



KIANDA SCHOOL'S COMMITMENT TO DATA PRIVACY PROTECTION

The data protection policy set forth is in adherence to the Data Protection Act (2019) and the Data Protection Guidelines (2021). The Law provides that all institutions that deal with the collection, processing, and management of sensitive information should have a data protection policy. This data protection policy plays a crucial role in safeguarding the personal information of all students and staff while ensuring compliance with data protection laws. It also aims to minimize the risks of data breaches and to build trust among stakeholders regarding the school's data management practices. The policy outlines the types of personal data that Kianda School may collect, use, safeguard, and share with others. By adhering to this data protection policy, Kianda School affirms its commitment to preserving the privacy and confidentiality of all personal data under its responsibility. The school encourages students, parents, employees, commercial visitors, business associates, suppliers, and other interested parties to read and comprehend this policy. By accessing the Kianda School website or providing personal data through any other means, you confirm your understanding and give consent to abide by the terms outlined in this policy.

GLOSSARY

- a) **Consent** - When the data subject freely agrees for their data to be processed.
- b) **Data**- Information about a person.
- c) **Data breach**- When data is accidentally or unlawfully destroyed, lost, altered, disclosed or accessed.
- d) **Data controller** -The Institution (Kianda School) which decides how data is to be processed.
- e) **Data processor**- A third-party organization that processes personal data on behalf of the data controller.

- f) **Data protection commissioner** - A government officer tasked with overseeing data protection in a country.
- g) **Data protection Impact assessment**- The process of assessing the possible risks in data processing.
- h) **Data subject**- A person to whom the data relates.
- i) **Digital media** - Digitized content that can be transmitted through the internet or computer networks.
- j) **Incident**- A situation in which the confidentiality, integrity, or availability of personal information may be potentially compromised.
- k) **Incident handling** – Refers to a set of procedures used to prepare for, detect and overcome incidents.
- l) **Incompatible purposes**- refers to using data for other purposes other than for the intended use.
- m) **Non-personal Data**- Electronic data that does not contain any information that can be directly linked to a person. Examples include; the type of internet browser and operating system used, domain name of websites frequently used, number of visits and the average time spent on the Kianda school website.
- n) **Personal data** -Data linked to a person.
- o) **Sensitive data** -Data that reveals personal details.
- p) **Third parties**- All other persons/organizations other than the data subject, data controller, or data processor who act under the direct authority of the data controller or processor.

1.0.Principles of Data Protection

Kianda School is guided by the following Data Protection Principles;

- 1.1.That Personal data will only be processed in accordance with the right to privacy of the data subject;
- 1.2.That personal data will be processed lawfully, fairly and in a transparent manner about any data subject;
- 1.3.That personal data will be collected for an explicit, specified and legitimate purpose and not further processed in a manner incompatible with those purposes;
- 1.4.That personal data will be adequate, relevant, and limited to what is necessary in relation to the purposes for which it is processed.

1.5.That personal data will be collected only where a valid explanation is provided whenever information relating to family or private affairs is required.;

1.6.That all personal data collected should be 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;

1.7.That personal data will be kept in a form which identifies the data subjects and the purposes for which it was collected;

1.8.That personal data will be kept for a time that is no longer than is necessary for the purposes for which it was collected;

1.9.That personal data will not be transferred to third parties unless there is proof of adequate data protection safeguards or consent from the data subject.

1.10. That personal data will not be transferred outside Kenya unless there is proof of adequate data protection safeguards or consent from the data subject.

2.0.Data subjects

Kianda School's data subjects will comprise all Kianda School students, alumnae, parents, employees, commercial visitors, business associates, suppliers, stakeholders and all other interested parties.

2.1.A data subject has a right;

2.1.1. to be informed of the use to which their personal data is to be put;

2.1.2. to access their personal data;

2.1.3. to object to the processing of all or part of their personal data;

2.1.4. to correct false or misleading data; and to delete false or misleading data about them.

2.2. A right conferred on a data subject may be exercised:

- 2.2.1. where the data subject is a minor, by a person who has parental authority or by a guardian;
- 2.2.2. where the data subject has a mental or other disability, by a person duly authorized to act as their guardian or administrator;
- 2.2.3. or in any other case, by a person duly authorized by the data subject.

3.0.Consent to Data Processing

Individual data can be processed by Kianda School upon consent of the person concerned. This consent will inform the data subject of the purpose of the data collection and their rights regarding their personal data. Consent shall be clear, specific and easily withdrawable. Declarations of consent must be submitted voluntarily. In certain exceptional circumstances, consent may be given verbally. This verbal consent must however be confirmed in writing within five (5) days.

3.1.A data subject retains the right to withdraw their consent at any time. However, such withdrawal will not affect the lawfulness of the data processing based on the prior consent provided.

3.2.No personal data relating to a child shall be processed by Kianda School unless the following conditions are met:

- 3.2.1. Consent is obtained from the child's parent or guardian.
- 3.2.2. The processing is conducted in a manner that safeguards and promotes the rights and best interests of the child.

3.3.Additionally, Kianda School will implement suitable mechanisms for age verification and consent before processing the personal data of a child.

4.0.Data

Kianda School is a data controller responsible for processing all data and is committed to maintaining all reasonable precautions to ensure the privacy and security of all personal data gathered. The forms of data that may be collected and processed in various ways may include but are not limited to data related to: - enrollment, learning, employment, research and for use in our commercial relationships. Any further processing for incompatible purposes shall not be permitted without obtaining consent from the data subject. Kianda school

Kianda School Data Protection policy will strive to maintain a high level of transparency by ensuring that all its data subjects are informed of the purpose of data collection. All personal data collected by Kianda School will be subject to data secrecy and will be treated as confidential information.

4.1. Personal data

All Personal data collected by Kianda School will be processed in a manner that is lawful, fair and transparent. Kianda School will only process personal data where consent has been obtained. Kianda School endeavours to take all reasonable steps to ensure that the personal data collected is accurate, complete and up to date. This will be mainly achieved by permitting data subjects to correct, amend or delete information that is demonstrated to be inaccurate or incomplete. Kianda School encourages its data subjects to update their information, when necessary, as reliance is placed upon each data subject to provide accurate updates of their personal data. Personal data shall never be shared with third parties without the consent of the data subject unless required by law or for a legitimate educational purpose. Kianda School will ensure that their Data subjects remain informed at all times of any steps taken involving their personal data.

4.2. Sensitive Personal data

Kianda School will not keep sensitive personal data, which includes information about health status, ethnic origin, residential areas, family details, and parents' professional information, for a longer period than required. The duration of retention will be based on specific circumstances, including the purposes for which the sensitive personal information was collected. To ensure compliance, Kianda School will strictly follow the school's records retention policy, which outlines the appropriate retention period and the criterion for determining such periods.

4.3. Non-Personal Data collected Automatically

Whenever a user accesses the Kianda School's website web portals or social networks, Kianda School may automatically (i.e. not by registration) collect non-personal data. Kianda School may use this data to monitor website attractiveness and viability and engage analytics to improve performance or content. In these circumstances, processing will be performed on an anonymous basis and at Kianda School's discretion.

4.4. Other online data

Certain online applications or other interactions with the Kianda School website may require the entry of data. By providing the requested information, a data subject will be deemed to have consented to the processing and storage of such information by Kianda School. This information may be retained by Kianda School and used for future analytics and communication. Kianda School will take all reasonable precautions to assure their data subjects that no such information will be provided or divulged to third parties unless such third parties are performing site hosting, maintenance and related site service activities. If the data subject makes it clear that they want this information removed from the Kianda School servers, this information will be deleted, and no further references will be made to it.

4.5. "Cookies"-Information stored automatically on your computer

Cookies are information stored automatically on a website user's computer. When a user views Kianda School's website, Kianda School may store some data on the user's computer in the form of "cookies" to automatically recognize the user upon future visits to Kianda School's website or portals. Cookies will be the primary tool Kianda School will use to track a user's online activity, and profile and target them with highly specific advertisements relevant to Kianda School. It is important to note that not all cookies are used in a way that could identify users. Kianda School will make all reasonable efforts to ensure compliance with the law about cookies.

4.6. Digital media

All photos, videos or images taken within the Kianda School Compound, by authorized persons may be utilized by Kianda School with the consent of the data subject. These uses may include: marketing, information sharing, entertainment on social platforms, school branding on the Kianda School website, or school activities. The data subject reserves the right to request for a deletion of this media at any time. Sharing of digital media by unauthorized individuals is only permissible after receiving consent through Kianda School. Without such consent, distributing the data will be deemed a breach of data.

4.7.Data Retention

Kianda School will ensure that all personal data shall be retained in a form that allows the identification of the data subject. Personal data shall be retained for a period not longer than is necessary for the purposes for which it is obtained and processed. Data retention will be done in line with legal requirements and Kianda School's operational needs. In exceptional circumstances, some personal data may merit protection for historical significance. If so, this data will remain on file until Kianda School has evaluated the data and determined whether the data should be retained for historical purposes. The data subject will be informed of this historical significance and the data will only be retained once consent has been obtained. As it relates to Kianda School's website, data will only be retained upon authorization to use the school's website. Upon the conclusion of said authorization, all personal data associated with the utilization of Kianda School's website will be deleted.

4.8 Security and Data Integrity

Kianda School will take reasonable precautions to protect personal data in their possession. Kianda School will integrate privacy mechanisms in all of its data processing activities. This data will be secured against the risk of loss, misuse, unauthorized access, disclosure, alteration and destruction. Kianda School will periodically review its security measures in an effort to ensure the privacy of all personal data. Kianda School will use this personal data only in ways that are compatible with the purposes for which it was collected or subsequently authorized by the data subject. While Kianda School will be taking reasonable

Kianda School Data Protection policy steps to ensure that personal data is relevant to its intended use, accurate, complete and current, they will rely on their data subjects to assist in providing accurate updates of their personal data.

5.0. Transmission of data to third parties.

Transmission of personal data to recipients outside Kianda School will be subject to the legal requirements for processing personal data and will require the consent of the data subject. Kianda School will agree with the third-party data recipient to clearly define the allowable use of the transmitted data. Through this agreement, the third-party data recipient will agree to maintain a data protection level equivalent to this data protection policy. However, the same will not apply if this transmission is based on a legal obligation.

5.1. Incidence response.

If Kianda School transfers personal data to a third-party service provider for processing on Kianda School's behalf and such third-party recipient processes the personal data in a manner that is inconsistent with this data protection policy, then Kianda School will implement immediate incident response mechanisms to prevent any further unlawful destruction. Kianda School will only be liable if upon investigation the school is deemed to be responsible for the event giving rise to the damage incurred. These incidents are to be reported directly to Kianda School at least 72 hours upon immediate notification. Kianda School will work with the Office of the Data Protection Commissioner to mitigate any data incidents. The incident response will be done in four stages; they include:

Step 1 Report and notification (the breach must be clearly described)

Step 2 Detection and analysis

Step 3 Containment, eradication and recovery

Step 4 post-incident investigation and report

6.0. Data Protection Impact Assessment

Kianda School will strive to perform an annual Data Protection Impact Assessment, which aims to evaluate the rights and freedoms of its data subjects. This assessment will encompass implementing necessary measures to address risks, and ensuring appropriate safeguards and security measures are in place to protect personal data. Additionally, it will consider the rights and legitimate interests of data subjects and other individuals involved.

7.0. Training and awareness

Kianda School will strive to ensure regular data protection training and awareness programs are conducted for their various data subjects. This presents an opportunity for Kianda School to promote awareness about data protection and to enlighten their data subjects about the diverse rights and responsibilities stemming from this data protection policy.

Signed:

Principal, Kianda School.

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