

(FOR EMPLOYEES AND CONTRACT STAFF)

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# HFCB GROUP Plc

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(VERSION 1.0)



## Disclaimer

On our website or portals, we may provide hyperlinks to other websites or third parties. When you visit these websites as redirected from our websites or portals, you shall be subject to the third party's terms and conditions and privacy policies and we do not in any way guarantee nor will we be held responsible for the privacy of your personal data.

## Rights

HFCB reserves the right to update, modify or amend this policy statement at any time and an updated copy can be obtained from the official bank website.

## General Statement

This Data Privacy Statement applies to HFCB GROUP PLC and its respective subsidiaries.

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## Abbreviations

**CCTV** – Closed Circuit Television

**DCI** – Directorate of Criminal Investigations

**NSSF** – National Social Security Fund

**NHIF** – National Hospital Insurance Fund

**KRA** – Kenya Revenue Authority

**PIN** – Personal Identification Number

**ID** – Identity

**CBK** – Central Bank of Kenya

**HELB** – Higher Education Loans Board

## Definitions

**Personal data, Sensitive personal data, identifiable natural person** – as given meaning in the Kenya Data Protection Act, 2019.

**Processing** – as given meaning in the Kenya Data Protection Act, 2019.

**“You”, “Your”**– this may mean, as the situation may apply:

- i. Job Applicant – a person that applies for a job at HFCB through our online portal or shares their Curriculum Vitae with us through email.
- ii. Employee – a person that is employed at HFCB having executed the HFCB employment contract.
- iii. Intern – a person that has been offered an internship opportunity at HFCB.
- iv. Contract Staff – a person that has been placed at HFCB through their employer to offer services to HFCB.

**“Organization”, “Us”, “We”, “Our”** – HFCB, including the Bank, and all its subsidiaries as listed on the official group website.

## Introduction

HFCB operates in a complex, data-oriented environment that requires use of personal data to fulfil its core mandate in serving various stakeholders. This policy is our statement of commitment to handle your personal data with the privacy it requires and in accordance to the provisions of various laws and regulations.

The policy also spells out your rights and also indicates the controls the organization has established to safeguard your data.

## Scope

This Data Privacy statement applies to all employees – whether on permanent or contract terms, interns, and contracted staff who've been seconded to HFCB from their employers.

## Individual Statements

1. Acknowledgement and consent.
2. When is personal data collected from you?
3. What personal data is collected from you?
4. Why do we need to collect and use your personal data?
5. Do we retain any of your personal data?
6. With whom will we share/disclose your personal data?
7. Transfer of your information
8. Direct marketing
9. Access to or updating your personal data.
10. Safeguarding and protecting your personal data.
11. Handling your sensitive personal data
12. Your rights

### 1. Acknowledgement and Consent

**By** choosing to interact with us in any of the ways outlined in section 2, you will be doing so with the full knowledge and consent that we will collect and process your personal data.

By consenting, you allow us to collect, process, store, disclose, transfer your data as guided in the provisions of the data protection laws.

By withholding or withdrawing your consent HFCB shall terminate any agreement with you and reject any further application.

Please note that withholding or withdrawing your consent shall not apply to any processing done on your personal data prior to you exercising this right.

### 2. When is personal data collected from you?

We will collect your personal information when: (This list is not exhaustive):

- a) You apply for a job at HFCB through our online portal or via email.
- b) You are being onboarded onto HFCB as an employee.
- c) In the course of your employment, you provide us with additional personal details for various purposes e.g. updating of our records.
- d) Visit any of our offices including our subsidiary offices where you may be required to fill in your details the entrance or are captured by our CCTV cameras strategically placed at our premises for security purposes.

### 3. What personal data is collected from you?

Whenever you interact with us, we will collect the following information from you. (please note that this list is not exhaustive):

- a) Data that is necessary to process your job application including:
  - Your personal details including: full names, identification document type and number (i.e. National ID, Passport, Alien ID), phone number or contact details, email address, location, postal address, date of birth, age, gender, driving license number, citizenship, marital status.
  - Information collected from third parties e.g. former employers, referees, credit reference bureaus, government entities (e.g. DCI – Certificate of good conduct, Mtihani house to verify academic documents) and also from various academic institutions to validate the professional certifications) for purposes of background checks and vetting.
- b) Data necessary to onboard you as an employee including:
  - Personal data as (a) above including passport photographs, NSSF number, NHIF number, KRA PIN and ID Number.
  - Bank account details.
  - Next of kin details, emergency contact(s) and dependents (including children) details including their: full names, relationship, contact details for emergency purposes.
  - Your medical or health information details to onboard you onto relevant medical schemes.

#### **4. Why do we need to collect and use your personal data?**

The Data Protection Law provides the lawful basis for which we may collect and process your information including consent provided by you to collect and process the information, to aid in the performance of a product or service contract we have with you, to comply to a legal or regulatory obligation or requirement, for public and data subject interests and for various legitimate business interests of HFCB.

We will use and process this information for various purposes including: (please note that this list is not exhaustive):

- a) To facilitate the hiring processes.
- b) To facilitate enrollment into various schemes e.g. insurance, pension, medical etc.
- c) To enable the organization to conduct background checks with previous employers, relevant government bodies or academic institutions or referees.
- d) To facilitate other human resource and business administration activities including: performance appraisals, leave management, workforce management etc.
- e) To facilitate any legal procedures or recourse.

#### **5. Do we retain any of your personal data?**

HFCB shall not retain your data any longer than is necessary and as shall be determined by the purpose for which the data was collected and whether that purpose has been fulfilled unless as circumstances may dictate including applicable legal and regulatory requirements, consent by you, for legitimate lawful purposes or for historical and reporting purposes.

#### **6. With whom will we share/disclose your personal data?**

**We will** not share or disclose any of your information except in accordance with applicable laws and regulations.

However, HFCB may share or disclose your information to:

- a) Subsidiaries of HFCB who may require your personal data to deliver services to you.
- b) Third party organizations that provide background checks services for HFCB.
- c) Third party insurance companies for purposes of enrolling you into various insurance schemes.
- d) Legal, regulatory or any other statutory authority for purposes of complying to or responding to a demand by the said authorities. E.g. NSSF, NHIF, HELB, CBK, External Auditors etc.
- e) Various government databases in order to comply with applicable regulatory requirements e.g. Mtihani house, DCI

#### **7. Commercial use of your personal data**

HFCB will seek your consent to opt-in to receive commercial updates via our various communication channels. We will also seek your consent before sharing your data with third parties for purposes of commercial use of your data.

#### **8. Access to or updating your personal data**

The organization will offer you a platform where you can view your personal details as captured however any updates to the information will require a formal request to be sent to the human resources department following the various stipulated internal processes.

#### **9. Safeguarding and Protecting your personal data.**

HFCB has put in place various operational and technical controls to safeguard your data from unauthorized access or modification. We are also continually enhancing our controls in line with the ever-evolving threat environment.

#### **10. Handling your sensitive personal data**

HFCB shall not collect or process your sensitive personal data except as necessary to carry out the activities prescribed in section 4 above.

#### **11. Transfer of your personal data outside Kenya**

HFCB may from time to time transfer your personal data outside Kenya as circumstances may allow in fulfilment of its obligations. This shall however be done with the requisite and appropriate approvals and safeguards on the data.

#### **12. Your rights.**

Your rights as spelt out in the data protection laws include the below. Please note that these are subject to legal or regulatory exceptions and we reserve a right to override exercise of your rights where there is a legitimate reason, legal or regulatory requirement to do so as may be applicable.

- a) Right to be informed of the use to which your personal data is to be put.
- b) Right to access your personal data.
- c) Right to object to the processing of all or part of your personal data.
- d) Right to correction of false or misleading data about you.
- e) Right to deletion of false or misleading data about you.

- f) Right to erase your personal data that we are no longer authorized to retain, irrelevant, excessive or obtained unlawfully.
- g) Right to be informed that we are collecting personal data about you.
- h) Right to withdraw your consent to processing of your personal data.
- i) Right to request restricted processing of your personal data.
- j) Right to request transfer of your personal data.
- k) Right to not be subject to a decision based on automated processing; subject to such automated processing producing legal effects that affect you.
- l) Right to decline use of your personal data for commercial purposes.
- m) Right to be informed about a breach to your personal data unless your identity cannot be established in that breach.
- n) Right to lodge a complaint with the office of the Data Commissioner if you feel aggrieved by a decision made by HFCB using the prescribed mechanisms in the protection laws.

### 13. Our Contacts

Our contact details are:

HFCB

Rehani House, Kenyatta Avenue / Koinange Street

P.O. Box 30088-00100, Nairobi Telephone: 0709 438 000 & 0709 438 888

Website: <https://www.hfcb.co.ke/>

### 14. Data Protection Officer (DPO) Contacts

Email Address: [dpo@hfcb.co.ke](mailto:dpo@hfcb.co.ke) Telephone: [0709438308](tel:0709438308)

### 15. Guidelines for lodging complaints and exercising data subject rights

#### 15.1. Purpose

This guideline outlines how data subjects can exercise their rights under the Kenya Data Protection Act, 2019. It ensures that all requests and complaints are handled transparently, accessibly, and within the stipulated legal timeframes.

#### 15.2. Scope

This guideline applies to all data subjects whose personal data is processed by HFCB Group and its subsidiaries, including employees, customers, partners, and other stakeholders.

#### 15.3. Data Subject Rights

Under the Kenya Data Protection Act, data subjects have been accorded data subject rights as outlined in section 12 above.

#### 15.4. Submission Channels

Requests and complaints can be submitted through the following channels:

- Email: [dpo@hfcb.co.ke](mailto:dpo@hfcb.co.ke)
- Postal Mail:
  - Data Protection Office
  - P.O Box 30088 – 00100, Nairobi, Kenya
- Phone: +254 709438000, 709438888
- In-person: HFCB Head Offices or nearest branch

#### 15.5. Request submission guidelines

To process a request, the data subject must provide:

- Full name
- Contact information (email or phone)
- Description of the request or complaint
- Proof of identity (for verification)

Requests lacking sufficient information may result in processing delays.

#### 15.6. Acknowledgement and verification

All valid requests will be acknowledged within 5 business days. Identity verification shall be conducted prior to processing requests involving both personal or sensitive data. All requests shall be acknowledged within 5 business days of identity verification. The request shall thereafter be complied within the provisions of the law.

**15.7. Timelines for resolution**

Resolution timelines for all complaints and for exercising data subject rights will be as per the Kenya Data Protection Act.

If additional time is required for complex cases, the data subject will be informed within the initial period with an estimated resolution date.

**15.8. Escalation and appeals**

If the data subject is dissatisfied with the resolution, they may escalate to the Data Protection Officer via [dpo@hfcg.co.ke](mailto:dpo@hfcg.co.ke) or lodge a complaint directly with the Office of the Data Protection Commissioner (ODPC) at [www.odpc.go.ke](http://www.odpc.go.ke).

**15.9. Record keeping**

All requests, complaints, and related correspondence will be securely logged and retained in accordance with our data retention and protection policies.