

## Data Processing Policy Antidoping Switzerland Information System

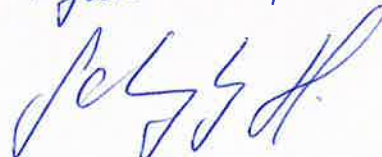

Status **	Abgeschlossen/Genehmigt
Name	Informationssystem Antidoping Schweiz
Inhaber der Datensammlung	Stiftung Antidoping Schweiz (ADCH)
Datenherr (Data Owner)	Matthias Kamber
Genehmigung durch	Matthias Kamber
Version	1.0 / 24.04.2017

\*\* In Arbeit, In Prüfung, Abgeschlossen/Genehmigt

### Änderungskontrolle

Version	Datum	Beschreibung, Bemerkung	Name
0.1	09.02.2017	Initialerstellung	Redguard AG
0.2	10.03.2017	Entwurf 1 zur Prüfung durch Auftraggeber	Redguard AG
0.3	29.03.2017	Entwurf 2 zur Prüfung durch Auftraggeber	Redguard AG
0.4	21.04.2017	Anpassungen aus Review	Redguard AG
1.0	24.04.2017	Freigabe finale Fassung	Redguard AG

### Genehmigung

Datenschutzberater / -verantwortlicher	Dateninhaber / Datenherr
Datum und Unterschrift: <i>30. Juni 2017</i> 	Datum und Unterschrift: <i>30. Juni 2017</i> 

## Table of Contents

<b>1</b>	<b>General Points</b>	<b>3</b>
1.1	Purpose of this Document .....	3
1.2	Background.....	3
1.3	Applicability .....	3
1.4	Exclusions.....	4
1.5	Issuing Office .....	4
1.6	Legal Basis.....	5
<b>2</b>	<b>Data Files</b>	<b>6</b>
2.1	The Purpose of Data Files .....	6
2.2	Description of the Information System .....	6
2.3	Processed Data.....	7
2.5	Data Flow Chart .....	Fehler! Textmarke nicht definiert.
2.6	Interfaces.....	Fehler! Textmarke nicht definiert.
<b>3</b>	<b>Controlling Procedures</b>	<b>10</b>
3.1	Controls on Access .....	10
3.2	Controls on Data Carriers .....	10
3.3	Controls on Data Transmission.....	10
3.4	Controls on Disclosure .....	10
3.5	Controls on Storage .....	10
3.6	Backup .....	11
3.7	Use of Pseudonyms .....	11
3.8	Protocols.....	11
<b>4</b>	<b>Storage, Archiving and Deletion/Destruction</b>	<b>11</b>
<b>5</b>	<b>Rights of the Individuals Concerned</b>	<b>12</b>
5.1	Correction .....	12
5.2	Right to Information .....	12
<b>6</b>	<b>Appendix</b>	<b>13</b>
6.1	Registration of Data File.....	13
6.2	System Landscape .....	14
6.3	Abbreviations and Acronyms .....	15
6.4	Definitions .....	16

# 1 General Points

## 1.1 Purpose of this Document

The Data Processing Policy describes internal data processing at the Antidoping Switzerland Foundation, as well data processing and controlling procedures. It also contains a lists of all documents covering planning, implementation and the operation of data files. Its primary purpose is to create transparency about the automatic processing of personal data to permit a professional analysis and assessment of any data protection risks.

## 1.2 Background

The Antidoping Switzerland Foundation has a number of applications and technologies that support drugs testing and investigations. These applications are used to collect data and to analyse it from a variety of perspectives. The basic data that is gathered is also used as a basis for testing and investigations. In addition to personal identifying data, data files also cover that which permits conclusions to be drawn about the state of health of a given individual (athlete). Files also includes data on pending, ongoing and past criminal prosecutions. It thus contains sensitive personal data, as defined in the Data Protection Act.

The following risks are attached to data processing; they can be mitigated by means of technical and organisational checks and balances:

1. The improper processing of data concerning members of staff who are involved;
2. Human error (mistakes when processing data, incomplete entries in the system, deletion, storage, archiving, etc.);
3. Carelessness when passing on information;
4. The deliberate misappropriation of Foundation assets (e.g. data theft, improper use) by third parties;
5. Third parties having unchecked access to the data;
6. Data transmission and exchange (tablets, USB sticks, email, fax, post);
7. Incorrect data entry;
8. Redundant and unreliable data storage;
9. Unauthorised access to data by members of staff.

## 1.3 Applicability

This Policy describes the Antidoping Switzerland information system<sup>1</sup>. It thus covers the system itself as well as the associated data processing procedures and data exchange, both automated and manual, between the internal and external parties concerned.

The Antidoping Switzerland Foundation carries out certain tasks on behalf of the federal government. Its actions, and the data processing that results, are thus conducted in the capacity of a federal government agency.

---

<sup>1</sup> 'Information system' is defined and explained in Section 2.2

## **1.4 Exclusions**

This Policy does not apply to information and data flows which do not form part of value chains. Furthermore, it does not cover any system or data flow which is routed via sub-systems which do not belong to the Antidoping Switzerland information system. This Policy explicitly excludes data processing on the part of partner organisations, as well as the collection and processing of data concerning members of staff of the Antidoping Switzerland organisation (e.g. for HR management purposes).

## **1.5 Issuing Office**

The Antidoping Switzerland Foundation

Since 1 July 2008, the Antidoping Switzerland Foundation has been the independent centre of excellence for fighting doping in Switzerland. Since January 2016, Antidoping Switzerland has been fully certified in accordance with ISO 9001:2015 quality management requirements. The Antidoping Switzerland Foundation makes a key contribution to combating doping in sport, through doping controls, investigations, prevention campaigns, applied research and national and international cooperation. It protects the right of sportsmen and sportswomen to take part in fair and doping-free sport on an equal opportunity basis, and helps to lend sport the credibility that the public expects. Antidoping Switzerland receives much of its funding from the federal government and from Swiss Olympic. This support is governed by a service agreement with the federal government and a funding agreement with Swiss Olympic. These agreements also define mandatory goals for Antidoping Switzerland. The Foundation does not pursue any commercial aims, neither does it seek to make a profit. Any secondary activities are intended only to support the achievement of its primary objective.

## 1.6 Legal Basis

Document type	Title
Laws	<a href="#"><u>Federal Constitution of the Swiss Confederation</u></a>
	<a href="#"><u>Federal Act on Data Protection (FADP)</u></a>
	<a href="#"><u>Federal Act on the Federal Information Systems for Sport (FISSA) (German and French)</u></a>
Ordinances	<a href="#"><u>Federal Act on the Promotion of Sport and Exercise (SpoPA) (German and French)</u></a>
	<a href="#"><u>Ordinance to the Federal Act on Data Protection (DPO)</u></a>
	<a href="#"><u>Ordinance on the Federal Information Systems for Sport (FISSO) (German and French)</u></a>
Directives	<a href="#"><u>Ordinance on the Promotion of Sport and Exercise (SpoPO) (German and French)</u></a>
	Antidoping Switzerland Terms of Employment
	<a href="#"><u>Regulatory Statutes for Testing and Investigations (German and French)</u></a>
	<a href="#"><u>Regulatory Statutes for Therapeutic Use Exemptions (German and French)</u></a>
	<a href="#"><u>Regulation Regarding Proceedings Before the Disciplinary Chamber for Doping Cases (German and French)</u></a>
	<a href="#"><u>Doping Statute (German and French)</u></a>
	<a href="#"><u>Rules of Procedure for the Administrative Examination of Whereabouts Failures and Missed Tests (German and French)</u></a>
Guidelines	<a href="#"><u>World Anti-Doping Code</u></a>
	<a href="#"><u>FDPIC document: 'What should a data processing policy cover?' (German and French)</u></a>
	<a href="#"><u>FDPIC document: 'Guide for technical and organisational measures' (German and French)</u></a>
	<a href="#"><u>FDPIC document: 'Data processing policy for the FDPIC Office application' (German and French)</u></a>

Table 1: Legal basis

## **2 Data Files**

### **2.1 The Purpose of Data Files**

Data files help the organisation to fulfil its purpose, which is to identify cases of drug use, and to promote fairness in sport. The Antidoping Switzerland information system facilitates the processes for planning and conducting testing and investigations, for carrying out long-term observation programmes, and for issuing and managing therapeutic use exemptions. The system also enables data to be exchanged within Antidoping Switzerland, as well as with predefined parties outside of the organisation. Data files also ensure that all stages of work, and their outcomes, are fully documented.

Data files contain identifying data about athletes, as well as details of the tests they have undergone and the results, as well as any action taken in the event of a violation of the rules. This means that Antidoping Switzerland processes both personal data and sensitive personal data, as defined in the Data Protection Act.

### **2.2 Description of the Information System**

The Antidoping Switzerland information system has a modular structure consisting of the following sub-systems:

1. Physical storage (archive)
2. Data storage (drive on the server)
3. Data storage gateway
4. The specialist SIMON application, including access to Whereabouts, DCONET and Clearinghouse
5. The specialist Athlete Express application
6. The specialist CHRONOS application
7. The specialist Paperless application
8. An FTP server for data transfer

## 2.3 Processed Data

The following data is processed within the overall information system:

Content	Consistency	Nature of personal data	Required protection
Personal data (first name, surname, date of birth, address)	Static	Personal data	High
Information about health and criminal prosecutions and sanctions	Static	Sensitive personal data	High
Medical data (medical substances, symptoms, performance analyses, long-term profiles)	Dynamic	Sensitive personal data	High
Data on evaluations	Almost static	Personal data, sensitive personal data	High
Data on investigations	Almost static	Personal data, sensitive personal data	High
Athletes' whereabouts (overnight accommodation, employment, school, training venue and time, training camp, competitions)	Dynamic	Potential personality profile	High
Publications in the form of media releases or other disclosures	Dynamic	Sensitive personal data	Low <sup>2</sup>

**Table 2: Processed data**

<sup>2</sup> Based on the provisions permitting publication. For more information, please refer to section 3.4

## 2.4 Data Flow Chart

The data flow chart illustrates how Antidoping Switzerland uses data, makes it available, and amends it. It shows the flows of incoming and outgoing data between the organisations concerned, the interfaces that are used, and how data is stored.

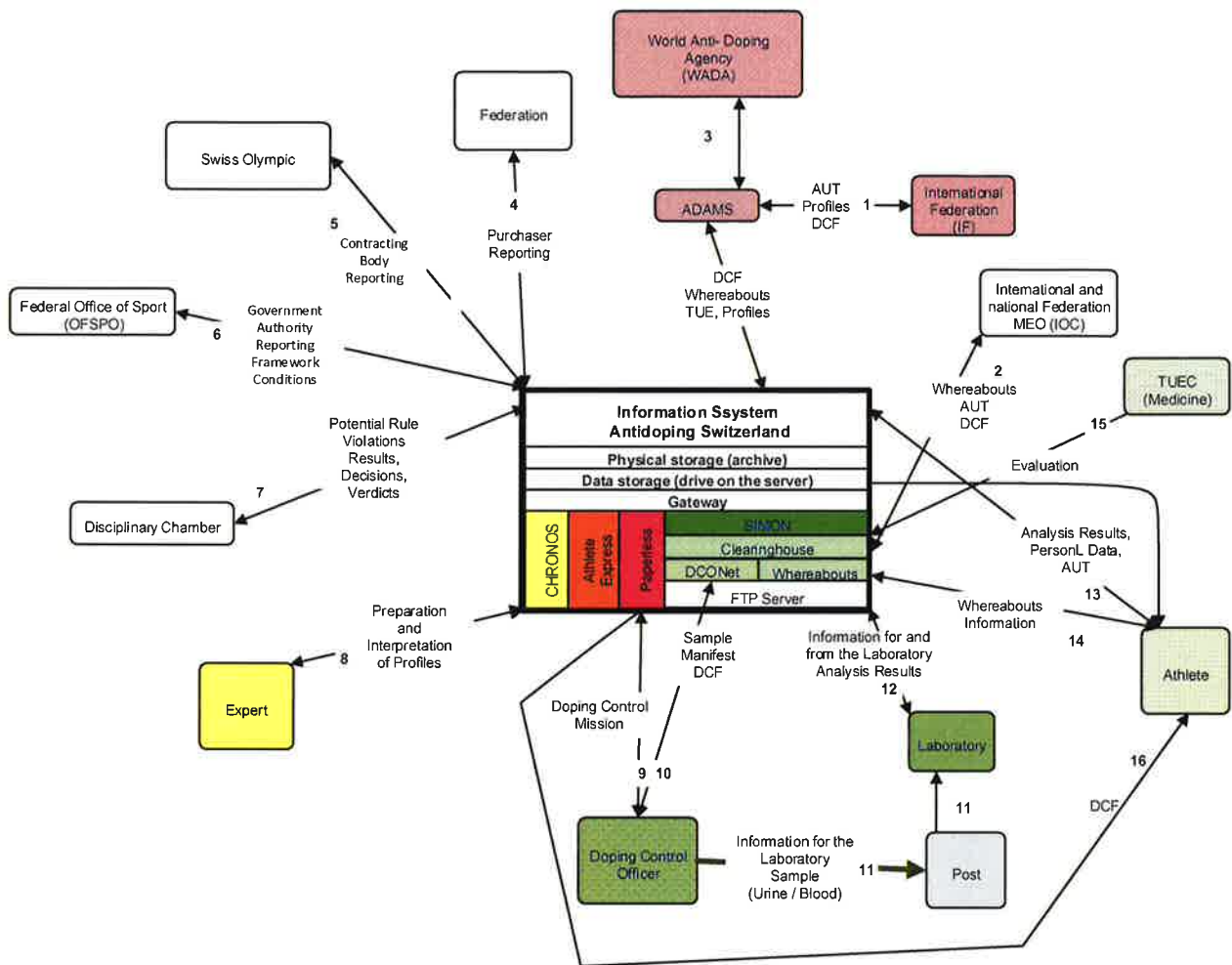


Figure 1: Data flow chart

The table shown below in Section 2.5 describes data interfaces in greater detail.



## 2.5 Interfaces

The following table describes the interfaces shown on the data flow chart presented in Section 2.4.

No	From	To	Purpose	Type of data	Frequency	Medium
1	ADAMS	International Federation	TUE, profiles, DCF	Digital, manual	As necessary	Email, digital (access) post
2	ADCH	International and national association (MEO; IOC)	DCF, Whereabouts, TUE	Digital, manual	As necessary	Email, digital (access) post
3	ADCH	World Anti-Doping Agency	DCF, Whereabouts, TUE, profiles	Digital, manual	As necessary	Email, digital (access) post
4	ADCH (Clearing-house)	Sports Federation	Principal, reporting (access to permits, warnings, TUEs, retirement, testing organisations)	Digital, manual	As necessary	Email, digital (access) post
5	ADCH	Swiss Olympic	Principal, reporting	Digital	As necessary	Email, digital (access), post
6	ADCH	Federal Office of Sport	Operating conditions, principal, reporting	Digital, manual	As necessary	Email, digital (access), post
7	ADCH	Disciplinary Chamber	Potential violations, petitions for the commencement of proceedings, results, decisions/judgments with written reasoning (doping cases)	Digital	As necessary	Email, digital (access), post
8	ADCH (CHRONOS)	Experts	Provision of analyses, profiles, evaluations of analyses	Digital	Regular	Digital (interface)
9	ADCH (Paperless)	Doping Control Officer	Drug testing mandate	Digital	Regular	Digital (interface)
10	ADCH (DCONet)	Doping Control Officer	DCF, sample manifest	Digital	Regular	Digital (interface)
11	Blood Control Officer	Laboratory	Samples (urine, blood), lab information	Post	Regular	Post, FTP server (interface)
12	Laboratory	FTP server	Lab information, analysis results	Digital	Regular	FTP server (interface)
13	ADCH (SIMON)	Athlete	Results of analysis (if positive, lab documents provided on request), personal data, TUE	Digital / email / post	Regular	Email, post, digital (interface)
14	Athlete	Whereabouts (to be replaced by the Athlete Express application)	Information on whereabouts	Digital / manual	As necessary	Digital (interface)
15	ADCH (Clearing-house)	TUEC	Assessment	Digital	As necessary	Digital (interface)
16	ADCH (Paperless)	Athlete	DCF	Digital	As necessary	Digital (interface)

**Table 3: Description of interfaces**

The interface description also shows the origin of the data as well as the purpose for which the data is regularly disclosed.

## **3 Controlling Procedures**

### **3.1 Controls on Access**

Having signed their employment contract, all members of staff are subject to a general duty of confidentiality.

Data is stored physically and/or electronically. A security system restricts access to Antidoping Switzerland's premises. Furthermore, following processing, sensitive documents are kept under lock and key. All members of staff have a personal user account which enables them to access the system. They log in to the information system by entering their personal user account and the associated password.

Both physical and electronic access to data is restricted on a need-to-know basis.

### **3.2 Controls on Data Carriers**

The server is located in a secured area. Measures at the IT level mean that only authorised individuals are able to process data on electronic data carriers. Only authorised individuals are given access to the information system. Mobile data carriers, in the form of laptops and tablets, are also used. Both types of device are managed, and the data held on them is protected by an access control (password), in addition to encryption. This ensures that, if the device is lost, data cannot be read, copied or amended by anyone who does not hold the appropriate authorisation. All members of staff are trained in the handling of these mobile devices.

### **3.3 Controls on Data Transmission**

Whether manual or automated, data is transmitted between the various sub-systems, as well as with the partner organisations concerned, in encrypted form to a certain extent. Additionally, certain information is sent in physical form by post. As a general rule, the transmission method chosen by the original provider of the data is used to convey data on to other recipients.

### **3.4 Controls on Disclosure**

Data is provided to the predetermined organisations by means of the defined interfaces exclusively. It is disclosed in accordance with the predefined processes and procedures.

Where these are not followed, the identities of the persons concerned are published on the Antidoping Switzerland website and, in the case of persons of public interest, in media releases.

According to Art. 34 FISSA, the sanctions imposed for breaches of doping regulations will be published insofar as is necessary to combat doping. When publishing information on the internet, Antidoping Switzerland Foundation is selective about the personal details of athletes that it discloses while they are serving a ban, while at the same time taking into account the public interest.

### **3.5 Controls on Storage**

The sub-systems have implemented role and authorisation-based concepts. Access to the data fields is thus limited on the basis of the role fulfilled by the individual member of staff. This largely prevents unauthorised inputs, as well as unauthorised inspection, alteration or deletion of the personal data that is stored.

However, data within the individual sub-systems is stored in unencrypted form.

### **3.6 Backup**

All application data is backed up regularly. Three procedures are used to do this, all differing in terms of their scope and frequency.

Data is stored at two different locations. Backups are kept for three months in each case. If necessary, the data and entire server instances can be restored.

### **3.7 Use of Pseudonyms**

As far as is operationally possible, pseudonyms are used to process data in the information system. This is the case for the CHRONOS sub-system, as well as in communications and data exchange with laboratories. Data relating to the individual is replaced with an impersonal identifier for this purpose. The organisations concerned thus do not see any identifying information. Where necessary, Antidoping Switzerland can restore this identifying information via the algorithm used to produce the pseudonym.

### **3.8 Protocols**

No protocol is kept of read-only access. Inputs and amendments are recorded, however. These protocols are produced within the database, and are analysed on an as-needed basis. With the procedure that has been implemented, Antidoping Switzerland is able subsequently to trace whether or not the data has been processed for the purposes for which it was collected or disclosed. Any improper use can thus be traced by means of manual analysis.

## **4 Storage, Archiving and Deletion/Destruction**

Art. 35 FISSA governs the length of time for which data must be kept. This is a minimum of ten years. At present there are no guidelines or procedures for the archiving, deletion or destruction of data for which this retention period has been exceeded.

## **5 Rights of the Individuals Concerned**

### **5.1 Correction**

Data is checked both manually and automatically when it is entered in the information system. If changes are reported, the data sets in question will be corrected. All of the changes that have been made, as well as who made them, can be traced by means of protocols.

### **5.2 Right to Information**

Under the Data Protection Act, every individual has the right to find out what data about themselves is being processed. Without having to state a reason, they can also request that their own data is deleted.

Requests for information should be addressed to:

Antidoping Switzerland Foundation  
Eigerstrasse 60  
3007 Bern

The Antidoping Switzerland foundation may retain or delay the disclosure of data, specifically data for biological profiles, for criminal prosecutions under Art. 22 SpoPA and for sanction proceedings under private law, if it deems this necessary to combat doping.

## **6 Appendix**

### **6.1 Registration of Data File**

The data file named "Informationssystem Antidoping Schweiz" (Register NR. 201700064) was registered with the FDPIC on 3 July 2017. The description of the data file can be found in German via the following link:

<https://www.datareg.admin.ch/search/ResultOverview.aspx?lang=de>

## 6.2 System Landscape

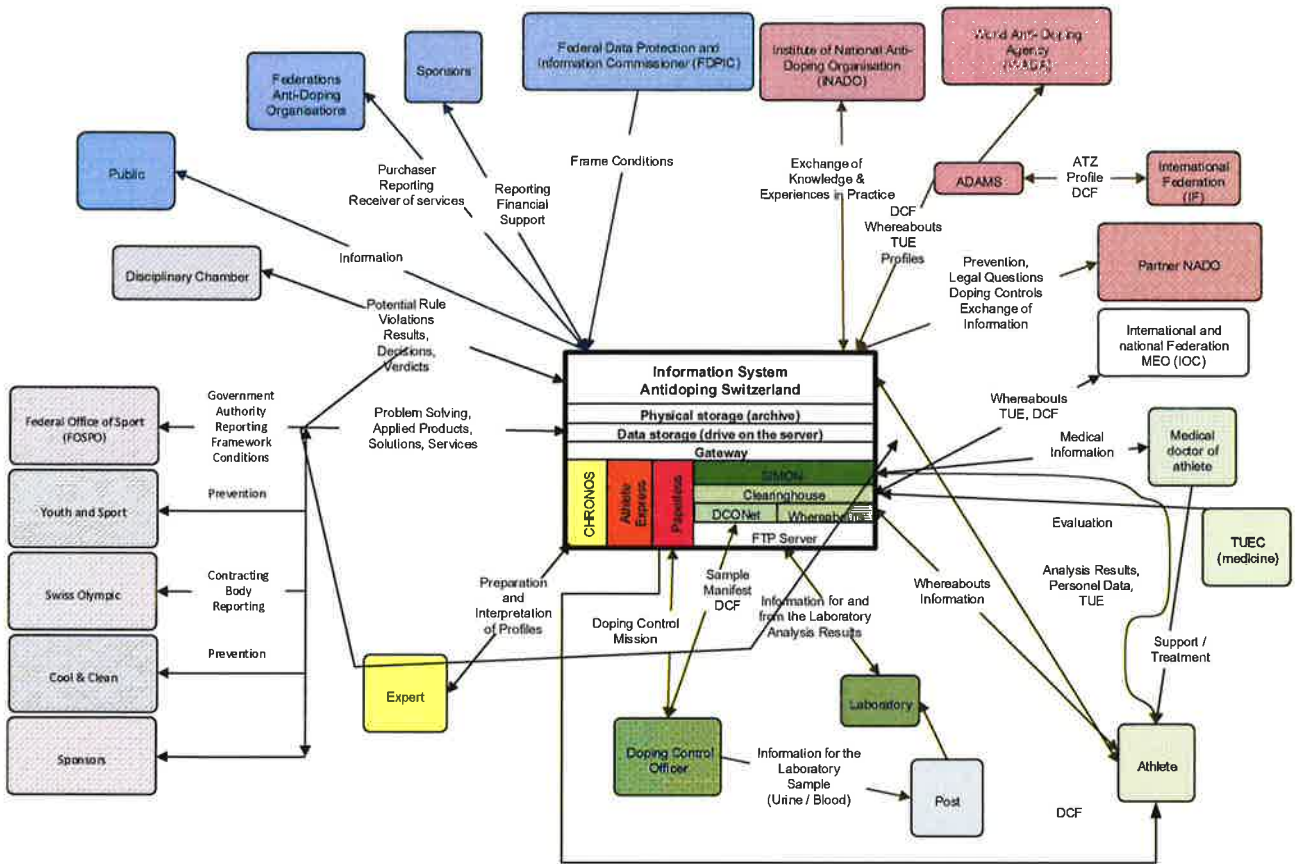


Figure 2: System landscape

### 6.3 Abbreviations and Acronyms

Abbrev./acron.	Definition
ADCH	Antidoping Switzerland
Art.	Article
CHRONOS	A sub-system of the Antidoping Switzerland information system
CSV	Comma Separated Values
DC	Disciplinary Chamber for Doping Cases
DCF	Doping Control Form
DCONet	Doping Control Officer – Net
DPO	Ordinance to the Federal Act on Data Protection
FADP	Federal Act on Data Protection
FDPIC	Federal Data Protection and Information Commissioner
FISSA	Federal Act on the Federal Information Systems for Sport
FISSO	Federal Ordinance on the Federal Information Systems for Sport
FTP server	File Transfer Protocol server
ICT system	Information and Communication Technology system
IFs	International Federations
INADO	Institute of National Anti-Doping Organisations
IOC	International Olympic Committee
ISO	International Organisation for Standardization
MEO	Major Event Organisations
NADO	National Anti-Doping Organisation
ProReg	Regulation Regarding Proceedings Before the Disciplinary Chamber for Doping Cases
SIMON	A sub-system of the Antidoping Switzerland information system
SpoPA	Federal Act on the Promotion of Sport and Exercise
SpoPO	Ordinance on the Promotion of Sport and Exercise
TUE	Therapeutic Use Exemption
TUEC	Therapeutic Use Exemption Committee
WADA	World Anti-Doping Agency

## 6.4 Definitions

Term	Definition
Controller of the data file	The controller of the data file is a private individual or federal body who/that decides on the purpose and content of a data file (Art. 3 let. i FADP).
Data file	In terms of the Federal Act of Data Protection 'data file' means any set of personal data that is structured in such a way that the data is accessible by data subject (Art. 3 let. g FADP).
Disclosure	Making personal data accessible, for example by permitting access, transmission or publication (Art. 3 let. f FADP).
Personal data	All information relating to an identified or identifiable person; data subjects: natural or legal persons whose data is processed (Art. 3 let. a and b FADP).
Personality profile	A personality profile is a collection of data that permits an assessment of essential characteristics of the personality of a natural person (Art. 3 let. a and d FADP).
Processing	Any operation with personal data, irrespective of the means applied and the procedure, and in particular the collection, storage, use, revision, disclosure, archiving or destruction of data (see Art. 3 let. 3 e FADP).
Sensitive personal data	Data on religious, ideological, political or trade union-related views or activities, on health, the intimate sphere or the racial origin, on social security measures, administrative or criminal proceedings and sanctions (Art. 3 let. c FADP).