



Basic matters to implement to keep your organizational operations within requirements of data protection laws

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In Kenya, the Data Protection Act defines the basis for the processing of personal data by an organization and sets out requirements that must be adhered to. Some basic matters that organizations need to implement not to fall foul of the laws on data protection include:

1 Keeping track of the personal data processed within the organization

Organizations should ensure that they are keeping track of the personal data they are processing and that the data is appropriately protected.

2 Track data flows

Organizations should keep track of data flows and ensure that transfers of personal data into and out of the organization is monitored and managed appropriately.

3 Ensure contractual obligations on personal data are well understood

Organizations should ensure that contractual obligations imposed on them with respect to data provided by third parties are clearly understood by a work force that is well trained on handling data and where they deal with subcontractors clear information on the handling of personal data is passed down to the subcontractors.

4 Obtain consents where required

Organizations should review their existing consents to ensure that they are obtaining data subject consent to the processing of personal data as necessary. This should include consents to direct marketing and cookies where applicable.

5 Update social media policies

Organizations should ensure that their social media policies are reviewed regularly and updated to reflect reality.

6 Implement and update data security and data breach policies

Data security and data breach policies should be implemented and organizations should provide training to employees to ensure they are aware of the content of such policies. The policies should also be regularly updated to ensure they reflect any technological changes.

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

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