

## Privacy Regulations of the Coaching Monitor

### *Aim*

These privacy regulations aim to inform users of the Coaching Monitor, an initiative of the Dutch Association of Professional Coaches (NOBCO), part of the European Mentoring & Coaching Council (EMCC-NL) about the way in which personal data are processed within the Coaching Monitor. Personal data are collected or gained for or during the (evaluation of) coaching.

The Coaching Monitor is an online evaluation instrument that allows for monitoring and evaluating coaching tracks, requesting 360-degree evaluations and peer feedback, facilitating (academic) research and gathering sectoral information.

### *General Provisions*

#### **1. Definitions**

##### 1.1 Personal data:

Data gathered within the Coaching Monitor that are traceable to the party concerned and that include (para-)psychological data;

##### 1.2 Providing personal data:

Disclosing or making personal data available which have been included in the Coaching Monitor or have been gathered during the processing thereof, whether or not in connection to other data;

##### 1.3 Responsible party:

The party that controls the personal data and is responsible for compliance with the provisions of the regulations and the Personal Data Protection Act;

##### 1.4 Processor:

The party that processes personal data for the responsible party, without being subjected to its direct authority.

##### 1.5 The party concerned:

The party to whom personal data is related; either coach, coachee, or a third party.

The parties defined above have been further elaborated upon in appendix A belonging to these regulations.

#### **2. Scope**

These regulations apply to personal data gathered within the Coaching Monitor, as referred to in 1.1.

The organisational structure of personal data processing consists of one evaluation system: the storage of digital files for each party concerned, in an automated database.

### ***Characteristics of personal data registration***

#### **3. Aim of the personal data registration**

3.1 The responsible party describes the aim of the personal data registration precisely and clearly. This description, which can be found in appendix B, is an inherent part of these regulations.

3.2 The responsible party shall not register personal data for other purposes than those referred to in the description mentioned in sub 3.1. Registered personal data will be used in accordance with the provisions of these regulations and the Personal Data Protection Act.

3.3 The responsible party shall not save or store more personal data than necessary for the aim of the personal data registration.

#### **4. Recorded data**

The personal data registration shall maximally contain the following data categories:

- personal information/identification data;
- educational information;
- financial/administrative information;
- (para)psychological information;

These categories have been further elaborated upon in appendix C, which is an inherent part of these regulations.

### ***Rights of registered parties and use of personal data***

#### **5. Notification**

The responsible party will mention the existence and aim of the registration and these regulations by means of a general notification, and will include the way in which the regulations can be accessed and obtained and how further information can be gained.

#### **6. Removal of personal data**

The party concerned has the right to request the responsible party in writing to remove his or her personal data when they are factually incorrect, not relevant for the aim or purposes of the registration, or otherwise processed contrary to statutory regulation.

The responsible party shall inform the party concerned within four weeks after receipt of the request.

## **7. Supplying the data**

7.1 *Within* the Coaching Monitor, personal data may be supplied to the coach who initiated the collection of the data in question.

7.2 *Outside* the Coaching Monitor, personal data may be supplied to institutions for statistics, policy and scientific research. In these cases, the personal data will be supplied in such a way that they cannot reasonably be traced back to the party concerned by the recipient.

7.3 In all other cases not mentioned in article 7.2, personal data may not be provided to third parties without written consent of the party concerned.

## **8. Access to personal data**

Without prejudice to possible legal regulations, only the coach has access to the personal data. In addition, processors have access to personal data in the registration, to the extent necessary for administration. In order to create accounts, processor Bonly has access to name, email address and name of the company where the party concerned is employed. The responsible party as such has no access to the recorded personal data, unless required with regard to his general responsibility as responsible party.

## **9. Access to recorded data**

The party concerned shall have the right to acquaint him/herself with all recorded data that concern him/her. He or she shall submit a written request to the responsible party, who shall refer the request to the coach on whose initiative the data in question were collected. If the coach feels it is likely that direct access may lead to health damage to the party concerned or in incorrect interpretation of the recorded data, he or she can recommend access to occur only under his/her supervision. The responsible party shall inform the party concerned within four weeks after receipt of the request.

## **10. Rectification, supplementation or blocking of recorded personal data**

The party concerned can request rectification, supplementation or blocking of the data that concern him/her, in case these are factually incorrect, incomplete or irrelevant for the purpose(s) of processing, or are otherwise processed in a manner that is contrary to statutory regulation.

He or she shall submit a written and motivated request with the responsible party. The responsible party shall inform the party concerned in writing within four weeks after receipt of the request.

## **11. Storage periods**

In compliance with any legal regulations, the responsible party determines the period for which registered personal data are kept. The personal data are stored no longer than is necessary for the purposes for which those data are collected and then processed. When the storage period has expired, the data in question are removed and destroyed. In case the

data concerned have been modified in such a way that they cannot reasonably be traced back to specific individuals, these data may be retained in its anonymised shape.

## **12. Complaints**

If the registered party feels that the provisions of these regulations are not complied with, (s)he may address the responsible party. It may be possible for him/her to make use of the dispute settlement mechanism in place with the responsible party.

### ***Transitional and final provisions***

## **13. Term, transfer and transmission of the registration**

13.1 Without prejudice to any other legal provisions, these regulations shall remain into force for the duration of the personal data processing.

13.2 In case of transfer or transmission of the registration to another responsible party, the party concerned must be notified, so that the person concerned may raise objections about the data concerning his or her person.

## **14. Entry into force**

These regulations entered into force on 1 May 2014 and can be consulted with the responsible party.

### **Dutch Data Protection Authority**

The Coaching Monitor meets the legal demands set for collecting, processing and managing personal data. The Monitor has been registered with the Dutch Data Protection Authority under registration number: m1551631.

## ***Appendices to the Coaching Monitor Privacy Regulations***

### **Appendix A**

- a) The responsible party is the Dutch Association of Professional Coaches (NOBCO), part of the European Mentoring & Coaching Council (EMCC-NL) established in Nijkerk; address: P.O. Box 1167, 3860 BD Nijkerk.
- b) There are two processors:  
Processor A is the Limited Liability Partnership Basemotive V.O.F., established in Amsterdam;  
Processor B is the NOBCO/EMCC-NL secretariat acting under the name Motivation Office Support B.V., established in Nijkerk.
- c) Parties concerned: the coaches, coachees and other third parties who complete the questionnaires.

### **Appendix B**

The purpose of the registry of persons is:

- to allow the coach to monitor and guide coaching;
- to map the result of the coaching track and to generate a visual report of these results;
- to facilitate 360-degree evaluations and peer feedback;
- to create insight into the coach's method (learning instrument);
- to facilitate (scientific) research on facilitation coaching (research instrument);
- to gather sector information.

The data contain information from questionnaires completed by the party concerned; either the coach, the coachee, or a third party.

### **Appendix C**

Personal information/identification data/administration consist of:

- (maiden)name;
- date of birth;
- educational information;
- organisation where the party concerned may work;
- name of the party concerned;
- (para)psychological data;
- intake, interim, end, and permanence measurements;
- coach-coachee contact;
- other relevant information to assess the coaching effectiveness.