

**STARHUB AFRICA**

**PRIVACY AND DATA PROTECTION POLICY**

**POLICIES AND PROCEDURES MANUAL**

**JANUARY 2022**

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1.0. **INTRODUCTION**

1.1. **Citation, Approval and Commencement of policy**

1.1.1. This Policy document may be cited as the STARHUB PRIVACY AND DATA PROTECTION POLICY.

1.1.2. It was approved by the stakeholders of STARHUB on 21<sup>st</sup> January 2021 and shall be deemed to have come into force on 21<sup>st</sup> January 2021.

2.0. **DEFINITIONS**

2.1. In this Policy, unless the context otherwise requires: -

(i) **“Authorized Person”** means the organizations employees, stakeholders or the Organization’s partners who by virtue of their positions have access to personal data. Authorized persons shall vary according to the purpose for which the data has been collected.

(ii) **“Collection”** means gathering, acquiring, obtaining personal data from any source, including third parties.

(iii) **“Consent”** means any freely given specific and informed indication of the wishes of the data subject by which they signify their agreement to personal data relating to them being disclosed or processed.

(iv) **“Data”** means all data including personal data in electronic or manual form.

(v) **“Data Subject”** means a natural person whose personal data is held by the Organization.

(vi) **“Disclosure”** means making data available to third parties.

(vii) **“Organization”** means STARHUB AFRICA.

(viii) **“Employee”** means an individual with an employment contract with the Organization.

(ix) **“Personal Data”** means any information relating to an identified or identifiable natural person (data subject) who can be identified, directly or indirectly, in particular by reference to an identification number, passport number or birth certificate. Personal information shall also include but shall not be limited to the data subject’s :

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- Racial, ethnic social origin
- Gender
- Disability
- Sexual Life or orientation
- Age
- Marital Status
- Health status
- Biometrics

- Contact information like telephone numbers, email addresses among others.
  - Any proceedings for an offence committed or alleged to have been committed by the data subject, the disposal of such proceedings or the sentence of any court in such proceedings.
- (x) **“Recipient”** means the natural person or legal person, public authority, agency or other body to which personal data is disclosed.
- (xi) **“Third Party”**, in relation to personal data means any person/entity other than the data subject, the Organization or the Organization’s authorized persons.

### 3.0. **PURPOSE AND SCOPE**

#### 3.1. **Purpose**

- 3.1.1. The Purpose of this policy is to set out guidelines for the Organization on how to collect, use and disclose personal data and information collected from individuals involved in the organization’s different programs from time to time. It is meant to help the Organization ensure the security of all data received and stored by the Organization.
- 3.1.2. This Policy further ensures that adequate levels of data protection as prescribed by relevant legal frameworks are duly adhered to by all its employees and relevant stakeholders while dealing with personal data. It Ensures the Organization’s commitment to ensuring the protection and privacy of all the data in its possession.
- 3.1.3. This Policy supersedes all previous data protection policies of the Organization.

#### 3.2. **Scope**

- 3.2.1. This privacy and data protection policy applies to data collected by the Organization from individuals for any programs that the organization shall run from time to time on its behalf or for any other entity, all data stored by core infrastructure of the Organization including on premise storage equipment, offsite locations and cloud storages.
- 3.2.2. This Policy shall apply to all the stakeholders and employees of STARHUB AFRICA who may have access to personal data who for purposes of this policy shall be referred to as “authorized persons”.
- 3.2.3. Nothing in this Policy is intended to supersede or modify any applicable laws of the Republic of Uganda and if any specific provision of this Policy conflicts with any current data protection laws of Uganda, the provisions of the said law shall prevail. Any portion thereof that does not conflict with the said law shall remain in full force and effect and will continue to govern the actions of the Organization’s employees.

#### 4.0. **PRINCIPLES OF DATA COLLECTION AND USAGE**

##### 4.1. **Lawfulness**

- 4.1.1. When collecting and using personal data, the individual rights of the data subjects must be protected. Personal data must be collected and used in a legal manner.
- 4.1.2. All Collected personal data shall be adequate, relevant and not excessive in relation to the purpose for which it has been obtained.
- 4.1.3. Personal data shall only be disclosed to third parties with the consent of the data subject.

##### 4.2. **Restriction to specific purpose**

- 4.2.1. Personal data shall only be used for the purpose that was defined and explained to the data subject before the data was collected and the purpose shall be explicit and legitimate.

##### 4.3. **Transparency**

- 4.3.1. The data subject must be informed of how his/her data is being handled and as such, the data subject must be informed of the following: -
  - i. The purpose for which the data is being collected.
  - ii. Categories of third Parties to whom the data may be disclosed and the reason for such disclosure.
- 4.3.2. Save for the authorized persons, any disclosure of personal data to third parties shall only be with the consent of the data subject or must meet one of the following conditions: -
  - i. Compliance with any legal obligation to which Starthub is subject.

##### 4.4. **Confidentiality and data security**

- 4.4.1. Personal data is subject to data secrecy and as such it must be treated as confidential and secured with suitable organizational and technical measures to prevent unauthorized access, illegal disclosure and distribution as well as accidental loss.
- 4.4.2. All Employees of the Organization and authorized persons shall only use their work emails to discuss and share information relating personal data.
- 4.4.3. Further, authorized persons and any other Employee of the Organization shall only use personal data for the specified purpose and to the extent authorized.

##### 4.5. **Deletion**

- 4.5.1. Personal data shall be retained in a form that allows the identification of the data subjects for a period no longer than necessary for the purpose for which they were obtained.

- 4.5.2. All personal data shall be deleted after three years from the date of completion of the purpose for which it was originally obtained.

5.0. **DATA SUBJECT RIGHTS**

- 5.1. A data subject (an individual to whom personal data relates) has the following rights: -
  - 5.1.1. Right to access their personal data.
  - 5.1.2. Right to information on the specific purpose for which data is obtained.
  - 5.1.3. Right to deny consent for disclosure of their personal data with a valid reason.
  - 5.1.4. The right to rectification if the information held is inaccurate or incomplete or requires to be updated.
  - 5.1.5. The right to be forgotten/request that their personal data is erased after the purpose for which it was obtained has been completed.

6.0. **RESPONSIBILITY**

- 6.1. All Employees, stakeholders and authorized persons who have access to any personal confidential information shall be responsible to ensure that the legal requirements, and those contained in this data protection policy are met and adhered to.
- 6.2. The Organization management shall be responsible for ensuring that organizational, Human Resources, technical measures are put in place so that any data is handled in accordance with this data protection policy.
- 6.3. The management shall also ensure that all employees are sufficiently trained in data protection.

7.0. **AMENDMENT AND REVIEW OF THE POLICY**

- 7.1. STARHUB reserves the right to change or amend this policy at any time.
- 7.2. This Policy will be periodically reviewed and updated as necessary to ensure that it is effective