

Privacy policy

for the processing of the SARS-CoV-2 testing data within the framework of the "Safe Mountain Strategy instead of a Pandemic"

Status: 7.1.2021

1. Principle, purpose, consent

Mountain Vision AG ("**MTV**") is implementing a structured testing and surveillance strategy for the destination Flims/Laax/Falera for the protection and safety of the population and guests, with the aim of preventing the spread of SARS-CoV-2 at an early stage and minimising the risk of its spread in the destination Flims/Laax/Falera. For this purpose, you as a participant would like to be tested for SARS-CoV-2 in accordance with the following provisions ("**Safe Mountain Strategy**").

The purpose of any collection, processing and use of your personal data is to conduct and evaluate your SARS-CoV-2 testing and to evaluate the test result in the context of the Safe Mountain Strategy. Since none of the test procedures - especially not the new antigen tests available on the market - provides perfect information and a negative test result only offers security for a limited period of time - and the daily testing of all is currently unrealistic from an organisational and economic point of view, the targeted and systematic testing strategy "Safe Mountain" is required, which combines the digital processing of information in the form of online questionnaires and the affected persons as well as the molecular biological procedure (PCR).

For this purpose, you commission MTV to coordinate your tests within the framework of the Safe Mountain strategy. HealthVision GmbH in Heidelberg/Germany ("**Health Vision**") has been commissioned by MTV with digital data processing and the laboratory Swiss Analysis AG in Tägerwilen/Switzerland ("**Swiss Analysis**") with carrying out molecular biological tests. The evaluation carried out includes the feedback of the results to yourself as well as in an anonymised summary, which does not allow any conclusions to be drawn about individuals, to the Covid competence centre of MTV ("**Competence Centre**").

In connection with the management of the protection concept, MTV uses Health Vision as part of an order processing. The processing of your data in connection with the Safe Mountain strategy takes place within the Health Vision platform. Especially, for the purpose of SARS-CoV-2 testing and the evaluation of the test result in the context of the Safe Mountain Strategy, it is essential that certain personal data are processed. This also includes health data which constitute personal data requiring special protection and which are transmitted by you by conscientiously answering questions or by the laboratory evaluating the test, Swiss Analysis, to Health Vision for the purposes of the commissioned overall evaluation.

The person responsible for processing the data is MTV. Your data will only be processed with your consent, insofar as this is explicitly stipulated in this data protection declaration. Processing for other purposes or forwarding to third parties, unless explicitly stipulated in this data protection declaration, will not take place without your express consent.

2. Type of data and data processing

2.1 Type of data collected

Affected groups: The population and guests of the destination Flims/Laax/Falera

Data categories:

- Login data (e-mail address, password, mobile phone number)
- Contact details
- Demographic data (data collected on the order form)

2.2 Login data and user account

In order to participate in the evaluation and interpretation of the SARS-CoV-2 test result, you need a personal user account for the Health Vision health platform. In order to register and manage your user account, you need to provide your email address, a password of your choice and a mobile phone number with two-factor authentication ("**login data**").

You enter this e-mail address yourself, if you have been invited via the issue of a participation code. Furthermore, information on participation in the project will be sent to this e-mail address. The following table provides an overview of the specifications for participation and your user account.

	Online participants with user account
Unique participation code per participant	Yes
User account creation	You yourself
Login data for the user account	E-mail address, password, mobile phone number for two-factor authentication
Anonymous participation = possible without user account	No
Viewing the SARS-CoV-2 test results and interpretation by yourself	Yes

2.3 Participation code and health data - principle of separation of identity and health data

MTV provides participation codes from the health platform. MTV does not have the assignment of the person to the participant code. This assignment is made by you yourself by entering the code and then creating a user account for yourself. All other data such as demographic characteristics (e.g. age, gender) as well as information about your state of health, your living habits, signs of illness and the evaluation of your SARS-CoV-2 test ("**health data**"), which are collected from you in the context of the SARS-CoV-2 test, are only processed by Health Vision in connection with your participation code for reasons of data security, i.e. **your health data are not associated with your identity in the context of processing by Health Vision.**

2.4 Consent and processing of data

The processing of personal data within the framework of the Safe Mountain Strategy is based on the voluntary and informed consent of the participants. Therefore, if you wish to participate, you must declare your consent in advance.

2.4.1 Purposes of use of the data

If you participate in the processing of data as part of the Safe Mountain strategy, the data will be used for the following purposes, to which you agree by confirming your consent.

1) Use of the data for higher-level evaluations

The health data collected from you will be used to create higher-level evaluations for the management of protection concepts by the competence centre.

Higher-level evaluations only contain aggregated data, i.e. data that are summarised across several people (e.g. mean values). They are always designed in such a way that it is **not possible to draw conclusions about the values of individual participants**. A prerequisite for the creation of a superordinate evaluation is that data from at least 5 persons are available for this purpose.

The creation of higher-level evaluations takes place within the Health Vision system environment. The collected health data are processed on the basis of the participation codes for the creation of higher-level evaluations, i.e. there is **no merging of health data with the identity data of the participants**.

2) Use of the data for your personal report

After your health data has been entered into the Health Vision evaluation system, Health Vision will create a personal report for you. This report only contains your own data and their evaluation and **only bears your participation code, but no name**. This report is transmitted via your user account. As soon as the findings report is available for you to download, you will receive a corresponding notification.

3) Viewing of your values or reports of findings as well as the possibility to enter data by doctors/professionals

Specially authorised doctors/specialists have the possibility to view your values as well as reports of findings in order to use them as a basis for your (medical) consultation and interpretation of your test results. Furthermore, they have the possibility to contact you, if they consider it useful or necessary (e.g. if an additional test is to be carried out). The doctors/specialists are bound by professional secrecy.

4) Scientific evaluations

The data are made available in anonymised form at regular intervals to the Federal Office of Public Health/Switzerland, the task force of the Canton of Graubünden and the Mannheim Institute of Public Health at the University of Heidelberg/Germany.

2.4.2 Storage, retrieval and revocation of consent

You have the right to withdraw consent to the processing of your personal data for one or more specific purposes. The revocation of consent does not affect the legitimacy of the processing carried out until the revocation.

	Online participants with user account
Revocation of consent possible?	Yes
Revocation of consent by what means?	Mail to: covid@laax.com
Is data stored during revocation? (Purpose of verifiability)	Participation code, Date, time
Revocation means	Deletion of all personal data

2.4.3 Implementation of data transmission and evaluation of SARS-CoV-2 testing

You enter the **voluntary answers to health questions** digitally. The test results of your SARS-CoV-2 testing by means of gargle water PCR enter the evaluation system as follows: The sample is transported to the Swiss Analysis laboratory. The test result is transmitted digitally using the participation codes also printed on the order form for the laboratory. This ensures that a test result can always be precisely assigned to exactly one participation code. Once entered, your health data, including your participation code, is transferred to the Health Vision evaluation system, where it is further processed for the purposes described in section 2.4.1.

3. Usage data and cookies

Health Vision logs which page of the web-based offer was called up at what time as part of the quality improvement in the health platform system. Your actions are logged and stored together with your shortened IP address as well as the date and time. This data is processed or used for statistical evaluations of frequency and duration of use, etc. Your IP address is stored for the purpose of cyberattack prevention and deleted after fourteen days. All information on how cookies are processed can be found here: <https://kiprosper.de/privacy>

The legal basis for the storage or processing of cookies and IP addresses is the overriding interest in the security and availability as well as the optimisation of the Health Vision websites.

4. User account protection

The password for your personal user account on the health platform serves to protect your user account and thus your data. The password must consist of at least 12 characters, contain upper and lower case letters, numbers and special characters. Do not share your password with anyone. If your password is compromised, change it immediately and please notify Health Vision as soon as possible via support@kiprosper.de.

5. Recipients of your data

5.1. External service providers

External service providers may also be used to operate the health platform. To the extent necessary for your tasks, these service providers may also be granted access rights to personal data in the Health Platform. The protection of your data is guaranteed, because Health Vision has concluded commissioned processing contracts with all service providers in accordance with the requirements of the GDPR, which precisely regulate the implementation of data protection at the respective service provider.

Your data is processed both by Health Vision and by the service providers used within Germany, the European Union, Switzerland and Canada. You can view a list of the subcontractors at:

<https://healthvision.atlassian.net/wiki/spaces/KD/pages/1310326792/Dienstleister+in+the+Framework+of+KIPROSPER>

5.2. Third

The laboratory that evaluates the tests, Swiss Analysis, is obliged to report a positive test result to the competent health authority in accordance with Art. 4 of the "Ordinance of the FDHA of 1 December 2015 on the Reporting of Observations of Communicable Human Diseases".

6. Data deletion

As soon as the project for SARS-CoV-2 testing within the framework of the Safe Mountain Strategy has ended, your personal data will be deleted. Anonymised and aggregated values will continue to be stored, as there is no personal reference in them. The following applies to the different types of data:

	Online participants with user account
Deletion of health data possible?	Yes, at any time
Deletion of health data by what means?	Mail to: support@kiprosper.de
Is data stored when it is deleted? (Purpose of traceability)	Participation code, IP address, Date, time
Deletion of health data means	Deletion of all personal data
Deletion of the login data of the user account	Mail to: support@kiprosper.de or after 5 years of inactivity
Deletion of consents	3 years after the end of the commissioning of the SARS-CoV-2 testing project

7. Information, correction, restriction of processing, blocking and data portability

	Online participants with user account
Information about stored data possible?	Overview of stored health data can be downloaded from the user account
Is it possible to correct the stored data?	Mail to: support@kiprosper.de
Further rights such as restriction, blocking and data portability	Mail to: support@kiprosper.de
How do I get the data?	As an attachment in my user account

8. Data Protection Commissioner and Data Protection Authority

You can contact MTV's Data Protection Officer at any time with regards to all questions relating to the processing of your personal data and the exercise of your rights:

Mountain Vision AG
Romano De Giorgi
Via Murschetg 17

CH-7032 Laax GR 2

E-mail: covid@laax.com

Homepage: <https://weissearena.com>

You also have a right of appeal to the competent data protection supervisory authority.

9. Amendments, applicable law and place of jurisdiction

Due to the further development of the offer or due to technical changes, an adjustment of this data protection declaration may become necessary. MTV therefore reserves the right to amend this data protection declaration at any time and without giving reasons.

You will be notified of the amended privacy policy by e-mail or other means usually no later than four weeks before it comes into force.

If you do not confirm your consent to the amended privacy policy within eight weeks of receiving notification of the amendment to this privacy policy, your previous consent to the privacy policy will expire and your further participation in the evaluation of the SARS-CoV-2 test will no longer be possible.

If a change to the privacy policy does not affect the parts that are essential for your consent, your consent to the change may not be required. In this case, we will only inform you about the planned change.

Swiss data protection law, in particular the Federal Data Protection Act (FADP), applies to the processing of personal data within the framework of the Safe Mountain Strategy. The European Union (EU) recognises that Swiss data protection law ensures adequate data protection.

In all other respects, Swiss substantive law shall apply exclusively, to the exclusion of the UN Convention on Contracts for the International Sale of Goods and the conflict of laws. The place of jurisdiction is Laax.

10. Information about the responsible persons

The data controller for your SARS-CoV-2 testing data is:

Mountain Vision AG

Via Murschetg 17

CH-7032 Laax GR 2

E-mail: covid@laax.com