

Intermediate Control Points (CPI)

Notes about personal data protection

Introduction

Related to the processing of personal data, since May 25, 2018, the General Data Protection Regulation of the European Union (GDPR) is mandatory, through Regulation (EU) 2016/679 of the European Parliament and of the Council, of April 27, 2016

In Spain, the adaptation of the aforementioned regulation is produced by Organic Law 3/2018, of December 5, on the Protection of Personal Data and guarantee of digital rights.

The Intermediate Control Points website is an altruistic and free initiative to record the passing times of participants in sporting events, specifically orienteering. In the case of an integral management of an event, the purpose is the publication of lists of results that can be both intermediate and final.

Although the purpose is so simple and the character altruistic, the obligation to comply with the legislation remains and it is a priority of the creator of the solution that the use made is appropriate.

There are a number of ways that the GDPR allows to process personal data, all of them equally valid. In this case of use, in all probability the way will be that of the consent of the data subject, that is, any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her.

Definition of personal data according to the GDPR: any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one 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 of that natural person.

A processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated 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.

According to the above, both registering an intermediate time and publishing a result constitute a processing and therefore would fall under the umbrella of the GDPR, as long as personal data is included.

What personal data is handled in CPI?

For the registration of an intermediate time, the Sportident electronic card identifier (SiCard), time of passage and station (place) of passage are used exclusively. In a high percentage of events, a high percentage of participants use an electronic card that they own, which would make those participants identifiable persons; but note that the identification could only be successfully carried out using other additional data not stored in the CPI server. Alternatively to the electronic card, you can use the bib number assigned in the

event. Again, it is data that would sometimes make a person identifiable using additional data not stored on the CPI server.

For the management of an integral event, the event registration data is used, which includes the name, surname, electronic card identifier and bib number. Although the registration system managed by the organizer of the sporting event uses other additional data such as National Identity Card or federative license number, these data are not registered in CPI. Although there may be names and surnames common to several people, in the specific context of orienteering sport, these data (name and surnames) would make a high percentage of participants identifiable.

Controller

The CPI system offers automatic operation without the need for manual management by the creator of the solution. To do this, it uses a database, processes and web pages. All this is handled exclusively by the person in charge of organizing the event and represents only a complement to be able to publish the results of the intermediate and final results of the event on the internet. The results display pages are accessible to the general public, without the need for authentication of any kind.

The database, processes and pages are hosted on a server located in Spain through a company that offers such hosting services. (<https://www.anw.es>)

The controller would ultimately be the organizer of the sporting event.

The controller does not sign any type of contract with the creator of the solution prior to managing an event, given the altruistic nature of the solution. The possibility of creating an event in CPI is open to all those interested in offering the publication of results. The creator of the solution does not sign any type of specific contract with the provider of the hosting services in the case of the CPI solution, so said provider does not have any authorization to carry out other treatments other than the hosting of the data, nor transfer data to third parties.

According to the legislation on information society services, a service provider such as the one explained in this document (the one that provides hosting services) is not considered a data processor.

Warnings to data subjects in relation to data processing

Any organizer of an event will process personal data in order to carry it out and not only to publish results through the CPI server. Prior to the event you will have to register registrations, manage payments, assign electronic cards, bib numbers, participation categories, courses and start times. During the event you will have to record intermediate times, check the completion of the courses, calculate times and publish results. After the event, he or she will normally publish the final results indefinitely for anyone to consult.

For all of the above, the organizer is already obliged (if it handles personal data) to comply with the GDPR. Therefore, it will be necessary (regardless of the complementary use of CPI) to obtain the consent of the data subject in the manner indicated by the GDPR (assuming that the consent will be the appropriate way in these cases)

It would be important to make sure that when requesting consent, it is included that one of the purposes of data collection is the publication of results on the Internet, these results being publicly accessible to anyone who knows the link. The organizer would have to assess whether it would be convenient to delve further to

indicate that only the name, surname and electronic card data will be stored on a server located in the EU for publication through the Intermediate Control Points solution.

Data subjects and the exercise of their rights

The GDPR establishes a series of rights that the data subjects have, in this case the participants in sporting events who will see their results published on the internet.

Assuming that the consent of the data subject has been obtained for this specific treatment of their data (exclusively name, surname, electronic card and bib number), perhaps the most interesting thing would be to clarify what would be done in the case that a data subject expresses his/her disagreement about keep showing up in results.

It would be a shame to have to remove an entire set of results because of one person's dissatisfaction. One solution would be to anonymize the data subject's data.

In the case of an integral management from CPI by the organizer, the organizer could modify the name and surname data of any participant, so that data would not appear on the results pages. It could also alter the electronic card and bib number, but then the calculation of intermediate times would stop working and the results would be altered.

Regardless of the above, it would always be possible to contact the creator of the solution so that he proceeded to anonymize all the data of the person in the specific event.

Conclusions

There is legislation that protects people regarding the processing of their personal data.

The CPI solution is just a complement that can help an organizer with the publication of sporting event results. That is its purpose and it is an altruistic initiative that does not intend to obtain income from the management of an event or from the processing of personal data.

The processing must be covered by the consent of the data subject. The expression of any subsequent disagreement of a data subject not to continue seeing his/her data published on results pages will be dealt with as quickly and diligently as possible, so that none of his/her rights are impaired.

In the case that the organizer of an event considers that he/she will not be able to comply with the provisions of the GDPR if he/she uses the CPI solution for the management and publication of intermediate times and final results, he/she should not use this solution, since it does not represent a mandatory or indispensable mechanism for the management of his/her sporting event.

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Please do not hesitate to contact me for any questions related to the use of the system. Thanks.