

A3ES

Agência de Avaliação
e Acreditação
do Ensino Superior



PERSONAL DATA PROTECTION REGULATION

JUNE 2025

PERSONAL DATA PROTECTION REGULATION

A3ES

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1. Introduction

The Agency for Assessment and Accreditation of Higher Education (A3ES) was established by the State through Decree-Law No. 369/2007, of November 5th. It is a private law foundation, established for an indefinite period, endowed with legal personality and recognised as being of public utility. It is independent in the exercise of its powers, without prejudice to the guiding principles legally established by the State.

This Personal Data Protection Policy demonstrates A3ES's commitment to the principles of privacy and data protection.

2. Scope

This policy applies to all of those who collaborate with A3ES, either on a sporadic or permanent basis, namely:

- Experts who are part of External Assessment Teams (EATs)
- Internal and external collaborators
- Teaching staff who enter their personal data on the A3ES online platform.

3. Objectives

In this document, we explain which personal data are collected, for what purposes they can be used, how they are processed, with whom they are shared, for how long they are kept, as well as the ways to contact A3ES and exercise your rights.

The aim is also to outline the procedures for processing personal data, in cases where employees or third parties have access to personal data as a result of carrying out their duties.

4. Data controller

A3ES is the entity responsible for processing personal data related to the quality assessment of Higher Education Institutions and their study programmes and can be contacted at the following address: dpo.rgpd@a3es.pt

5. Data Protection Officer

A3ES designates a Data Protection Officer, who can be contacted through the email address referred to above, and ensures that the necessary conditions are in place to enable them to perform their duties with autonomy and independence.

The Officer's tasks are (art. 39, GDPR):

- a) Inform and advise the controller or the processor and the employees who carry out data processing of their obligations pursuant to this policy and other European Union (EU) or Member State data protection provisions;
- b) Monitor compliance with this policy, other EU or Member State data protection provisions and the policies of the controller or processor concerning the protection of personal data, including the assignment of responsibilities, awareness raising, and training of staff involved in processing operations, and the related audits;
- c) Provide advice, when requested, on the data protection impact assessment and monitor its implementation in accordance with Article 35 of the GDPR;
- d) Cooperate with the supervisory authority.

6. Data Protection Unit

A3ES decided to formalise a Data Protection Unit, responsible for ensuring the protection of data associated with the Agency's operation, particularly related to the assessment processes used by the Agency and the professional information associated with its activities.

Thus, the Data Protection Unit has been created at A3ES (Order n. 3/2023), which includes:

- a) The Data Protection Officer;
- b) The person in charge of the operational component of the Data Protection Regulation.

The Data Protection Unit reports directly to the Management Board in the specific areas of its activity.

7. Personal Data Processing

'Personal data' covers any "information relating to an identified or identifiable natural person ('data subject'). An identifiable natural 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, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person" (Art.4, GDPR);

Personal data will be processed if and to the extent that there is at least one lawful basis for doing so.

7.1 Categories of processed personal data

A3ES processes personal data from different categories, such as:

- **Personal identification data:** name, date of birth, place of birth, sex, nationality, address, telephone number, professional qualifications, e-mail, civil identification number and/or passport number, taxpayer number, and social security number;
- **Other data related to personal, family, professional or financial situation:** marital status, name of spouse, children or dependents, and/or any other information necessary to determine salary supplements;

7.2 Data processing record

A3ES has a data processing record (art. 30 of the GDPR), which includes the following information:

- The name and contact details of the controller and, where appropriate, of any joint controller, the representative of the controller and the data protection officer;
- The purposes of data processing;
- A description of the categories of data subjects and categories of personal data;
- The deadlines for deleting different categories of data;
- The technical and organizational measures in terms of security implemented to ensure pseudonymisation and encryption of personal data and the ability to ensure the confidentiality, integrity, availability and permanent resilience of processing systems and services.

REGISTO DE TRATAMENTO DE DADOS

Data	Responsável do tratamento	Contacto	Finalidade dos dados	Descrição dos titulares dos dados	Descrição dos dados pessoais	Destinatários dos dados	Prazo previsto para o apagamento dos dados	Descrição geral das medidas técnicas (artº 32, nº1)
1								
2								
3								

8. Sharing of Personal Data with other entities

The data collected may be shared with other entities, namely:

- Entities to whom the data must be communicated pursuant to legal provisions or at the request of the data subject;
- Financial institutions that manage A3ES accounts intended for paying employee wages and managing debit cards assigned to employees;

- Social Security;
- Insurance companies providing the A3ES occupational accident insurance or personal accident insurance policies.

9. Principles relating to the processing of personal data (artº. 5, GDPR¹)

9.1. Lawfulness, fairness, and transparency

"Personal data shall be:

Processed lawfully, fairly and in a transparent manner in relation to the data subject"; artº.5, nº 1, a);

A3ES processes personal data lawfully, following legal requirements.

9.2. Purpose limitation

" *Personal data shall be:*

Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall, in accordance with Article 89(1), not be considered to be incompatible with the initial purposes."; artº.5, nº 1, b)

Personal data are collected for specific, explicit and legitimate purposes. Data collected for a particular purpose are not subsequently used for a purpose incompatible with the initial one (purpose limitation principle).

Personal data collected through the A3ES platform (evaluators and teaching staff) are necessary for A3ES to fulfil its purpose, namely the assessment of study programmes and institutions.

Further processing for archival purposes, or for scientific or statistical research purposes, is not considered incompatible with the initial purposes and must, in any case, respect the ethical and privacy standards of participants in scientific research work.

9.3. Data Minimisation

"*Personal data shall be:*

Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed"; artº.5, nº 1, c)

¹ Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 (GDPR).

The personal data processed are adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed (data minimisation principle).

9.4. Accuracy

"Personal data shall be:

Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay"; artº. 5, nº 1, d)

Personal data must be accurate and updated (accuracy principle). Data subjects must notify A3ES of any changes in order to allow personal records to be corrected or updated accordingly.

9.5. Storage limitation

"Personal data shall be:

Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed; personal data may be stored for longer periods insofar as the personal data will be processed solely for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes in accordance with Article nº 89(1) subject to implementation of the appropriate technical and organisational measures required by this Regulation in order to safeguard the rights and freedoms of the data subject."; artº.5, nº 1, e)

Personal data are stored in a manner that allows for data subjects to be identified only for the time necessary for processing (principle of data conservation limitation).

Personal data may be kept for more extended periods, provided they are processed exclusively for statistical purposes, scientific or historical research, and as long as the ethical and privacy standards of participants in research work and other relevant guidelines regarding the processing of data in the context of scientific research are ensured.

9.6. Integrity and Confidentiality

"Personal data shall be:

Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures"; artº.5, nº 1, f)

Evaluators must respect the obligation of secrecy and confidentiality, not revealing personal data to which they have access within the scope of their functions.

All paper records are in a closed space and are only accessed by authorised personnel.

All personal data are stored digitally and protected by appropriate technical and organizational measures.

Under no circumstances is it permitted for third parties to access personal data held by A3ES, unless a confidentiality agreement has been established with that third party.

9.7. Accountability

"The controller shall be responsible for, and be able to demonstrate compliance with the previous paragraphs"; artº., nº 2

A3ES employees and suppliers who use personal data are responsible for complying with applicable legal and regulatory provisions.

10. Consent

"'Consent' of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her"; art.7

The data subject is informed about the purpose of processing their data when providing it, and, whenever necessary, their consent is clearly requested through the personal data sheet (for experts and teachers) or the contract (for employees).

11. Personal Data Breach

"A breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to, personal data transmitted, stored or otherwise processed"; art. 4, 12)

All employees, suppliers, partners and data subject who have a relationship with A3ES must report potential or actual breaches of personal data, namely, security breaches that cause, accidentally or unlawfully, the destruction, loss, unauthorized alteration, disclosure or access to personal data transmitted, preserved or subject to any other type of processing.

Any security breach must be reported and will be investigated and corrective measures taken, if necessary.

A record of identified faults is maintained.

The supervisory authority must be notified if necessary.

12. Rights of Data Subjects

Data subjects have the right to access their personal data, request their rectification, as well as their deletion, limitation, portability or opposition, under the terms provided for by law. These rights can be exercised by sending an email to the following address: dpo.rgpd@a3es.pt. Data subjects also have the right to file a complaint with the National Data Protection Commission.

Approved by the A3ES Management Board

Lisbon, June 3, 2025

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