



International Standard for Classification Data Protection

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International Paralympic Committee

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Introduction

The fundamental purpose of the IPC Athlete Classification Code (the Code) is to uphold confidence in Classification and advance participation by a wide range of Athletes. To achieve this purpose, the Code details policies and procedures common across all sports and sets principles to be applied by all Para sports.

The Code is complemented by International Standards that provide technical and operational standards for specific aspects of Classification to be carried out by all Signatories in a manner which Athletes and other Paralympic stakeholders understand and have confidence in.

Compliance with these International Standards is mandatory. This International Standard for Classification Data Protection must be read in conjunction with the Code and the other International Standards.

Purpose

The Code requires Athletes to supply Classification Data to Classification Organisations. Athletes can also consent to the supply of certain additional data to assist Classification Organisations develop Classification. The purpose of the International Standard for Classification Data Protection is to ensure that Classification Organisations use Classification Data consistently in accordance with their legal obligations.

Definitions

This International Standard uses the defined terms in the Code and other International Standards. Further defined terms specific to this International Standard are as follows:

Classification Data: Personal Information and/or Sensitive Personal Information provided by an Athlete and/or a National Body and/or a National Paralympic Committee and/or any other person to a Classification Organisation in connection with Classification.

Classification Organisation: any organisation that conducts the process of Athlete Evaluation and allocates Sport Classes and/or holds Classification Data.

National Laws: the national data protection and privacy laws, regulations and policies applicable to a Classification Organisation.

Personal Information: any information that refers to, or relates directly to, an Athlete.



Process/Processing: the collection, recording, storage, use or disclosure of Personal Information and/or sensitive Personal Information.

Research Purposes: research into matters pertaining to the development of sports within the Paralympic Movement, including the impact of Impairment on the fundamental activities in each specific sport and the impact of assistive technology on such activities.



1 General Provision

- 1.1 Classification Organisations must comply with this International Standard regardless of their applicable National Laws.

[Comment to Article 1: This International Standard imposes a minimum standard of data protection that all Athletes can expect when being classified regardless of where the Athlete concerned is classified. If a Classification Organisation operates in a country that has data protection laws that include requirements that exceed those set out in this International Standard, the Classification Organisation must comply with both this International Standard and those higher national obligations.]

2 Classification Data that can be Processed

- 2.1 Classification Organisations may only Process Classification Data if such Classification Data is considered *necessary* to conduct Classification.
- 2.2 All Classification Data Processed by Classification Organisations must be accurate, complete and kept up-to-date.

[Comment to Article 2: Given the personal and sensitive nature of Classification Data, Classification Organisations must be cautious when Processing it. If a Classification Organisation is not sure if the Classification Data submitted by an Athlete is necessary to conduct Classification it must not Process that Classification Data.]

3 Consent and Processing

- 3.1 Subject to Article 3.3, Classification Organisations may *only* Process Classification Data with the consent of the Athlete to whom that Classification Data relates.

[Comment to Article 3.1: Athlete consent is usually provided by the Athlete signing an Athlete Evaluation consent form, International Sport Federation Eligibility Code Form or other agreement.]

- 3.2 If an Athlete cannot provide consent (for example because the Athlete is under age) the legal representative, guardian or other competent representative of that Athlete must give consent on their behalf.

[Comment to Article 3.2: A 'competent representative' of an Athlete may be a member of that Athlete's delegation if the Athlete's legal representative or guardian has expressly agreed to this.]

- 3.3 Classification Organisations may only Process Classification Data *without consent* of the relevant Athlete if permitted to do so in accordance with the National Laws of the relevant Classification Organisation.



[Comment to Article 3.3: There may be instances where the Processing of Classification Data without consent is necessary. One example could be in the context of an investigation into potential misconduct by an Athlete. In such instances, Classification Organisations must take care to ensure all Processing of Classification Data without consent is consistent with the relevant National Laws.]

4 Provisions that apply to Classification Research

- 4.1 Classification Organisations may request that an Athlete provide them with Personal Information and/or sensitive Personal Information for Research Purposes.
- 4.2 The use by Classification Organisations of Personal Information and/or sensitive Personal Information for Research Purposes must be consistent with this International Standard and all applicable ethical use requirements, including, but not limited to, those that apply to the Classification Organisation.
- 4.3 Personal Information and/or sensitive Personal Information that has been provided by an Athlete to Classification Organisations *solely and exclusively* for Research Purposes must not be used by that Classification Organisation for any other purpose.
- 4.4 Classification Organisations may only use Classification Data for Research Purposes with the express consent of the relevant Athlete. If Classification Organisations want to *publish* any Personal Information and/or sensitive Personal Information provided by an Athlete for Research Purposes, it must obtain consent to do so from that Athlete *prior* to any publication. This restriction does *not* apply if the publication is anonymised so that it does not identify any Athlete(s) who consented to the use of their Personal Information and/or sensitive Personal Information.

[Comment to Article 4: Research is vital for the development of Classification in sport and Athletes will be asked to provide Classification Data to Classification Organisations. Any such use must comply with this International Standard and, in particular, any Personal Information and/or sensitive Personal Information provided in connection with Research Purposes must not be used in relation to Athlete Evaluation and the allocation of a Sport Class.]

5 Notification to Athletes

- 5.1 Classification Organisations must notify an Athlete who provides Classification Data as to:
 - 5.1.1 the identity of the Classification Organisation collecting the Classification Data;
and



- 5.1.2 the purpose for the collection of the Classification Data; and
- 5.1.3 the duration that the Classification Data will be retained.

[Comment to Article 5.1: Classification Organisations can decide the most effective way of notifying Athletes. This may be in the form of notices communicated to Athletes via websites or social media or via standard forms and templates used in Classification. Individual or personalised notification is not required.]

6 Classification Data Security

6.1 Classification Organisations must:

- 6.1.1 protect Classification Data by applying appropriate security safeguards, including physical, organisational, technical and other measures to prevent the loss, theft or unauthorised access, destruction, use, modification or disclosure of Classification Data; and
- 6.1.2 take reasonable steps to ensure that any other party provided with Classification Data uses that Classification Data in a manner consistent with this International Standard.

7 Disclosures of Classification Data

7.1 Classification Organisations must not disclose Classification Data to other Classification Organisations except where such disclosure is related to Classification conducted by another Classification Organisation and the disclosure is consistent with all applicable National Laws.

[Comment to Article 7.1: A Classification Organisation may wish to exchange Classification related information with another Classification Organisation, especially in connection with Competitions. This may only take place if the Classification Organisation receiving the information complies with this International Standard. Most International Sport Federation Athlete consent forms include the possibility of such an exchange. If not, it is recommended that such consent forms are revised to include the consent for exchange of Classification information.]

7.2 Classification Organisations may disclose Classification Data to other parties only if such disclosure is in accordance with this International Standard and permitted by National Laws.



[Comment to Article 7.2: If a Classification Organisation shares Personal Information with another party, such as a Major Competition Organiser, it may only do so if either the Athlete concerned has consented in advance (for example by agreeing to this as part of the Competition entry conditions) or if the Processing is permitted under the applicable National Laws.]

8 Retaining Classification Data

- 8.1** Classification Organisations must ensure that Classification Data is only retained for as long as it is needed for the purpose it was collected. If Classification Data is no longer necessary for Classification purposes, it must be deleted, destroyed or permanently anonymised.
- 8.2** Classification Organisations must develop and publish guidelines regarding retention times in relation to Classification Data.

[Comment to Article 8.2: Classification Organisations may retain Classification Data as long as there is a Classification need for that data. Classification Organisations must develop guidelines and practices in respect of data retention that are clear and comprehensible. These must include clear policies regarding the retention of Classification Data in respect of Athletes who retire from a sport.]

- 8.3** Classification Organisations must implement policies and procedures that ensure that Classifiers and Classification Personnel retain Classification Data for only as long as is necessary in order for them to carry out their Classification duties in relation to an Athlete.

[Comment to Article 8.3: Athletes provide a significant amount of Classification Data for Athletes to be allocated a Sport Class. This Classification Data will be provided to Classifiers appointed by the Classification Organisation responsible for Athlete Evaluation. That Classification Organisation must make sure that individual Classifiers only use this Classification Data in connection with their role as Classifiers, and in particular, do not themselves retain any of the Classification Data after Athlete Evaluation is completed. This includes any notes, comments, video recordings or records written or captured electronically, generated or compiled by Classifiers during Athlete Evaluation. For example, Classifiers must not have Classification data saved on personnel laptops or other storage devices. Any such data can be retained by the Classification Organisation if that retention is consistent with this Article 8.]

9 Access Rights to Classification Data

- 9.1** Athletes may request from a Classification Organisation:



- 9.1.1 confirmation of whether or not that Classification Organisation Processes Classification Data relating to them personally and a description of the Classification Data that is held;
 - 9.1.2 a copy of the Classification Data held by the Classification Organisation; and/or
 - 9.1.3 correction or deletion of the Classification Data held by the Classification Organisation.
- 9.2** A request made pursuant to Article 9.1 may be made by an Athlete or a National Body or National Paralympic Committee on an Athlete's behalf and must be complied with within a reasonable period of time.

[Comment to Article 9.1: Classification Organisations must be able to provide Athletes with details of the Classification Data they have used as part of Classification. Generally a Classification Organisation should respond to such an 'access request' as soon as is practicable.]