	<b>DATA PROTECTION POLICY</b>		
	<i>For Emergency Call Knight &amp; Apps Ltd HR Department</i>		
	<i>Tel.: +254(0)788220607 - Email:<a href="mailto:ict@knightsandapps.com">ict@knightsandapps.com</a></i>		
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## 1.0 INTRODUCTION

1.1 Knight & Apps Limited strives to ensure that all of its activities in relation to the record keeping, data storage, and security of data are conducted to the highest ethical standards and in compliance with its legal obligations under the Kenya Data Protection Act, 2019.

1.2 During the course of its business Knight and Apps Limited collects, stores and processes personal data about its customers, suppliers and employees. As such Knight & Apps Limited appreciates that the correct and lawful treatment of such data will maintain the privacy and dignity of all its stakeholders and provide confidence in the organization and will provide for successful operations.

## 2.0 ORGANISATIONAL SCOPE

2.1 This policy applies to all Board members, Committee members, advisors, employees, contractors, consultants, suppliers and casual labourers. It shall also apply to all users of the company's applications, databases, websites, social media platforms and all other similar platforms.

## 3.0 POLICY STATEMENT


3.1 This Policy is based on best practice and seeks to safeguard an individual's rights with respect to the gathering, recording, storing, retrieval, consultation, use, disclosure, processing and transferring of their personal data held by others whether that data is held on a computerized system or manually (including emails).

3.2 The following definitions apply in the context of this policy and in line with the definitions under the Kenya Data Protection Act of 2019

**Data** means information which—

- (a) is processed by means of equipment operating automatically in response to instructions given for that purpose;
- (b) is recorded with intention that it should be processed by means of such equipment;
- (c) is recorded as part of a relevant filing system;
- (d) where it does not fall under paragraphs (a), (b) or (c), forms part of an accessible record; or
- (e) is recorded information which is held by a public entity and does not fall within any of paragraphs (a) to (d).

**Data controller** means a natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purpose and means of processing of personal data.

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**Data processor** means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the data controller.

**Data subject** means an identified or identifiable natural person who is the subject of personal data.

**Identifiable natural person** means a person who can be identified directly or indirectly, 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 or social identity.

**Person** has the meaning assigned to it under Article 260 of the Constitution.

**Personal data** means any information relating to an identified or identifiable natural person.

**Personal data breach** means a breach of security leading to the accidental or unlawful destruction, loss, alteration, unauthorized disclosure of, or access to, personal data transmitted, stored or otherwise processed;

**Processing** means any operation or sets of operations which is performed on personal data or on sets of personal data whether or not by automated means, such as; -


- (a) collection, recording, organisation, structuring;
- (b) storage, adaptation or alteration;
- (c) retrieval, consultation or use;
- (d) disclosure by transmission, dissemination, or otherwise making available; or
- (e) alignment or combination, restriction, erasure or destruction.

**Sensitive personal data** means data revealing the natural person's race, health status, ethnic social origin, conscience, belief, genetic data, biometric data, property details, marital status, family details including names of the person's children, parents, spouse or spouses, sex or the sexual orientation of the data subject; and

**Third Party** means natural or legal person, public authority, agency or other body, other than the data subject, data controller, data processor or persons who, under the direct authority of the data controller or data processor, are authorised to process personal data.

3.3 Knight & Apps Limited shall comply with the following principles and ensure that personal data is; -

- a) processed in accordance with the right to privacy of the data subject;
- b) processed lawfully, fairly and in a transparent manner in relation to any data subject;

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- c) collected for explicit, specified and legitimate purposes and not further processed in a manner incompatible with those purposes;
- d) adequate, relevant, limited to what is necessary in relation to the purposes for which it is processed;
- e) collected only where a valid explanation is provided whenever information relating to family or private affairs is required;
- f) accurate and, where necessary, kept up to date, with every reasonable step being taken to ensure that any inaccurate personal data is erased or rectified without delay;
- g) kept in a form which identifies the data subjects for no longer than is necessary for the purposes which it was collected; and
- h) not transferred outside Kenya, unless there is proof of adequate data protection safeguards or consent from the data subject.

3.4 Data subjects have the right of access to any personal data that Knight and Apps Limited may hold about them.

3.5 Knight & Apps Limited understands its obligations and in particular takes steps to ensure that adequate arrangements are made to ensure the security, confidentiality, accuracy and relevance of data.

3.6 No employee, consultant or casual laborer should feel reluctant, for fear of management's response, to disclose any information about wrongdoing within Knight & Apps in

3.7 Any breach of this policy will be taken seriously and may result in disciplinary action.

## **4.0 REQUIREMENTS**


### **4.1 Responsibilities of all employees, consultants, board members and management:**

4.1.1 Anyone who processes personal data on behalf of Knight & Apps Limited must ensure that they comply with the principles of this Policy.

4.1.2 To ensure that Knight & Apps Limited can maintain the accuracy of the details they hold, it is the responsibility of all employees, consultants, suppliers, board members and the management to ensure that they keep the ICT Manager up to date with any changes in their personal information.

4.1.3 Knight & Apps Limited requires all staff members and the management to comply with the Policy in respect of all personal data (including, without limitation, in relation to information about Failure to do so, e.g. unauthorized, inappropriate or excessive disclosure of, or obtaining information about individuals will be regarded as serious misconduct and will be dealt with in accordance with the Disciplinary Policy.

4.1.4 Anyone who considers that this Data Protection Policy has not been followed in respect of personal data should raise their concern with the ICT Manager within 2 days upon the discovery of the concerned issue.

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#### **4.2 Additional responsibilities of HR and anyone with supervisory or leadership responsibility:**


The Chief Operating Officer and all those in managerial or supervisory roles have a specific responsibility to ensure proper data handling practices.

4.3 Specific responsibility of Knight & Apps Limited in respect of Knight & Apps Limited customers, consultants, and staff members' personal and private data:

Knight & Apps Limited will not release their personal and private data to a third party without their express consent, so if for any reason a person needs the organisation to release their personal data to a third party they should inform and give their express consent to the ICT Manager so that they can process the request speedily.

4.4 Examples of personal data which may come into the possession of Knight & Apps Limited includes, but is not limited to the following:

- 4.4.1 Information gathered during the recruitment process (including references).
- 4.4.2 Details of terms of employment.
- 4.4.3 Payroll, Tax Identification Number and information.
- 4.4.4 Performance Records.
- 4.4.5 Details of grade and job duties.
- 4.4.6 Health Records.
- 4.4.7 Absence Records (including holiday records).
- 4.4.8 Details of any disciplinary investigations and proceedings.
- 4.4.9 Details of any grievance investigations and proceedings.
- 4.4.10 Training Records.
- 4.4.11 Emergency contact names and addresses.
- 4.4.12 Correspondence between Knight & Apps Limited and the member of staff and other information provided to Knight & Apps Limited.
- 4.4.13 Personal Profile
- 4.4.14 Home address
- 4.4.15 Name of spouses and children
- 4.4.16 Copy of Passport and/or ID.
- 4.4.17 Copy of Educational Documents.

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4.4.18 Contracts, Job Description any other HR related documents.

4.5 Knight & Apps Limited holds this data in order to administer contracts of employment and keep accurate records of its staff. The information held will be for management and administrative use only, but from time to time, it may be necessary to disclose some information held about staff members to relevant third parties (e.g. where legally obliged to do so or requested to do so by a staff member for the purposes of giving a reference). This data will be held throughout employment and for as long a period as is necessary following the termination of employment.

4.6 Knight & Apps Limited may also transfer information to another group/organisation upon receipt of consent from the data subject.

4.7 Knight & Apps Limited might also hold information about the health an employee, consultant or other staff member for which disclosure to any person will be made only when strictly necessary for the purposes of:

4.7.1 Compliance with health and safety and occupational health obligations.


4.7.2 Personnel management and administration (for example to consider how a staff member's health affects their ability to do their job and, if the staff member is disabled, whether they require any reasonable adjustment to be made to assist them at work).

4.7.3 Getting health insurance pension, sick pay and any other related benefits in force from time to time.

## **5.0 SUPPORT AND ADVICE**

5.1 Support and advice on the application of this policy can be obtained through speaking to your Supervisor or the ICT Manager.

5.2 It is Knight and Apps' policy to be confidential about the personal data held about its employees, consultant's, board member, casual laborers, customers and the members of the management. If any member of the company would like to see the information that the organisation holds on them they should put their request in writing via email to the ICT Manager and the same shall be supplied as soon as possible and not later than 7 days from the date of receipt of the request.

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## 6.0 RELATED DOCUMENTS

Staff members are encouraged to look at this policy in conjunction with:

- Code of Conduct
- User Equipment, Email and Internet usage policy

## 7.0 DOCUMENT APPROVAL

**Approved by**



Francis Romano

**Managing Director**

**18<sup>th</sup> August 2023**

