

## Dispatch no. 198/2018

### Privacy Policy and Processing of Personal Data of the Polytechnic of Leiria

On the 25<sup>th</sup> May of 2018, the General Data Protection Regulation (2016/679) of the 27<sup>th</sup> of April of 2016 (GDPR) shall come into force concerning the protection of natural persons with regard to the processing of personal data and the free movement of such data, repealing Directive 95/46/EC of the European Parliament and of the Council dated 24<sup>th</sup> of October of 1995.

The Polytechnic of Leiria, as a public higher education institution, has processed the personal data to which it has access within the development of its activities, with respect for the right to privacy and other rights, freedoms and guarantees of the data subjects, in accordance with the national legislation which regulates data protection and community directives.

The new GDPR, however, establishes a set of principles to which access and processing of data as well as new rights for personal data subjects must comply, including the need to adapt at the technological and procedural level, as well as the implementation of the good practices that the Institution adopts in this matter through the "Privacy Policy and Processing of Personal Data".

Given this, pursuant to no. 4 of article 136 of the Administrative Procedure Code, to no. 7 of article 9 and paragraphs e), p) and q) of no. 1, article 92 of Law no. 62/2007, of 10<sup>th</sup> September (RJIES), paragraphs e), o) of no. 1 and no. 2 of article 44 of the Statutes of the Polytechnic of Leiria<sup>1</sup>, I approve the **Privacy Policy and Processing of Personal Data of the Polytechnic of Leiria** which is published in the annex to this dispatch.

Let it be disclosed to the academic community and on the Polytechnic of Leiria's website.

Leiria, 21<sup>st</sup> May, 2018

The President

(Rui Filipe Pinto Pedrosa)

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<sup>1</sup> Approved by Normative Dispatch no. 35/2008, published in the Official Gazette (*Diário da República*), 2nd series, no. 139 of 21 July of 2008, amended by the Declaration of Amendment no. 1826/2008, published in the Official Gazette (*Diário da República*), 2nd series, no. 156, of 13<sup>th</sup> of August of 2008.

## Annex

### **Privacy Policy and Processing of Personal Data**

The Polytechnic of Leiria, as a public higher education institution, needs to collect personal data within the scope of its mission, and is thus responsible for the processing of such data in accordance with the legislation in force.

The Polytechnic of Leiria is highly committed to protecting your personal data and respecting the exercise of your right to privacy.

This policy helps you understand how we collect, use, process and protect your personal data, as it is in line with the General Data Protection Regulation (2016/679) of 27<sup>th</sup> of April of 2016 (GDPR) and all other applicable legislation.

#### **Personal data**

Personal data is considered to be the information about an identified or identifiable natural person, directly or indirectly, as for example, through the name, photograph, identification number, or any other specific identity element foreseen in the legislation in force.

#### **Entity responsible for the processing of data**

The entity responsible for the collection and processing of data is the Polytechnic of Leiria. The nature, scope, context and purposes for processing the data, as well as the risks towards the rights and freedoms of the natural persons are taken into account, in accordance with the GDPR.

#### **Data Protection Officer (DPO)**

For any issue regarding the processing of personal data or the exercise of the rights conferred on you by the GDPR, you may contact the data protection officer through the following e-mail address: [dpo@ipleiria.pt](mailto:dpo@ipleiria.pt).

The data protection officer in the Polytechnic of Leiria carries out the following tasks, among others:

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- To inform and advise the Polytechnic of Leiria or the processor, as well as the employees who process the data, about their obligations in accordance with the terms set forth by the GDPR or by the Union or national legislation;
- To monitor compliance of the processing of data in accordance with the data protection provisions set forth by the Union or Member States and in accordance with the policies established by the controller or the processor, in relation to the protection of personal data;
- To provide advice, where requested, with regard to the data protection impact assessment and ensure that it is carried out, pursuant to article no. 35 of the GDPR;
- To cooperate with the supervisory authority, which is an entity that may be consulted and acts as the contact point if there are any issues regarding the processing of data.

### **Collection of personal data**

The Polytechnic of Leiria is committed to the privacy protection of the users of its services, by carefully developing/using technology that offers the best security and privacy guarantees.

Most of the time, users are given the possibility to use the Polytechnic of Leiria's websites without having to provide personal data. However, there are times in which some essential information for the provision and access to services is collected and stored.

### **Processing of personal data**

The Polytechnic of Leiria respects the right to privacy and does not collect personal information other than personal data that is provided voluntarily through the completion of a form, or other legitimate means for the effect. By providing personal data to the Polytechnic of Leiria, the user acknowledges and consents that such information be processed in accordance with the privacy policy and processing of personal data, being reassured that this information shall only be used for the purposes determined at the time of the collection.

Whenever personal data is collected by the Polytechnic of Leiria, based on the data subject's consent, information shall be provided about the specific, precise, explicit and legitimate purposes of the collection.

Where the processing of your personal data is necessary for a purpose other than that for which it was initially collected, we shall always request your explicit consent for that further processing, with the exception of cases in which the processing of data is lawful without consent, in accordance with the legislation in force.

### **Lawfulness of Processing of Personal Data**

In accordance with the legislation in force with regard to the protection of personal data, the Polytechnic of Leiria may still, legally, process your personal data in specific situations, as for example, when:

- a) processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract;
- b) processing is necessary for compliance with legal obligations of the Polytechnic of Leiria;
- c) processing is necessary in order to protect the vital interests of the data subject or of another natural person;
- d) processing is necessary for the purposes of the legitimate interests pursued by the Polytechnic of Leiria or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.
- e) processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Polytechnic of Leiria or of the data subject in the field of employment, social security and social protection law, under the terms foreseen in the GDPR.
- f) processing is necessary for archiving purposes in the public interest, scientific or historical research purposes, or statistical purposes, under the terms foreseen in the GDPR.

### **Confidentiality**

The information collected is to be used by the Polytechnic of Leiria in accordance with the purposes determined at the time of collection or for the compliance of legal obligations.

The information collected shall be processed in a confidential manner and may be accessed by a restricted group of employees/collaborators of the Polytechnic of Leiria, in order to carry out their professional duties, within the exact limits and for the exercise of their functions.

### **Protection of personal information**

The Polytechnic of Leiria shall implement technical and organizational measures that are appropriate and necessary to protect the information stored in the system against access, use, alteration or destruction of personal data.

The personal data shall be kept for the minimum period of time required for the specific processing purposes for which they were collected or otherwise processed, in compliance with the legislation in force.

### **Rights of the data subjects**

As the personal data subject, you have the right, at any time, to request the access to your personal data, as well as its rectification or erasure, to object to such processing, to withdraw your consent and to exercise any right foreseen in the law, within the limits of the legislation in force.

If you withdraw your consent, this shall not affect the lawfulness of the processing of data that was carried out based on the consent given before its withdrawal.

Furthermore, the personal data subject has the right to be notified in case there is a personal data breach, in accordance with the GDPR.

### **Applicability**

In general, this privacy policy and processing of personal data is applicable to all services provided by the Polytechnic of Leiria, without prejudice to other policies, agreements and legislation that are applicable in more specific contexts of the collection and processing of personal data.

**Alterations to this policy**

The Polytechnic of Leiria may amend the privacy policy and processing of personal data whenever it is technically or legally justifiable.

The amendments apply to further processing of personal data and if they have an impact on the processing of the personal data already collected, the Polytechnic of Leiria shall inform the data subject of these amendments so that he or she may give his or her explicit consent, or exercise his or her right to objection or erasure.

Date of approval: 21<sup>st</sup> of May of 2018