**Allpack Industries Employee Data Privacy and Protection Policy**

1. **Introduction**

Allpack Industries (hereinafter referred to as “Allpack” or “We” or “Us” or “Our”) is committed to respecting and protecting your privacy in compliance with the applicable laws and regulations on data use and privacy. In order to demonstrate this commitment, Allpack has provided this Statement to explain to you how it collects, uses and protects employee information. This Statement should be read together with your employment contract. Where there is a conflict, this Statement will apply to the extent that such conflict is in respect of the subject matter of this Policy. This Statement applies to all employees, interns, employment candidates, and other third parties including volunteers and contractors.

1. **Definitions**

References to

* 1. **“You” or “Your” means:** 
     1. **Employee**- the person who has executed an employment contract with Allpack.
     2. **Intern** – person who has been on boarded by Allpack as an intern for a specified period;
     3. **Volunteer** – person who has volunteered to work in Allpack and has been on boarded as a volunteer;
     4. **Candidate/Applicant**- a person who applies for a job in Allpack and shares their personal information with us;
     5. **Contractor**- a person who has been retained by Allpack to offer certain services.

1. **Statement Details** 
   1. **Collection of Information** 
      1. Allpack collects your personal information with your knowledge when you do any of the following (please note that this list is not exhaustive):
         1. You apply for recruitment purposes, either directly, or through an employment agency or background check provider. We may sometimes collect additional information from third parties including former employers, credit reference agencies and/or other background credit agencies.
         2. You are in the course of carrying out job-related activities throughout the period you work for/with us.
         3. You take up any of the training, learning and development courses offered by/through Allpack.
         4. You take up any of the employee benefits offered by Allpack e.g Medical Insurance, pension and WIBA.
         5. You are within Allpack premises where we have CCTV cameras that capture your image for security purposes.
   2. **What Information is collected?**

The information we collect and store about you depends on the nature of engagement we have with you. The list of the information we collect includes the data specified under clause 3.4.

* 1. **Use of Information**

Allpack collects and processes data for the following reasons:

* + 1. Facilitate recruitment, transfers and promotion processes;
    2. Maintain accurate and up-to-date employment records and contact details (including details of who to contact in the event of an emergency (including beneficiary and next of kin information), and records of employee contractual and statutory rights;
    3. Operate and keep a record of disciplinary and grievance processes, to ensure acceptable conduct within the workplace;
    4. Operate and keep a record of employee performance and related processes for purposes of planning for career development, succession planning and workforce management;
    5. Operate and keep a record of absence and absence management procedures, to allow effective workforce management and ensure that employees receive commensurate pay or benefits;
    6. obtain occupational health advice, to ensure that it complies with duties in relation to individuals with disabilities, meet its obligations under health and safety law, and ensure that employees receive commensurate pay or benefits;
    7. Operate and keep a record of all leave (including maternity, paternity, adoption, parental, shared parental, study and corporate responsibility leave) to allow effective workforce management as well as ensure that Allpack complies with duties in relation to leave entitlement, employees receive commensurate pay or benefits; and effective general HR and business administration;
    8. Provide references on request for current or former employees;
    9. Respond to and defend Allpack’s interests in legal claims;
    10. Maintain and promote equality in/at the workplace;
    11. Some special categories of personal data, such as information about health or medical conditions, is processed to carry out employment law obligations such as those in relation to employees with disabilities. Moreover, Allpack may also process other special categories of personal data, such as information about ethnic origin, sexual orientation, health or religion or belief, which is exclusively done for purposes of monitoring equal opportunities aspect and to provide anonymised statistical reports.
    12. We will routinely publish some sources of information about Allpack that include personal data. These may include audio-visual representations of our events and/or events sponsored by us, prospectuses, annual reports, newsletters and staff profiles on the Allpack website/social media sites.
  1. **Categories of Data collected (List may not be exhaustive)** 
     1. Personal details: Name, title, address, contact details including email address, telephone, date of birth, gender and age.
     2. Academic and Professional Qualifications, skills, experience and employment history, including start and end dates, with previous employers and with Allpack.
     3. Remuneration, including entitlement to benefits such as medical, pensions and/or insurance cover.
     4. Identity card, passport or huduma number
     5. KRA PIN Number
     6. Bank account details
     7. National Hospital Insurance Fund Number
     8. Next of kin, dependants and emergency contacts
     9. Marriage Certificate/Divorce/Separation
     10. Nationality Social Security Fund Number
     11. Criminal record data and checks
     12. Schedule (days of work and working hours) and attendance at work.
     13. Days and nature of leave taken including sickness leave, annual leave, sabbatical leave and the reasons for the leave
     14. Details of disciplinary or grievance procedures, any warnings issued and related correspondence.
     15. Assessments of performance, i.e. - appraisals, performance reviews and ratings, performance improvement plans.
     16. Medical or health information and conditions as approved/certified by a Medical practitioner
     17. Name, photograph, email and staff ID of the Employees.
     18. Public Data collected in accident reports and risk assessments.
     19. Name, telephone, vehicle details including registration number for security purposes while within Allpack Industries.
     20. CCTV Images of staff.
  2. **Retention of Information**

We will only retain your personal data for as long as reasonably necessary to fulfill the purposes we collected it for, including satisfaction of any legal, regulatory, tax, accounting or reporting requirements. We may retain your personal data for a longer period in the event of a continuing complaint. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorized use or disclosure of your personal data, the purposes for which we process your personal data and whether we can achieve such purposes through other means, the need to comply with our internal policy and the applicable legal, regulatory, tax, accounting or other requirements.

In some circumstances, we will anonymise your personal data (so that it can no longer be associated with you) for research or statistical purposes, in which case we may use this information indefinitely without further notice to you.

* 1. **Disclosure of Information** 
     1. Any disclosure of your information shall be in accordance with applicable law and regulations. Allpack shall assess and review each application for information and may decline to grant such information to the requesting party.
     2. You consent that we may disclose your information to:
        1. Law-enforcement agencies, regulatory authorities, courts or other public authorities in response to a demand issued with the appropriate lawful mandate and where the form and scope of the demand is compliant with the law.
        2. The group, associates, partners or agents who are involved in delivering Human resource services to you;
        3. Back ground check providers who carry out back ground checks on our behalf in the recruitment process.
        4. Third party security firms in order to provide security to you;
        5. Third party insurance firms and/or brokers in order to provide insurance services to you;
        6. Publicly available and/or restricted government databases to verify your identity information in order to comply with regulatory requirements;
        7. Survey agencies that conduct surveys for or on behalf of Allpack;
        8. Third parties where this supports the administration of recruitment, your employment or where we are legally obliged to.
        9. Emergency service providers when you make an emergency call (or where such disclosure to emergency service providers is necessary for your rescue, health and safety) including your approximate location.
     3. We shall not release any information to any individual or entity that is acting beyond its legal mandate.
     4. We will get your express opt-in consent before we share your personal data with any third party for marketing purposes.

* 1. **Access to Information**

To access and update the personal information we have on you, please visit the HR office to view and update your records as desired.

* 1. **Safeguarding and Protection of Information**

Allpack has put in place processes, resources, controls, tools and other adequate technical and operational measures to protect your information from unauthorised access, accidental loss or destruction. As far as is practical, we have also put in place measures to ensure adequate technical and operational measures are implemented by any persons processing your information such as the subsidiaries, partners, agents and service providers handling your personal information in delivering any service to you.

* 1. **International Data Transfers**

From time to time we may need to transfer your personal information outside Kenya. Where we send your information outside Kenya, we will make sure that your information is properly protected in accordance with the Data Protection Act, 2019

* 1. **Your Rights**

Subject to legal and contractual exceptions, you have rights under data protection laws in relation to your personal data. These are listed below:-

* + 1. Right to be informed that we are collecting personal data about you;
    2. Right to access personal data that we hold about you and request for information about how we process it;
    3. Right to request that we correct your personal data where it is inaccurate or incomplete;
    4. Right to request that we erase your personal data noting that we may continue to retain your information if obligated or entitled to do so;
    5. Right to be informed that we are collecting personal data about you;
    6. Right to access personal data that we hold about you and request for information about how we process it;
    7. Right to request that we correct your personal data where it is inaccurate or incomplete;
    8. Right to object and withdraw your consent to processing of your personal data. We may continue to process if we have a legitimate reason to do so;
    9. Right to request restricted processing of your personal data noting that we may be entitled to continue processing your data and refuse your request;
    10. Right to request transfer of your personal data in [an electronic format]. If you wish to exercise any of the rights set out above, please contact us. We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response. We try to respond to all legitimate requests within reasonable time. Occasionally it could take us longer if your request is particularly complex or you have made a number of requests. In this case, we will notify you and keep you updated.

1. **How to Contact Us**

If you would like to contact us on any topics in this Data Privacy Statement, you can e-mail us on info@allpack.co.ke or our HR helpdesk email at hr@allpack.co.ke. If you wish to contact the Data Protection officer, below are the physical and postal contact details:

Public Data Protection Officer Allpack Industries Ltd Off Mombasa Road, Mavoko, Athi River, Machakos County, P.O. Box 3741, 00506, Nyayo Stadium, Nairobi Tel: +254 722 205512, 733601590

1. **Right to Lodge Complaint**

You have the right to lodge a complaint with the relevant supervisory authority that is tasked with personal data protection within the Republic of Kenya.

1. **Non-Compliance with this Statement**

Allpack shall have the right to terminate any agreement with you for failure to comply with the provisions of this statement and reject any application for information contrary to this statement.

1. **Amendments to this Statement**

Allpack reserves the right to amend or modify this statement at any time. If Allpack amends this statement, it will post any changes on the Allpack website-HR Section, in the HRIS and on the HR policy manual so that you will always know how your personal information is being used or shared.