



PERSONAL DATA PROTECTION POLICY **THE PAULA FRASSINETTI HIGHER SCHOOL OF EDUCATION**

1. Paula Frassinetti School of Education

The Escola Superior de Educação de Paula Frassinetti (hereinafter ESEPF) was founded on 22 October 1963 and belongs to the Portuguese Province of the Institute of the Sisters of Saint Dorothy, its founding body. Its statutory objectives are: "a) the high level professional qualification of its students, in the 1st and 2nd study cycles, post-graduate training, specialized training and continuous training; b) the intellectual, cultural, social and ethical training of its students; c) the promotion of oriented scientific research and the production of knowledge linked to society; d) the provision of services to the community and support for the integral development of the human person". (Cf. art. 2 of ESEPF Statutes).

As a polytechnic institution integrated in the European Higher Education Area, ESEPF collects, processes, stores and mobilises personal data on a daily basis. In the pursuit of its mission, ESEPF is bound by legal matters regulated under the European legislation on data protection, namely by Regulation (EU) 2016/679 of the Parliament and of the Council, as well as by the General Data Protection Regulation in force since 25 May 2018 (hereinafter RGPD). As a materialization of this legislation, the present ESEPF Personal Data Protection Policy is approved, which applies to all procedures developed within the scope of the activities carried out by the set of people and structures that integrate this higher education institution.

2. The ESEPF Personal Data Protection Policy

ESEPF, within the scope of its activity, collects and processes personal data necessary for the pursuit of its mission, duties and obligations, in accordance with the *Legal Regime of Higher Education Institutions* (Law No. 62/2007 of 10 September) and its Statutes (Order No. 23998/2008, No. 184, Diário da República, 2nd Series, 23 September).

ESEPF wants to collaborate with the citizens' right to the protection of their personal data,

ensuring their holders are aware of the purpose and process of processing the information provided, as well as the rights they have in this regard. As ESEPF is the entity responsible for the collection and processing of personal data, it decides, in compliance with the law in force, which data are collected, the means of processing, the period of conservation and the purposes for which they are used.

This Personal Data Protection Policy applies exclusively to the processing of personal data carried out by ESEPF, guaranteeing to all its students, employees and partners, the appropriate technical and organizational measures for compliance with



of the principles of data protection, as set out in the GDPR and following the best practices adopted by similar entities.

3. Concepts

3.1. Personal Details

For the purposes of this Personal Data Policy, "personal data" means *"information relating to an identified or identifiable natural person ("data subject"); an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identifier, such as a name, an identification number, location data, electronic identifiers, or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person"* (Cf. Article 4(1) of the GDPR).

3.2. Collection of personal data

ESEPF collects personal data in person, by telephone, in writing or through computer systems. The personal data collected are processed either by non-automated means or by computer and in strict compliance with the legislation on personal data protection, being stored in specific databases created for this purpose. The data collected shall only be used for the purpose for which consent was given by the data subject and in compliance with the conditions of legitimacy and lawfulness of processing indicated below.

3.3. Legitimacy and lawfulness of processing personal data

The ESEPF ensures that the processing of personal data is preceded by verification of the conditions of legitimacy and lawfulness of the purpose of such processing. The ESEPF assumes that these conditions are met in the following cases:

- where it is necessary for the pursuit of legitimate interests and where the data subject has unambiguously given his or her consent;
- when it is necessary for the performance of a contract or for compliance with a legal obligation to which the controller is bound;
- where necessary for the protection of the essential interests of the data subject or of another natural person;
- when it is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;
- where this is necessary for the purposes of the legitimate interests pursued by the controller or by a third party to whom the data are disclosed, provided that this does not violate the rights, freedoms and guarantees of the data subject.



3.4. Purposes of processing personal data

When collecting data, ESEPF provides the holder of the personal data with more detailed information on how the information will be used.

The personal data processed by ESEPF may be legitimately transmitted to third parties when the purposes directly related to the legitimate functions of the data subject or the controller are fulfilled.

Where personal data can be legitimately transferred to another recipient, the data subject must have given his or her prior consent to the communication of the personal data to a third party, and may, where justified, require that his or her personal data not be transferred, provided that this does not prejudice the legitimate interest of one of the parties or the public interest.

Whenever ESEPF intends or needs to process personal data for a purpose other than that for which they have been collected, it shall provide the data subject, in advance and whenever possible, with information on this purpose and other necessary information.

3.5. Period of conservation of personal data

The period during which data are stored and kept by ESEPF varies according to the purpose of their processing. ESEPF may retain personal data for as long as it may be required to fulfil any liability arising from a legal relationship, the performance of a contract or the implementation of pre-contractual measures.

Whenever there is no specific legal requirement, the data shall be stored and kept only for the period necessary to fulfil the purposes for which they were collected and processed, after which they shall be deleted.

ESEPF, when processing for archiving purposes in the public interest, or for statistical purposes, may retain data for longer periods, without prejudice to the application of adequate safeguards, in accordance with the legislation in force, for the rights and freedoms of the data subject. These safeguards shall include technical and organisational measures to ensure, in particular, compliance with the principle of data minimisation.

3.6. Rights of the data subject

Under the legal framework in force, ESEPF guarantees the data subject the right to access, update, rectify or delete their personal data, as well as facilitating the exercise of the right to limitation of processing; the right of portability and the right to object, upon written request addressed to the Data Protection Officer; the existence of the right not to be subject to automated decisions, including profiling; and also the right to know about the existence of a data breach. Where the data subject's right of access would prejudice the fundamental rights and legitimate interests of natural persons, it should be limited.



3.7. Security measures

ESEPF undertakes to protect the personal data of users through various appropriate physical, technical and organisational measures, with the aim of ensuring the confidentiality, integrity and availability of personal data, wherever possible. With a view to the security of personal data, ESEPF implements the following measures:

- restrictions on access to personal data, based on a "need-to-know" basis as well as on the skills and powers of those accessing them, applied in close accordance with what was communicated to the data subject when the personal data was collected;
- the transfer of personal data through encrypted communication channels;
- special category data is stored in encrypted form, as are the corresponding backup copies;
- protection of technological infrastructures with technical and organisational mechanisms to prevent unauthorised access;
- monitoring of the technological infrastructures, at various levels, such as access control, misuse and abnormal traffic, with the aim of preventing, detecting and stopping unauthorised access to personal data.

3.8. Communication of personal data to other entities

The personal data of the data subjects may be processed by entities to which ESEPF has subcontracted their processing under signed protocols (e.g., banking entities that issue student cards and school insurance), for the management of digital platforms or other support services. These entities will carry out this processing within the strict scope of the purposes for which they are authorized and may not use the data for any other purposes of their own or of third parties.

Personal data may also be transmitted to administrative or regulatory authorities in order to comply with legal obligations of registration and communication, as well as to similar entities, within the scope of academic programmes in which the data subject is integrated. When the pursuit of its mission implies, for ESEPF, the transfer of its data outside Portugal, ESEPF verifies in advance that the country or territory to which it transfers the data guarantees an adequate level of data protection.

3.9. ESEPF online platforms

ESEPF presents in its *online* portals a statement regarding the privacy practices related to the same. This statement contains the identification of the data collected, technical information, as well as the security and confidentiality guarantees required by law and other rights of the data subjects.

ESEPF respects the right to privacy and does not store on the platforms, in an illicit manner, any information of a personal nature without the consent of the owners of the data.



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Concerning the collection and use of technical information, platforms may use *cookies*, namely session *cookies*.

Technical information will only be used for statistical purposes.

3.10. Changes to the ESEPF personal data protection policy

ESEPF reserves the right to make adjustments or changes to this Privacy Policy, and these changes will be duly publicised.

3.11. Data Protection Officer and complaint to the supervisory authority

In accordance with the RGPD, the ESEPF Personal Data Protection Officer is the person appointed by its founding body, the Portuguese Province of the Institute of the Sisters of Saint Dorothy, and can be contacted via email: protecaodedados@irmasdoroteais.pt.

If necessary, the data subject may lodge a complaint with the National Commission for Data Protection (CNPD).

The Board of Governors of the Paula Frassinetti School of Education

[vers_1_ september 2018]

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