

## Privacy Policy

### Directorate-General for Education

#### 1. Directorate-General for Education framework

The Directorate-General for Education (DGE) of the Ministry of Education (ME), abbreviated as DGE, is a central service of direct administration of the State endowed with administrative autonomy.

This is the body responsible for implementing policies relating to the pedagogical and didactic components of early childhood education, primary and secondary education, and extracurricular education, and providing technical support for their formulation, focusing primarily on the areas of curriculum development, teaching and assessment instruments, and educational support and supplements.

Under the terms stipulated in section 1 of article 2 of [Decree-Law no. 14/2012, of January 20](#), amended by [Decree-Law no. 266-F/2012, of December 31](#), the DGE's mission is to ensure the implementation of policies relating to the pedagogical and didactic component of pre-school education, basic and secondary education and extracurricular education, providing technical support for their formulation and monitoring and evaluating their implementation, as well as coordinating the planning of the various tests and exams.

Section 2 of article 2 of the aforementioned [Decree-Law no. 14/2012, of January 20](#), in its current wording, provides that the DGE pursues the following attributions:

- a) To develop curricula and subject programmes, guidelines for non-curricular areas, and proposing their revision in line with the objectives of the education system;
- b) To develop a study on the pedagogical organisation of schools, proposing reorganisation measures;
- c) To coordinate the planning of the benchmarking tests, final tests, national exams, school-level exams equivalent to the national exams, and the equivalence exams for the 2nd and 3rd grade bands of basic education and secondary education;
- d) To establish the rules for the classification process of the benchmarking tests, final tests, national exams, school-level exams equivalent to national exams, and examinations of equivalence to attendance in the 2nd and 3rd grade bands of basic education and secondary education, as well as those relating to the re-examination and complaint of the same tests;

- e) To promote support mechanisms for students with special educational needs to take final exams and exams;
- f) To promote research and technical studies, particularly monitoring and evaluation studies, in the field of curriculum development;
- g) To coordinate, monitor and propose guidelines, in scientific-pedagogical and didactic terms, for pre-school and school education activities, including special education and distance learning, including Portuguese schools abroad and teaching Portuguese abroad, in liaison with the Ministry of Foreign Affairs department (Ministério dos Negócios Estrangeiros) responsible for managing the respective network;
- h) To designate, coordinate and monitor the pedagogical and didactic development of artistic education;
- i) To coordinate, monitor and propose guidelines, in scientific-pedagogical and didactic terms, for the promotion of success and prevention of school drop-out, and for curricular enrichment activities and school sport;
- j) To design guidelines and tools to support schools in implementing and monitoring special education and educational support responses;
- l) To identify the needs for teaching materials, including textbooks, and ensure the conditions for their assessment and certification;
- m) To contribute to the planning of initial, ongoing and specialised training needs for teaching staff, in conjunction with the Directorate-General for Education and Science Statistics and the Directorate-General for School Administration;
- n) Repealed by article 16 line a) of the cited [Decree-Law no. 266-F/2012, of 31 December](#);
- o) To ensure international relations in its area of activity, without prejudice to the coordination exercised by the SG and the specific attributions of the Ministry of Foreign Affairs (Ministério dos Negócios Estrangeiros), as well as to promote international co-operation.

## **2. Purpose of the DGE Privacy Policy**

This Privacy Policy describes the purposes for which personal data is collected by the DGE, how it is processed and stored, with whom it is shared, how long it is stored and the rights of data holders.

Personal data means information relating to an identified or identifiable natural person - 'data holder' - whereby an identifiable person is one who can be identified, directly or

indirectly, by reference to an identifier such as a name, a civil or tax identification number, location data, electronic identifiers or other factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of the natural person.

Data relating to legal entities is excluded from this Privacy Policy.

This Privacy Policy is not an exhaustive description of all the data processing operations carried out by the DGE. It will be updated whenever significant changes occur in processing operations.

This document is also complemented by specific policies aimed at certain operations and procedures that interrelate with the data processing operations described here.

In order to comply with the duty of transparency imposed by the General Data Protection Regulation (GDPR) in the procedural terms indicated and the legislation in force on the protection of natural persons with regard to the processing of personal data and the free movement of such data (Law no. 58/2019 of 8 August, which ensures the implementation, in the national legal order, of Regulation (EU) 2016/679 of the Parliament and of the Council of 27 April 2016) [1], this Privacy Policy will be incorporated, by way of reference, into various forms used by the DGE to collect personal data.

### **3. The DGE as the entity responsible for data processing**

The DGE processes personal data in the following circumstances:

- (i) When it is necessary in order to fulfil the legal obligations to which the DGE is subject in the context of its mission;
- (ii) When the processing of personal data is necessary in the exercise of the public interest functions it fulfils;
- (iii) When the processing of personal data is necessary for the fulfilment of contracts or other due diligence associated with pre-contractual steps.

The DGE may also process personal data if it has a legitimate interest in doing so, provided that, in each case, that interest is not outweighed by the interests or fundamental rights and freedoms of the data holder that require their protection.

Outside of the above circumstances, the DGE only processes personal data if it has obtained the data holder's consent to do so for specific, explicit and legitimate purposes.

DGE is responsible for the processing of personal data that it collects, processes and stores, in the sense in which these terms are defined by the GDPR.

#### **4. Grounds for License**

When acting as the data handler, the DGE bases the lawfulness of the processing of personal data on Article 6, section 1, lines a), b), c) or f) of the GDPR, and may also act under line e) of the same provision of the GDPR, which legitimises processing necessary for the performance of a task carried out in the public interest or in the exercise of official authority.

The primary basis for the lawfulness of the processing operations carried out by the DGE is therefore the fulfilment of its duties and competences, as laid down in the respective legal diplomas and other applicable legislation, including enabling rules and, only residually, the consent of the data holders.

#### **5. Data holders' rights**

Data holders can use the means of contact indicated below in paragraph 10 to:

- **Request access to information** - the holder of personal data has the right to obtain confirmation as to whether or not data concerning them is being processed and, where appropriate, access to their personal data and access to the information provided for by law;
- **Request the rectification of information if it is inaccurate or incomplete** - the holder of personal data has the right to have the DGE, without undue delay, rectify inaccurate or incomplete data concerning them;
- **Request the erasure of your personal data** - the holder of personal data has the right to request the DGE to erase their data when one of the following reasons applies:
  - The personal data is no longer necessary for the purpose for which it was collected or processed;
  - The data holder objects to the processing and there are no overriding legitimate interests justifying the processing; or
  - (the data holder) has withdrawn their consent to data processing (in cases where processing is based on consent) and there is no other basis for such processing.
- **Request the restriction of the processing of your personal data** - the data holder has the right to ask the DGE to restrict the processing of their data if one of the following situations applies:
  - The holder contests the accuracy of the personal data, in which case the limitation will be in force for as long as the DGE verifies the accuracy of such data;

- The data processing is lawful and the data holder opposes the erasure of the personal data, requesting instead the restriction of its use;
- The DGE no longer needs the personal data for processing purposes, but this data is required by the data holder for the purposes of declaring, exercising or defending a right in legal proceedings;
- If the data holder has objected to the processing, until it is established that the DGE's legitimate reasons for processing the data prevail over those of the data holder.

Limiting the processing of personal data means that it can only be processed, stored or used:

- a) with the consent of their holders; or
  - b) For the purposes of declaring, exercising or defending rights in legal proceedings; or
  - c) In defence of the rights of a natural (or legal) person other than the data holder; or
  - d) For reasons of public interest of the Portuguese State, another European Union country or the European Union itself.
- **Object to the processing of your personal data** - the data holder, on grounds relating to his or her particular situation, and where fundamental interests, rights or freedoms are concerned, may object to the processing of his or her personal data in cases where the processing of data, pursuant to Article 6(1)(e) and (f) of the GDPR, is carried out for the purposes of the legitimate interests pursued by the DGE, with the exception of data processing carried out by public authorities in the pursuit of their duties by electronic means.

In this situation, the DGE will cease processing the personal data in question, unless it demonstrates the existence of legitimate grounds that prevail over the legitimate interests, rights and freedoms of the data holder.

## 6. Information Security

The DGE implements and ensures the maintenance of adequate means of protection - security architectures for the networks and information systems used so that its internal procedures for the security of personal data comply with the regulations in force.

The DGE also makes every effort to contractually ensure that the third parties with which it collaborates, as partners or subcontractors, service providers, guarantee adequate protection of the personal data to which they have access.

The DGE limits access to personal data to specific employees, always within the scope of their duties and only when contact with such personal data is justified.

The DGE takes the necessary measures to ensure the secure processing of personal data, seeking to protect them against loss or abuse and implementing security procedures to prevent unauthorised access to such personal data.

6.1. The website - *www.dge.mec.pt* - is managed and administered by the DGE as part of an active communication and information policy aimed at ensuring the accuracy of the information, its permanent updating and the adoption of measures to guarantee its security. However, although the DGE makes every effort to disseminate up-to-date, accurate and complete information, it cannot be held responsible for any inaccuracies or gaps due to unconscious error or attempted fraud.

All the information available on the *www.dge.mec.pt* website is free of charge and can be used freely, provided the source is mentioned. However, it may not be used for commercial purposes or to jeopardise, directly or indirectly, the pursuit of the public interest. The intellectual property rights of all the content on this site belong to the DGE.

6. 2. In accordance with the provisions of Law no. 58/2019 of 8 August and the General Data Protection Regulation - Regulation (EU) 2016/679 of the European Parliament and of the Council of the European Union of 27 April 2016 - the DGE does not require any information or personal data from citizens when they interact with the site, except in specific situations where registration is essential for the stated purposes, and personal data is protected under the terms of the Law. This policy concerns the practices related to this site and the other means of communication that the DGE makes available for contact with the citizen.

The rights to privacy, security, protection and confidentiality of the personal data provided by the citizen in this way are guaranteed by the DGE, and only the necessary data is requested, collected and processed. Therefore, no information is collected without personal consent, with the exception of that which you voluntarily provide when you contact the DGE.

This website, as well as other means of communication provided by this Directorate-General, may include links to other sites, and the DGE assumes no responsibility for the content resulting from their consultation. Access to the site may be suspended temporarily and without prior notice due to technical system failures, maintenance, equipment repairs or other external reasons beyond the control of the DGE.

## **7. Sharing and Transferring of Personal Data**

The DGE shares data with third parties when legally required to do so and/or in the context of its activities, namely with other organisations within the Ministry of Education, among other areas of government action, in areas of convergent and/or complementary policy, with the aim of achieving strategic governance challenges.

The DGE may also transfer data to entities and institutions of the Ministry of Education, other public entities or state bodies, or service providers, within the scope of processes in which the entities contribute to the attributions and competences of the DGE and in which it is necessary to respect technical and organisational measures equivalent to those to which the DGE is obliged.

## **8. Retention of Personal Data**

The DGE only keeps personal data for the period strictly necessary to fulfil the purposes for which it was collected. The retention periods for most personal data processed by the DGE result from the law, the regulations governing the activities carried out by the DGE, or the contracts it enters into with clients, suppliers and partners. Only exceptionally does the DGE collect and process data on the basis of its legitimate interest or the consent of the data subject.

## **9. Cookies**

The DGE uses session cookies, which are temporary and remain in the user's browser cookie file until the user leaves the website.

The information obtained from these cookies, if used, will be used exclusively to determine the usefulness, interest and number of uses of your websites, for anonymous statistical purposes, and as such does not include your personal data. The solution is based on Google Analytics.

For more information about Google Analytics cookies, see the official Google Analytics page.

All users have the option of accepting, refusing or deleting cookies by selecting their preferences in their browser.

Cookies can be configured in the 'options' or 'preferences' menu of each browser.

Disabling cookies may, however, prevent some web services from working properly, partially or totally affecting navigation on the website.

## **10. Information and complaints**

As a data holder, if you have any questions about your personal data, you can contact the DGE at the following e-mail address: [epd@dge.mec.pt](mailto:epd@dge.mec.pt) or by writing to the Data Protection Officer at the following address: Avenida 24 de Julho, 140, 1399-025 Lisboa.

Data holders can also choose to contact the Supervisory Authority (Autoridade de Controlo), which in Portugal is the National Data Protection Commission (Comissão Nacional de Proteção de Dados), by sending a message to [geral@cnpd.pt](mailto:geral@cnpd.pt).

[1] Regulamento (UE) 2016/679, do Parlamento Europeu e do Conselho, de 27 de abril de 2016; Lei n.º 58/2019 de 8 de agosto