

TSC STAFF SUPERANNUATION SCHEME



DATA PROTECTION POLICY

2024

VISION

An exceptional pension scheme offering comfort in retirement

MISSION

To ensure prudent utilization of Scheme Funds and provide timely benefits to members and their beneficiaries

CORE VALUES

- **Integrity**
 - **Equity and fairness**
 - **Respect for members**
 - **Accountability**
 - **Innovativeness**
-

Table of Contents

VISION	2
MISSION	2
CORE VALUES.....	2
1.0 Introduction	4
2.0 Objectives	4
3.0 Scope	4
4.0 Data Collection and Use.....	5
4.1 Lawful Basis for Data Processing	5
4.2 Data Minimization	5
5.0 Data Security.....	5
5.1 Security Measures	5
5.2 Data Breach Response	5
6.0 Data Subject Rights	6
6.1 Access to Data	6
7.0 Data Sharing and Transfers	6
7.1 Data Sharing Agreements	6
7.2 Data Processors	6
8.0 Data Retention and Disposal	6
8.1 Retention Schedules	6
8.2 Secure Disposal	7
9.0 Compliance and Monitoring.....	7
9.1 Compliance Monitoring	7
9.2 Training and Awareness.....	7
10.0 Review and Revision of Policy	7
11.0 Adoption and Sign Off.....	8

1.0 Introduction

The Teachers Service Commission Staff Superannuation Scheme Data Protection Policy is designed to ensure the protection of personal and sensitive data processed by the Scheme. This policy focuses specifically on safeguarding personal data, ensuring compliance with the Data Protection Act 2019, and upholding the privacy rights of individuals. While the Data Management Policy governs the overall handling of data within the Scheme, this Data Protection Policy zeroes in on the protection of personal data against unauthorized access, loss, or misuse.

This policy acknowledges the existing Teacher Service Commission Data Management, Classification, and Protection Policy. The Board of Trustees is committed to ensuring that the Scheme's data management practices are consistent with the sponsor's policies.

2.0 Objectives

- To ensure the lawful and transparent processing of personal data.
- To protect the privacy rights of data subjects.
- To ensure compliance with the Data Protection Act 2019 and other relevant regulations.
- To establish clear guidelines for data security, access, and breach response.

3.0 Scope

This policy applies to all personal and sensitive data processed by the Scheme, including data related to Members, Trustees, Secretariat, and service providers. It covers all activities involving the collection, storage, use, sharing, and disposal of personal data.

4.0 Data Collection and Use

4.1 Lawful Basis for Data Processing

- **Consent:** Data subjects shall provide informed consent before their data is collected and processed unless processing is necessary for contract performance, compliance with legal obligations, or other lawful bases as defined by the Data Protection Act.
- **Legitimate Interests:** The Scheme may process personal data if it is necessary for legitimate interests, provided these interests do not override the rights and freedoms of data subjects.

4.2 Data Minimization

- **Relevance:** Only personal data necessary for the specified purpose will be collected and processed.
- **Accuracy:** The Scheme will take reasonable steps to ensure that personal data is accurate, complete, and up-to-date.

5.0 Data Security

5.1 Security Measures

- **Access Control:** Access to personal data will be restricted to authorized personnel only, based on their roles and responsibilities.
- **Encryption:** Sensitive personal data will be encrypted both in transit and at rest to protect against unauthorized access.
- **Physical Security:** Data storage systems, including servers and backup facilities, will be physically secured to prevent unauthorized access.

5.2 Data Breach Response

- **Incident Reporting:** Any suspected data breach shall be reported immediately to the Data Protection Officer (DPO).
- **Breach Response Plan:** A breach response plan will be in place, detailing the steps to be taken in the event of a data breach, including notification of affected individuals and relevant authorities.

6.0 Data Subject Rights

6.1 Access to Data

- Subject Access Requests (SARs): Data subjects have the right to request access to their personal data held by the Scheme. The Scheme will respond to SARs within the legally required timeframe.
- Right to Rectification: Data subjects have the right to request the correction of inaccurate or incomplete data.

7.0 Data Sharing and Transfers

7.1 Data Sharing Agreements

- Third-Party Sharing: Personal data may only be shared with third parties under a formal data-sharing agreement, ensuring that data is protected and used only for the specified purposes.
- International Transfers: Data transfers outside Kenya will be conducted in compliance with the Data Protection Act 2019, ensuring that adequate safeguards are in place.

7.2 Data Processors

- Processor Contracts: Data processors engaged by the Scheme shall sign a contract that outlines their data protection obligations, including security measures and breach reporting requirements.
- Due Diligence: The Scheme will conduct due diligence on all data processors to ensure they comply with data protection standards.

8.0 Data Retention and Disposal

8.1 Retention Schedules

- Retention Policy: The Scheme will establish and enforce data retention schedules, specifying how long personal data will be kept.

- Periodic Reviews: Personal data will be periodically reviewed to determine if it is still necessary to retain it, with unnecessary data securely deleted.

8.2 Secure Disposal

- Data Destruction: Personal data that is no longer required will be securely destroyed using methods such as shredding of physical documents or secure digital deletion, to prevent unauthorized access or recovery.
- Audit Trail: A record of data disposal activities shall be maintained to ensure accountability and compliance.

9.0 Compliance and Monitoring

9.1 Compliance Monitoring

- Audits: Regular audits will be conducted to ensure compliance with the Data Protection Act 2019 and this policy.
- Reporting: Non-compliance issues shall be reported to the Data Protection Officer (DPO) and addressed promptly.

9.2 Training and Awareness

- Employee Training: All Secretariat and relevant stakeholders will receive training on data protection principles, their responsibilities, and best practices for protecting personal data.
- Ongoing Awareness: The Scheme will conduct ongoing awareness campaigns to keep staff informed of their data protection obligations and emerging risks.

10.0 Review and Revision of Policy

This policy will be reviewed every three years or as required by changes in legal, regulatory, or business requirements. Any revisions shall be approved by the Board of Trustees.

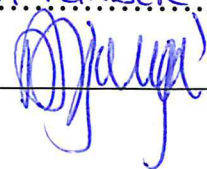
11.0 Adoption and Sign Off

This policy is adopted by the Teachers Service Commission Staff Superannuation Scheme and is effective from the date of approval by the Board of Trustees.

Signed by the Trustees of **Teachers Service Commission Staff**

Superannuation Scheme on this...^{20TH}...day of SEPTEMBER...2024

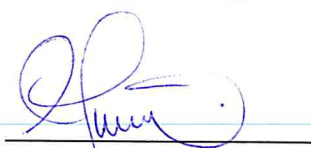
COMMISSIONER MBAGE NJUGUNA NG'ANG'A



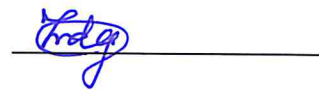
MR. FRANKLIN KIPRONO CHOGE



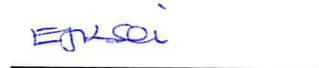
MR. GEORGE MUNENE GICHONJO



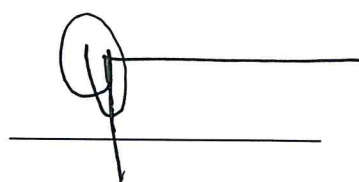
MS. JENNIFER WAITHIRA NDEGE



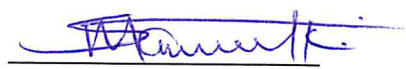
MS. ERICA KIPSOISOI RUTTO



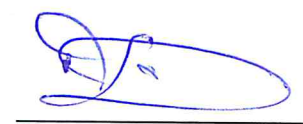
MR. GEORGE ONYANGO ODAWO



MR. SAMUEL MWENDA KITHINJI



MR. JOSHUA KITHUNU KAMANA



In the presence of the Trust Secretary

MRS. SALOME KARAMBURI MWITI

