

**NOTIFICATION TO THE DATA PROTECTION OFFICER
(ARTICLE 31 REGULATION 2018/1725)**

NAME OF PROCESSING ACTIVITY¹: **Coaching and 360° feedback review mechanism services in the field of leadership and management skills at EMSA**

1) Controller(s)² of data processing operation (Article 31.1(a))
<p>Controller: European Maritime Safety Agency (EMSA)</p> <p>Organisational unit responsible³ for the processing activity: 4.1 Unit – Human Resources and Internal Support</p> <p>Contact person: Cristina Romay Lopez - 4.1 Unit – Human Resources and Internal Support</p> <p>Data Protection Officer (DPO): Radostina Nedeva-Maegerlein: dpo@emsa.europa.eu</p>
2) Who is actually conducting the processing? (Article 31.1(a))⁴
<p>The data is processed by EMSA itself <input type="checkbox"/></p> <p>The organisational unit conducting the processing activity is: 4.1 Unit – Human Resources and Internal Support</p>
<p>The data is processed by a third party (contractor) or the processing operation is conducted together with an external third party. <input checked="" type="checkbox"/></p> <p>Processor: Julhiet Sterwen</p> <p>Address: 3 Rue Des Graviers</p> <p>92200 Neuilly-Sur-Seine</p> <p>France</p>

¹ **Personal** data is any information relating to an identified or identifiable natural person, i.e. someone 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. This information may, for example, be the name, date of birth, a telephone number, biometric data, medical data, a picture, professional details, etc.

Processing means any operation or set of operations which is performed on personal data, whether or not by automatic means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

² In case of more than one controller (e.g. joint operations), all controllers need to be listed here

³ This is the unit that decides that the processing takes place and why.

⁴ Is EMSA itself conducting the processing? Or has a provider been contracted?

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3) Purpose of the processing (Article 31.1(b))

Why are the personal data being processed? Specify the rationale and underlying reason for the processing and describe the individual steps used for the processing.

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 ([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.

4) Lawfulness of the processing (Article 5(a)–(d)): Processing necessary for:

Mention the legal basis which justifies the processing

- | | | |
|-----|---|-------------------------------------|
| (a) | a task carried out in the public interest or in the exercise of official authority vested in EMSA (including management and functioning of the institution) | <input type="checkbox"/> |
| (b) | compliance with a legal obligation to which EMSA is subject | <input type="checkbox"/> |
| (c) | necessary for the performance of a contract with the data subject or for the preparation of such a contract | <input type="checkbox"/> |
| (d) | Data subject has given consent (ex ante, explicit, informed) | <input checked="" type="checkbox"/> |

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.

5) Description of the categories of data subjects (Article 31.1(c))

Whose personal data are being processed?

- | | |
|--|-------------------------------------|
| EMSA staff | <input checked="" type="checkbox"/> |
| Officials, Temporary Agents, Contract Agents | |
| Non-EMSA staff (contractors staff, external experts, trainees) | <input checked="" type="checkbox"/> |

SNEs and third parties	
Visitors to EMSA building	<input type="checkbox"/>
Relatives of the data subject	<input type="checkbox"/>
Other (please specify):	
6) Categories of personal data processed (Article 31.1(c)) <i>Please tick all that apply and give details where appropriate</i>	
(a) General personal data: The personal data contains:	
Personal details:	<input checked="" type="checkbox"/>
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.	
Education & Training details	<input type="checkbox"/>
Employment details	<input checked="" type="checkbox"/>
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.	
Financial details	<input type="checkbox"/>
Family, lifestyle and social circumstances	<input type="checkbox"/>

Goods or services provided	<input type="checkbox"/>
Other (please give details):	
Professional Data: including feedback related to managerial competencies, leadership style, and development areas.	
(b) Sensitive personal data (Article 10)	
The personal data reveals:	
Racial or ethnic origin	<input type="checkbox"/>
Political opinions	<input type="checkbox"/>
Religious or philosophical beliefs	<input type="checkbox"/>
Trade union membership	<input type="checkbox"/>
Genetic, biometric or data concerning health	<input type="checkbox"/>
Information regarding an individual's sex life or sexual orientation	<input type="checkbox"/>
7) Recipient(s) of the data (Article 31.1 (d))	
<i>Recipients are all parties who have access to the personal data</i>	
Data subjects themselves	<input checked="" type="checkbox"/>
Managers participating in the 360-degree review will receive individual reports directly from the contractor following the exercise.	
Managers of data subjects	<input type="checkbox"/>
Designated EMSA staff members	<input type="checkbox"/>
Designated Contractors' staff members	<input checked="" type="checkbox"/>
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.

Other (please specify):

8) Transfers to third countries or recipients outside the EEA (Article 31.1 (e))

If the personal data are transferred outside the European Economic Area, this needs to be specifically mentioned, since it increases the risks of the processing operation.

Data are transferred to third country recipients:

Yes ☐

No ☒

If yes, specify to which country:

If yes, specify under which safeguards:

Adequacy Decision of the European Commission ☐

Standard Contractual Clauses ☐

Binding Corporate Rules ☐

Memorandum of Understanding between public authorities ☐

9) Technical and organisational security measures (Article 31.1(g))

Please specify where the data are stored during and after the processing

How is the data stored?

EMSA network shared drive	<input type="checkbox"/>
Outlook Folder(s)	<input type="checkbox"/>
Hardcopy file	<input type="checkbox"/>
Cloud (give details, e.g. public cloud)	<input type="checkbox"/>
Servers of external provider	<input checked="" type="checkbox"/>
Other (please specify):	
<p>10) Retention time (Article 4(e))</p> <p><i>How long will the data be retained and what is the justification for the retention period? Keep in mind that there are pre-determined retention periods for most types of files. Those are explained in the Records Management Policy and Procedure of the Agency. You can check EMSA Records Management Policy and Procedure at the Intranet of the Agency.</i></p>	
<p>PerformanSe will delete all data the latest 6 months at the end of the service, once it is not necessary for the service delivery and in agreement with EMSA.</p>	