

## **Data Protection Statement/Privacy Statement on the processing of personal data in the context of the Coaching and 360° feedback review mechanism services in the field of leadership and management skills at EMSA**

The protection of privacy is of high importance to the European Maritime Safety Agency ('EMSA'). EMSA is responsible for the personal data it processes. Therefore, we are committed to respecting and protecting the personal data of every individual and to ensuring efficient exercising of data subject's rights. All the data of personal nature, namely data that can identify an individual directly or indirectly, will be handled fairly and lawfully with the necessary due care.

This processing operation is subject to Regulation 2018/1725 of the European Parliament and of the Council on the protection of individuals with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data. The information in this Privacy Statement is given pursuant to Articles 15 and 16 of the Regulation 2018/1725.

### **1. Nature and the purpose(s) of the processing operation**

The purpose of this processing activity is to support a 360-degree feedback process that helps managers enhance their self-awareness, recognise their strengths, identify areas for improvement, understand staff expectations, and explore opportunities for continuous learning and development (see [HR Strategy – point 2.1.1.5 Encourage Modern Management](#)).

An additional objective is to gain insight into EMSA's overall management culture, enabling the organisation to plan development initiatives in a more strategic and informed manner.

The feedback process involves an anonymous questionnaire, which is completed by both observers (those providing feedback) and observees (those receiving feedback).

Observees: EMSA managers, including the Executive Director, Heads of Departments, and Heads of Units.

Observers: Individuals who may be respondents, such as:

- Staff who report directly to the observee,
- Peers of the observee,
- The observee's direct managers,
- External third parties.

To carry out this process, EMSA must process the personal data of both managers and other respondents. This data is shared with the sub-processor, the contractor, PerformanSe.

The 360-degree feedback review consists of several key stages. First, the contractor, in collaboration with EMSA, defines the programme of the evaluation. The questionnaires are answered by both managers and other respondents via an online platform, capturing self-perception from managers and feedback from their colleagues and external parties. Importantly, managers do not receive any information that could reveal the identity or individual responses of those who assessed them.

To ensure clarity and transparency, the contractor provides an awareness sessions for managers. This session explains the objectives, process, and expected outcomes of the evaluation. Once the exercise is launched, participants complete a questionnaire online, and the contractor processes the data submitted by managers and respondents.

Following the data collection, the contractor prepares two types of reports:

- **Confidential Individual Report:** Each manager receives a personal report, which is discussed during a one-to-one debriefing session with a coach of their choice. This report includes a personal development plan and recommendations for implementation. It is sent electronically via password-protected email to both the manager and the selected coach. The report is strictly confidential and does not contain any personal data or open comments. It is not linked to performance appraisals or reclassification exercises. Managers may choose to share personal information during the debriefing/coaching session. After the initial debrief, managers also have the opportunity to continue with further coaching sessions if they wish.
- **Group Report:** The Executive Director receives a consolidated report that provides collective feedback on the EMSA managerial group as a whole, including insights into the organisation's aggregated managerial style.

These reports include only aggregated data (such as the most and least selected competencies and the total number of participants) and are intended to prevent identification of individual responses. Nevertheless, in very small groups, indirect identification cannot be completely excluded. To mitigate this risk, anonymisation measures and minimum response thresholds are applied: any observer category with less than three responses is excluded from the report).

All data collected through the online tool is submitted voluntarily and processed exclusively by the contractor. EMSA does not have access to the raw data at any point. The contractor stores individual responses and uses them solely for the purpose of generating the confidential reports. These reports are not stored in any HR electronic system or included in personnel file.

EMSA will not reuse the personal data for another purpose that is different to the one stated above.

## 2. Categories/types of personal data processed

The categories/types of personal data processed are the following:

### **General personal data:**

#### **Personal details:**

**Managers (Observees):** name, surname, work email address, and details of their professional reporting lines to staff, peers and superiors.

**Other respondents (Observers):** name, surname, work email address, gender and nationality. This data is used exclusively to identify the respondent and to enable the contractor to contact them. The gender and nationality are to be used for the contractor to have a gender and geographically balanced sample.

In the case of external stakeholders, the manager will contact them directly to request their consent before any personal data—such as name, surname, or email address—is shared with the contractor.

The HR Unit of EMSA will provide this data to the contractor, who will then send participating managers and respondents a link to the online platform via email, allowing them to access the questionnaire.

This data is used solely to identify programme participants—both managers and respondents—and to enable the contractor to contact them.

#### **Employment details:**

Manager being reviewed (Observees) and other respondents (Observers): Professional reporting line to supervisors, peers and staff (if applicable as staff from other departments may give feedback that are not under the manager's direct reporting line).

Work e-mail address.

**Other:**

Professional Data: including feedback related to managerial competencies, leadership style, and development areas.

### **3. Processing the personal data**

The processing of the personal data is carried out under the responsibility of the Head of Unit 4.1 Human Resources and Internal Support, acting as delegated EMSA data controller.

Personal data are processed by the relevant contractor's staff:

Subprocessor: PerformanSe

e-mail: [dpo@performanse.com](mailto:dpo@performanse.com)

### **4. Access to and disclosure of personal data**

The personal data is disclosed to the following recipients:

Data subjects themselves: Managers participating in the 360-degree review will receive individual reports directly from the contractor following the exercise.

- Designated Contractors' staff members: The Human Resources and Internal Support Unit (4.1) will provide to the contractor with the personal data of the staff members and third parties participating in the 360-degree review. The contractor also receives the responses submitted through the online platform and will process this data to prepare individual reports and the aggregated report.
- Additionally, the coach assigned by the contractor—who will conduct the one-to-one debriefing session with the manager—and, if requested, the ad-hoc coach, will have access to the manager's individual report to facilitate the coaching and development process.

The information in question will not be communicated to third parties, except where necessary for the purpose outlined above.

Personal data are not intended to be transferred to third countries.

### **5. Protecting and safeguarding personal information**

EMSA implements appropriate technical and organisational measures in order to safeguard and protect data subjects' personal data from accidental or unlawful destruction, loss, alteration, unauthorised disclosure of, or access to them.

### **6. Access, rectification, erasure or restriction of processing of personal data**

Data subjects have the right to access, rectify, erase, and receive their personal data, as well as to restrict and object to the processing of the data, in the cases foreseen by Articles 17 to 24 of the Regulation 2018/1725.

If data subjects would like to exercise any of these rights, they should send a written request explicitly specifying their query to the delegated data controller, Head of Unit Unit 4.1, Human Resources and Internal Support.

The above requests will be answered without undue delay, and in any event within one month of receipt of the request. However, according to article 14 (3) of the Regulation 2018/1725, that period may be extended by two further months where necessary, taking into account the complexity and number of the requests. EMSA shall inform the data subject of any such extension within one month of receipt of the request, together with the reasons for the delay.

## **7. Legal basis for Data processing**

Processing of the personal data is based on Article 5 (d) of the Regulation 2018/1725.

Consent to data processing is explicitly requested and recorded, when the respondents tick the “I have read and accept the privacy statement”. Once the box is ticked, consent is recorded in the PerformanSe database.

Participants (managers and other respondents) can decide to opt-out from the exercise at any time of the process withdrawing their consent. In that case, they must contact the data controller via: [hr.training@emsa.europa.eu](mailto:hr.training@emsa.europa.eu).

## **8. Storing Personal data**

PerformanSe will delete all data the latest 6 months at the end of the service, once it is not necessary for the service delivery anymore and in agreement with EMSA.

## **9. Data protection points of contact**

Should data subjects have any queries/questions concerning the processing of your personal data, they should address them to the data controller, Head of Unit 4.1, Human Resources and Internal Support under the following mailbox: [hr.training@emsa.europa.eu](mailto:hr.training@emsa.europa.eu)

Any data subject may also consult EMSA Data Protection Officer at: [DPO@emsa.europa.eu](mailto:DPO@emsa.europa.eu).

### **Recourse:**

Complaints, in cases where the conflict is not resolved by the Data Controller and/or the Data Protection Officer, can be addressed at any time to the European Data Protection Supervisor: [edps@edps.europa.eu](mailto:edps@edps.europa.eu).