

Guidelines for Human Source Management

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Preamble

The use of a Human Source, a term that includes informants and whistleblowers, is a legitimate and important investigative tool in the fight against doping and has been an integral part of the prosecution of many anti-doping rule violation (ADRV) cases. The management of Human Sources must be of the highest ethical and professional standard to ensure the protection of their identity and the confidentiality of the information they provide. To that end, the World Anti-Doping Agency Intelligence and Investigations Department (WADA I&I) has produced the Guidelines for Human Source Management (GHSM) as a model of best practice for the management of Human Sources by Anti-Doping Organizations (ADOs). Moreover, while the GHSM is a non-mandatory document, it forms part of WADA's ongoing work to better educate ADOs on important investigative methodologies and practices in this important area.

Introduction

The GHSM identifies and addresses the risks associated with the management of a Human Source. To that end, the registration of a Human Source is the foundation of any Human Source management system. Moreover, registration reduces both the potential for impropriety and any perception that such misconduct is occurring.

Each step in the Human Source management process needs to be supervised and documented. Similarly, the provision of any rewards or benefits that may be offered to a Human Source, whether monetary or otherwise, must be carefully monitored and scrutinized.

It is expected that Signatories will adhere to the GHSM; however, unique circumstances may arise where it is necessary to deviate from the guidelines. Any departure from the guidelines should be documented and a clear record maintained of the reasons for such departure.

Definitions

Human Source: A Human Source is an umbrella term for a person that has made an information disclosure to an ADO, usually on an ongoing or regular basis and whose identity and information are typically kept confidential. Informants and whistleblowers are examples of Human Sources.

Informant: An Informant is an individual who makes an information disclosure to an ADO, usually on a one-off or infrequent basis, and whose identity and information is typically kept confidential.

Whistleblower: A Whistleblower is an individual who makes an information disclosure to an ADO and who agrees to enter into a formal whistleblower agreement. Whistleblowers typically have greater rights and responsibilities than Informants and are provided a higher level of identity protection and confidentiality.

Directed Human Source: A Directed Human Source is a Human Source who has been tasked to perform an activity on behalf of an ADO, such as gathering information in support of an investigation.

Source Handler: A Human Source handler, or Source Handler, is an officially designated person responsible for the management of a confidential source operation(s) on behalf of an ADO. A Source Handler must officially agree to safeguard the identity of Human Sources and their information on

behalf of their organization.¹ A Source Handler's primary responsibility is to manage Human Source relationships and to collect and distribute the intelligence these relationships produce.²

Program Supervisor: A Program Supervisor, or Supervisor, is the person responsible for the oversight of an ADO's Human Source program. This includes but is not limited to, approving intelligence reports and/or Human Source reports (see Documentation, below), authorizing Human Source recruitments, and assessing operational risk related to Human Source operations. A Program Supervisor is also responsible for keeping an ADO's management apprised of any Human Source operation deemed higher risk.

Documentation³

Accurate and timely documentation is the key to an effective confidential Human Source program. The following best practices should be observed when working with Human Sources.

Confidential Source File

All Human Sources should have a confidential source file. At a minimum, a confidential source file should include a Human Source's personal details and contact information.

Initial Source Report

In the case of a Whistleblower or a Directed Human Source, a confidential source file should include an initial source report. The initial source report seeks approval to conduct a Whistleblower or Directed Human Source operation. An initial source report typically includes a history of contact with the prospective Human Source, a description of the individual's profile including their access to pertinent information, a basic communication plan, a risk assessment, a signed Human Source agreement and any relevant security concerns and mitigation strategies. An initial source report must be approved by the Program Supervisor. When prospective Human Source operations are deemed high-risk (e.g., risk to the safety of the Human Source or reputation of the ADO), the approval process must include the Program Supervisor and at least one additional level of approval.

Human Source Agreement

The recruitment of a Whistleblower or a Directed Human Source should be accompanied by a signed confidential Human Source agreement. The confidential Human Source agreement must include a Whistleblower or Directed Human Source's rights and responsibilities and any consequences resulting from a failure to respect the agreement.⁴ A confidential copy of this agreement should be kept in the confidential source file.

¹ The requirements surrounding the disclosure of confidential source identity to another organization should be outlined in that organization's confidential source policy, whistleblower policy, or an equivalent document. The confidential Source Handler should officially assume this responsibility in writing and/or an official record of their designation should be documented within an ADO's official records.

² A Source Handler should have specific experience and training in the management of human source operations.

³ Please contact WADA's Confidential Information Unit at CIU@wada-ama.org to obtain templates for the documents listed in this section.

⁴ For a detailed list of rights and responsibilities included in WADA's Confidential Source Policy see <https://www.wada-ama.org/en/resources/wada-confidential-source-policy>. Important rights include the protection of identity and acts of retaliation while responsibilities include maintaining the strict confidentiality of an investigation and agreeing not to commit an ADRV or any act or omission that could undermine or prejudice ongoing or future investigations.

Source Management Report

A confidential source management report is a document used to record any pertinent information related to the management of a Human Source operation. For example, unanticipated security risks, Human Source disclosures, and specific tasks provided to the Human Source.⁵ To be clear, a confidential source report does not report intelligence produced by the Human Source. It is only meant to document pertinent information related to the management of the Human Source operation. Source Handlers should report the information a Human Source produces in an intelligence report.

Intelligence Report

A key part of Human Source management is the reporting of information. Each organization is responsible for their own intelligence reporting structure.⁶ A key component of proper Human Source management is the timely and accurate reporting of information. Source Handlers are responsible for drafting intelligence reports based on the information collected by Human Sources and for distributing these reports to relevant internal stakeholders as appropriate.

Intelligence Disclosure

An intelligence disclosure is a document used to distribute intelligence – often obtained from a Human Source – to an external organization, such as another ADO, public authority, or law enforcement organization. All incoming and outgoing intelligence disclosures must be tracked within an ADO's Intelligence and Investigations database.

Contact Log

A Source Handler must have a workable means of documenting each occasion they or another member of their organization is contacted by – or initiates contact with – a Human Source. Ideally, this information should be recorded in a contact log, which is kept within the confidential source file. A Source Handler must always be able to account for any contact or communication had with a Human Source.

Secure Storage

The confidential source file must be hosted in a secure and designated electronic or physical storage space. If digital storage, the server, files, and documents should be encrypted and stored independently from any other operational files, including investigation files. Only specifically authorized personnel should have access to this storage area. Network administrators must ensure that access to the confidential source database and confidential source files are logged and can be audited. If a physical space is used (e.g., document filing room), access to this space must be recorded in a physical log.⁷

⁵ A source disclosure is the act of disclosing the identity of a source to an external organization. Source disclosures generally occur in written format and include specific protections; however, they may also occur verbally. Source disclosures should only occur with pre-authorization from a program supervisor and/or senior management.

⁶ See WADA [Guidelines – Information Gathering and Intelligence Sharing](#) for additional information.

⁷ This guideline is without limitation to anything set out in the International Standard for Protection of Privacy and Personal Information (“ISPPPI”).

The Fundamentals of Human Source Management

This section outlines fundamental principles of Human Source management.⁸

Confidential Source Policy and Manual

An ADO that is engaged in confidential Human Source operations must have a governing framework in the form of a confidential source or whistleblower policy. This policy should, ideally, be accompanied by an operational manual that outlines the practical application of the confidential source or whistleblower policy. At a minimum, a confidential source or whistleblower manual should include Human Source designations, the roles and responsibilities of a Human Source and Source Handler, the scope and levels of approval for Human Source activities, as well as best practice information on how to securely manage a Human Source operation, such as, where, when, and how to report relevant information.

Human Source Management

Source Handlers are responsible for the overall management of a Human Source operation, including all matters related to security. To do so effectively, a Source Handler must provide a Human Source with proper guidance on the collection and reporting of information. An effective Human Source/Handler relationship is built on transparency, two-way communication, and respect for one another's roles and responsibilities. Nonetheless, it is vital that the Source Handler maintain an appropriate professional distance to provide a Human Source with impartial direction. A Source Handler is ultimately responsible for ensuring their directions are followed and, if not, when a Human Source relationship should be terminated.

Debrief and Communications Security

A 'debrief' is the principal tool for obtaining information from a Human Source. Debriefs may occur through electronic communication devices and/or in person. Ideally, all electronic communications between a Source Handler and a Human Source should occur through encrypted communications.⁹ A Source Handler should ensure proper communication procedures are respected. Human Source debriefs can occur regularly (e.g., daily, monthly) or on an ad hoc basis depending on the nature and importance of the Human Source operation.

Information Sharing

On occasion a Source Handler may be required to share information with a Human Source (e.g., information relevant to the safety of the Source). All information disclosures made to a Human Source must be properly documented by the Source Handler and placed on the Source's confidential source file.¹⁰

⁸ This guideline is designed to ensure the fundamental principles of Human Source management are understood and adopted by ADOs; however, it is not designed to be an exhaustive document. With that in mind, WADA I&I recommend ADOs seek further guidance from an experienced intelligence professional – within their own jurisdiction – when integrating these principles into their Human Source programs.

⁹ Examples of popular encrypted messaging applications include WhatsApp, Signal, Three among others. ADOs are responsible for doing their due diligence on confidentiality of an encrypted messaging application prior to employing it in a Human Source operation.

¹⁰ This guideline is without limitation to anything set out in the International Standard for Protection of Privacy and Personal Information ("ISPPPI").

Confidential Source Troubleshooting

A Source Handler must document any security concerns about the Human Source. It is vital that Source Handlers also document any subsequent guidance and/or directives provided to the Human Source within a source management report. This can include but is not limited to, any incident or allegation that may directly or inadvertently lead to the exposure of a confidential Human Source relationship, threats of violence or intimidation, or mental health concerns. It is vital that any threats of violence or intimidation be reported to the proper authorities as they fall outside the scope of anti-doping. Whenever possible, this decision should be made with the consent of a Human Source; however, a Source Handler (in conjunction with the Program Supervisor) has ultimate decision-making authority when it comes to managing the security of a confidential Human Source operation.

Adverse Information

A Source Handler has a duty to investigate any adverse information they receive implicating a Human Source within their program. This can include, but is not limited to, questioning the Human Source on their activities, questioning other individuals on the Human Source's activities, performing verifications with other partner agencies on the Human Source and their activities, and/or contacting law enforcement. A Source Handler should refer to their confidential source or whistleblower policy on how to properly disclose the identity of a Human Source and/or terminate the relationship for cause.

Circular Reporting

Those involved in Human Source management or handling (e.g., intelligence analysts) should monitor the information received from a Human Source for circular or recycled reporting. Circular reporting usually occurs when a piece of information appears to come from multiple independent sources, but in reality, comes from only one Human Source. In many cases, the problem happens mistakenly through disorganized reporting or intelligence-gathering. However, the situation can also be intentional by a Human Source as a way of bolstering their own information.

Source Handler and Investigator Roles

It is best practice to separate the Source Handler and Investigator roles as each demands a specialized skillset and a different set of operational priorities. In addition, a separation between both roles ensures Human Source identities are better protected as they stay compartmentalized. That said, WADA is cognizant that some organizations may only have one intelligence and investigations employee. As such, a Source Handler can occupy both the Investigator and Source Handler roles; nonetheless, every effort should be made to ensure investigative objectives do not compromise the security of the Human Source. Additionally, a Program Supervisor should maintain strict oversight over the Human Source operation and investigation.

Directing or Instructing a Human Source

All confidential Human Source programs must carefully consider any direction they provide to their Human Source(s) to ensure that it is legitimate, proportional, and well documented.

Information Gathering and Tasking

As a general rule, the primary aim of a Human Source operation is to collect information in support of an investigation or strategic decision. A Source Handler is responsible for identifying areas of investigative interest and guiding their Human Source's information gathering activities. This ensures a Human Source's information gathering activities remain legitimate.

Source tasking is the act of directing a Human Source to perform a specific activity in support of intelligence gathering or investigation, such as obtaining a specific piece of evidence or information. Tasking a Human Source must be carefully considered by the Source Handler and, by extension, the ADO, as both are directly responsible for initiating the operational activity and are linked to the outcome, whether good or bad.

A Source Handler must not seek information from a Human Source that would cause that Human Source to breach a legal obligation (e.g., commit a crime, contravene the Code). Moreover, a Human Source must not be tasked to "catch" a specific athlete or do "whatever they can" to gather evidence on an athlete's misconduct. Source tasking must be lawful, compliant with the Code and International Standards, and fall within an approved intelligence gathering or investigative activity.

Improper or poorly conceived Human Source tasking can lead to harmful repercussions for a Human Source, a Source Handler, and the reputation of an organization. As such, source tasking must be properly documented and authorized.

Rewards and Assistance

The practice of remunerating and rewarding Human Sources is common in law enforcement and other investigative spheres. Such practices, however, come with certain risks, including a perception that the information has been bought and is somehow tainted. That said, WADA I&I supports the rewarding or remuneration of Human Sources, provided the practice is undertaken ethically and with transparency.

Financial Assistance

An ADO may, where appropriate and at its discretion, provide material and financial assistance to a Human Source as compensation for expenses, for harm or loss as a direct result of the act of disclosing misconduct, and/or for services rendered on behalf of the ADO. In such cases, an ADO must assess the totality of the circumstances and decide on the level of financial assistance to provide.

- Financial Reward
 - An ADO may decide to grant at its discretion a financial reward in appreciation of the support in aiding the fight against doping in sport. Such a grant should be well documented, transparent and determined at the conclusion of any investigation or disciplinary, criminal, professional or other proceedings in relation to an alleged misconduct.
 - When considering a request for a financial reward, the ADO must assess if the information provided by the Human Source is sufficient for an ADO, a professional body, or a criminal authority to instigate proceedings against a respondent. An ADO must also consider the value of the information to the fight

against doping in sport.¹¹ In the process of granting a financial reward, an ADO must also consider and decide at its discretion on disbursement and level of the reward, including the amount and means of disbursement, taking into consideration factors such as the quality of the information provided, the general assistance and behavior of the Human Source throughout the process, and the Human Source's personal/family situation.

- Financial Documentation
 - An ADO should permanently retain a record of all financial assistance/compensation provided to a Human Source within their confidential source file. Human Sources should also be required to sign a receipt for any financial compensation they are provided.
- Levels of Approval
 - To ensure proper accountability and oversight is respected within ADO's Human Source program, approval should be obtained from relevant supervisory entities (e.g., the Program Supervisor, ADO Chief Executive) prior to any reward or remuneration being offered or provided.

Termination, Deactivation and Closure

False or Misleading Information

Should an ADO discover that a Human Source's information is inaccurate, misleading, or malicious, the ADO should perform a thorough review of the confidential source file and intelligence reporting the Human Source has produced and, if founded, classify all the reporting from that Human Source as questionable.

Where it becomes known that a Human Source has made a malicious disclosure or a knowingly false disclosure, the Human Source relationship and Human Source agreement should be terminated immediately, and any other confidential Human Source rights outlined in the ADO's confidential source or whistleblower policy should be lost, including any restrictions preventing the sharing the Human Source's identity to a partner ADO or law enforcement organization.

The same may constitute, without limitation, a possible "tampering" violation per Code Article 2.5 and the applicable ADO may initiate proceedings for this ADRV and appropriate consequences.

Closure of the Source File

When a Human Source operation is closed, whether for cause or otherwise, a note should be placed on the confidential source file and any outstanding issues should be documented within a final source management report.

¹¹ A respondent is a natural or legal person identified in a disclosure as a person to whom misconduct can be attributed.

Unsolicited Communications, Reactivation

Any communications to and from the Human Source following the closure of the operation should continue to be documented within a contact log on the confidential source file.

Any reactivation of the Human Source operation must follow the same approval process as a new Human Source (see [Initial Source Report](#)).

Conclusion

Successfully managing a Human Source operation requires designated personnel, proper Human Source handling procedures, and a disciplined approach to documentation. A Source Handler is ultimately responsible for Human Source security and for ensuring a Human Source follows direction. To do so, a Source Handler must maintain communication with their Human Source and provide regular guidance. Source handlers must always remain vigilant for any suspect activity, information, or behaviour and, when necessary, be willing to terminate a Human Source relationship for cause.

When Human Source operations are properly managed, they can lead to major impact. Many of the most successful anti-doping investigations have been initiated by or benefited from the support of Human Sources. The Human Source Management Guidelines serve as a baseline for the successful management and remuneration of human sources. All ADOs are strongly encouraged to integrate these best practices into their Human Source programs.

For further information or questions on Human Source management please contact WADA's Confidential Information Unit at CIU@wada-ama.org.