.org.uk/make-a-complaint/

Call 0303 123 1113

Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

10. Contact us

If you have any questions or concerns, or would like more information about anything mentioned in this privacy notice, please contact our **data protection officer**:

The School DPO Service

office@schoolDPOservice.com