



Basic tips to avoid costly workplace data protection breaches

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An employer who obtains personal data or information relating to an employee in keeping with the employment contract has a moral and legal duty to ensure that such information is kept in adherence to the law.

The Data Protection Act, provides a framework within which such data should be administered and processed with some basic matters to be adhered to including the following:

1. Employers should keep employment records securely ensuring that only staff with proper authorization and necessary training have access.
2. Sensitive information such as sickness records containing details of a worker's illness should be kept separate from less sensitive information for instance in a specially protected computer file.
3. When obtaining information about workers for purposes such as administration of a pension or insurance scheme or to help monitor equal opportunities, strictly use the information for the specified purpose.
4. If you intend to use the information you keep about workers to send marketing material to them, obtain their consent before doing so. Similar consent is required where, as an employer you intend to pass on the workers details to another organization for its marketing.
5. Employers should allow the employees to check their own records periodically to ensure mistakes are corrected and information is kept up to date.
6. Have an organization policy on data handling that regulates the processing of data within the organization which will help among other things in the recognizing, mitigating and responding to any security incident touching on data.

At AIP Advocates, we have lawyers who will guide you on legal matters arising from employment law while ensuring your interests are protected.

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