



International
Paralympic
Committee

IPC INTERNATIONAL STANDARD FOR DATA PROTECTION

V1 for release to IPC Membership

July 2014

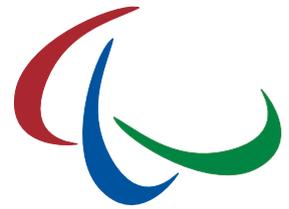
International Paralympic Committee

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The enclosed incorporates revisions that were approved by the IPC Governing Board in 2015. The revised International Standard for Data Protection is effective as of 1 January 2017.



Introduction

The IPC Classification Code (Code) details policies and procedures common to Classification in all sports. The fundamental purpose of the Code is to uphold confidence in Classification and advance participation by a wide range of athletes. To achieve this, the Code requires a best standard of operation from all Signatories carried out in a manner which Athletes and other Paralympic stakeholders understand and have confidence in.

The Code is complemented by International Standards that provide technical and operational standards for specific aspects of Classification. Compliance with these International Standards is mandatory.

Purpose

The purpose of the International Standard for Data Protection is to ensure that ‘Classification Organizations’ protect the Classification Data they Process when conducting Classification.

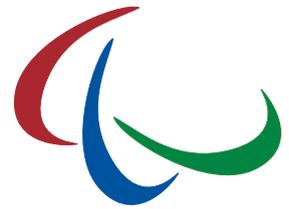
The Classification Code requires Athletes to supply Classification Data to Classification Organizations. This Classification Data must be properly protected so that Athletes have confidence that their Personal Information will be used appropriately.

This International Standard sets a minimum standard that Classification Organizations must abide by. Classification Organizations may be required by National Laws to apply rules or standards that exceed those set out in this International Standard.

1 Classification Data Obligations

- 1.1 All Classification Organizations must comply with this International Standard.
- 1.2 If a Classification Organization is subject to National Laws that impose obligations that are less than those imposed by this International Standard, the Classification Organization must still comply with this International Standard.
- 1.3 If a Classification Organization is subject to National Laws that impose obligations greater than those imposed by this International Standard, the Classification Organization must comply with all such National Laws.

[Comment to Article 1: the International Standard imposes a minimum standard of protection that all Athletes can expect when being classified by any organization that is subject to the Classification Code. It is essential that this standard is applied regardless of where the Athlete concerned is classified. A higher



standard may be required in countries that have data protection laws that include requirements that exceed those set out in this Standard.]

2 What can be Processed

- 2.1 Classification Organizations may Process Classification Data in order to conduct Classification provided such Processing does not conflict with those National Laws.
- 2.2 Classification Organizations must not Process Personal Information that is irrelevant or unnecessary in the context of Classification.
- 2.3 Classification Data Processed by Classification Organizations shall be processed fairly and shall be accurate, complete and kept up-to-date.

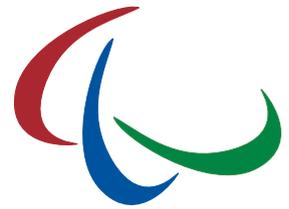
[Comment to Article 2: Classification Organizations must be cautious when using data taken from Athletes, given the sensitive and personal nature of much of that information. If a Classification Organization is not sure that the data is required in order to conduct Classification, it should not process the data.]

Classification Organizations shall Process only Personal Information that is appropriate and relevant for Classification purposes, which can for example include research purposes. In appropriate circumstances, 'Classification purposes' will include the Processing of Classification Data in order to engage in investigations and associated disciplinary hearings, for example, in relation to allegations of misconduct.]

3 Basis of Processing

- 3.1 Classification Organizations should only Process Classification Data with the consent of the Athlete to whom the Classification Data relates.
- 3.2 If an Athlete cannot provide informed consent (for example, because of age or mental capacity) the Athlete's legal representative, guardian or other competent representative may give consent on the Athlete's behalf if this is permitted by National Laws.
- 3.3 A Classification Organization may Process Classification Data without an Athlete's consent in certain circumstances, but must be sure that any such Processing is consistent with National Laws.

[Comment to Article 3: it will almost always be the case that an Athlete provides specific consent in respect of the use of Classification Data, as the data will be used and/or created in connection with Athlete Evaluation and allocation of a Sport Class. This consent will usually be provided either by or on behalf of an Athlete by the signing of an Athlete Evaluation Consent Form. If an Athlete does not provide



consent in those circumstances, then the consequence will be that he or she cannot be evaluated or given a Sport Class. There will, however, be instances where consent will not be sought, for example in the context of an investigation into potential misconduct by an Athlete. In such situations, Classification Organizations must satisfy themselves that the Processing of Classification Data without consent is consistent with National Laws.]

4 Ensuring Appropriate Information is Provided to Athletes

- 4.1 Classification Organizations must notify Athletes and/or Athlete Support Personnel to whom the Classification Data relates about the Processing of their Classification Data. This information shall include:
- 4.1.1 The identity of the Classification Organization collecting the Classification Data;
 - 4.1.2 the type of Classification Data that has been Processed;
 - 4.1.3 the purposes for which the Classification Data will be used and how long it may be retained;
- 4.2 Notification to Athletes and/or Athlete Support Personnel may be withheld if providing the information might reasonably risk jeopardizing an ongoing or imminent investigation into any act of misconduct.
- 4.3 Classification Organizations shall provide the above information in an easily comprehensible and accessible manner.

[Comment to Article 4.3: Classification Organizations can decide on what is the most effective way of providing the information referred to in Article 4.1, which can include notices via websites or social media, and via standard forms and templates used in Classification. Individual notification is not required.]



5 Disclosures of Classification Data to Third Parties

- 5.1 Classification Organizations shall not disclose Classification Data to other Classification Organizations except where such disclosures are related to Classification conducted by other such Classification Organizations.
- 5.2 Classification Organizations may disclose Classification Data to Third Parties other than Classification Organizations only if the disclosure is in accordance with this International Standard and permitted by National Laws.

[Comment to Article 5.1: Classification Organizations may wish to exchange Classification related information with each other, especially in connection with Competitions. This should only take place if the Classification Organization receiving the information complies with this Standard and all applicable National Laws. If a Classification Organization shares Personal Information with a Third Party that is not a Classification Organization – for example, a Major Event Organizer – it should only do so if this if either the Athlete has consented in advance (for example, by agreeing to this sort of use by way of the Athlete Consent Forms used in relation to Athlete Evaluation), or the Processing is permitted by relevant National Laws.]

6 Retaining Classification Data

- 6.1 Classification Organizations shall ensure that Classification Data is only retained for as long as it is needed in relation to Classification. Once the retention of Classification Data is no longer necessary, it shall be deleted, destroyed or permanently anonymised.

[Comment to Article 6.1: Athletes and Athlete Support Personnel will provide Classification Data to Classification Organizations so that the various activities associated with Classification, including Athlete Evaluation and allocation of Sport Class, can happen. Classification Data should only be Processed if it is necessary for that purpose.]

- 6.2 Classification Organizations should develop and publish guidelines regarding retention times in relation to Classification Data.

[Comment to Article 6.2: Classification Data may be retained by Classification Organizations for as long as there is a Classification need for that data. For example, if an Athlete has an Impairment that will not change over time – such as an amputation – there will be no need for a Classification Organization to retain detailed medical records supplied to it by the Athlete. Conversely, if an Athlete has a fluctuating Impairment, then a Classification Organization may retain Classification Data for as long as the Athlete wishes to compete. Classification Organizations should develop guidelines and practices in respect of data retention that are clear and comprehensible to Athletes.]



7 Access Rights to Classification Data

7.1 Athletes may request from Classification Organizations:

- 7.1.1 confirmation of whether or not Classification Organizations Process Classification Data relating to them and a description of the Classification Data that is held;
- 7.1.2 a copy of the relevant Classification Data held by the Classification Organization within a reasonable timeframe.

[Comment to Article 7.1: Classification Organizations should be able to provide Athletes with details of the Classification Data they have used as part of Classification. There are no prescribed means for such provision: the information can be provided in any reasonable format. There are no time limits for such provision, but generally a Classification Organization should respond to such an ‘access request’ within 8 weeks.]