



EFICOR'S **Data Protection Policy**

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Policy Revised By	EFICOR Senior Management
Revised Policy Approved By	EFICOR Board of Management

Preamble:

EFICOR is committed to using Data responsibly to uphold the rights and safeguard the information of the individuals, groups, communities, and organizations with whom we work.

Definition of terms:

Data: The physical representation of information in a manner suitable for communication, interpretation, or processing by human beings or by automatic means. Data may be numerical, descriptive, audio, or visual, and includes Personal Data.

Data agency: Everyone has the right to agency over the collection, use, and disclosure of their personally identifiable information (PII) and aggregate data that includes their personal information, such as demographically identifiable information (DII).

Data privacy: Data privacy refers to making sure that data is used correctly and governs how data is collected, used, shared, disclosed, and retained.

Data security: Data security refers to the process of protecting data from unauthorized access and data corruption throughout its lifecycle. Community members: Any individual or group that EFICOR works with or collects Data from in the course of their humanitarian, development, training programmes, or any research activities.

Partner: An organization that EFICOR enters into a partnership agreement with to collaborate on a mutually agreed actions.

Personal Data: Data relating to an identified or identifiable individual.

Programme Data: Data (including Personal Data) collected from communities and people affected by crisis and/or participating in EFICOR relief, development, and training programmes.

Redress and rectification: All people have the right to rectification of demonstrably false, inaccurate, or incomplete data collected about them. As part of this right, individuals and communities have a right to establish the existence of and access to personal data collected about themselves. All people have a right to redress from relevant parties when harm was caused as a result of either data collected about them or how data about

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them were collected, processed, or used.

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Staff: Refers to all EFICOR staff, volunteers, consultants, exposure visit participants, contractors, and field workers.

1. Upholding dignity and Respect:

EFICOR will ensure that all individuals' dignity is maintained and respected in all phases of the Data life cycle.

Therefore:

- 1.1. EFICOR will collect, use, and disclose Data in a manner that is culturally and contextually appropriate.
- 1.2. EFICOR will limit its collection, use, and disclosure of personal data to purposes that a reasonable person would consider appropriate under the circumstances.
- 1.3. EFICOR will plan the Data lifecycle in such a way as to not create an excessive burden on community members, carefully considering what Data is needed and why; how it will be used; and how to collect only the minimum Data required to accomplish programmatic aims.
- 1.4. EFICOR will seek, where possible, to work with donors or other stakeholders to restrict their Programme Data requirements to that which is deemed necessary to accomplish programmatic aims.

2. Principles:

To safeguard the Personal Data entrusted to EFICOR, and to comply with applicable law - Digital Personal Data Protection Act, 2023, EFICOR is committed to collecting, using, and disclosing data by the OECD (Organization for Economic Co-operation and Development) Privacy Principles as follows:

(https://www.oecd.org/sti/ieconomy/oecd_privacy_framework.pdf, pp 14,15)

- 2.1. Collection Limitation Principle – Personal Data collection should be limited, and the Data should be obtained by lawful and fair means, and, where applicable, with the knowledge and consent of the individual.
- 2.2. Data Quality Principle – Personal Data should be relevant to the purposes for which it is to be used, used only to the extent necessary for those purposes, and should be accurate, complete, and up-to-date.
- 2.3. Purpose Specification Principle – Personal Data collection purposes should be specified no later than the time of collection, and any subsequent use should be limited to those purposes.
- 2.4. Use Limitation Principle – Personal Data should not be disclosed, made available, or used for purposes other than those specified consistent with the Purpose Specification Principle above, unless an individual provides consent or without the consent of the individual only in those circumstances as described in the Digital Personal Data Protection Act, 2023.
- 2.5. Security Safeguards – Personal Data should be protected by reasonable security safeguards against risks such as loss, unauthorized access, destruction, misuse, modification, or disclosure of data.
- 2.6. Openness Principle – A general policy of openness and transparency should exist

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regarding the organization's development, practices, and policies regarding Personal Data.

2.7. Individual Participation Principle – An individual should have the right to obtain confirmation of whether Data is retained relating to him or her and to obtain a copy of that Data, and subsequently have that Data erased, rectified, completed, or amended.

2.8. Accountability Principle – EFICOR should be accountable for complying with measures giving effect to the principles stated above.

3. Right to Privacy:

EFICOR will seek to ensure community members' right to privacy in the treatment of their Data consistent. In addition, EFICOR has a responsibility to protect the identity of those providing Data, unless otherwise outlined and agreed to through meaningful consent.

Therefore:

3.1. EFICOR will seek to ensure that, when appropriate, the process of Data collection is conducted in an environment where the privacy of the community members (or group of community members in the case of focus group discussions) is upheld.

3.2. Personal Data will not be shared with any third party unless explicit consent is obtained from the relevant individual, the sharing is required by law, or, under exigent circumstances to protect against imminent loss of life or property damage.

3.3. EFICOR will not discuss or share in any form, information gathered from community members/trainees/staff with any unauthorized persons.

3.4. EFICOR will seek to minimize the collection of Data, only collecting it when essential for the data activity. EFICOR and its Partners commit to restricting the collection of Personal Data to this end; Personal Data may only be collected if an exemption is granted by EFICOR. EFICOR undertakes to only grant exemptions as mentioned above after having established and documented that sufficient steps have been taken to prevent unauthorized disclosure of that Data.

3.5. EFICOR will ensure limited access to Personal Data records to authorized personnel only and will store the Data securely, using adequate physical, organizational, and technological measures to protect the Data.

3.6. While EFICOR encourages Data sharing for transparency and accountability purposes, any personal Data that is shared openly must be anonymized, unless specific consent from the community members has been obtained and it does not place community members at risk.

4. Right to protection:

EFICOR will endeavor not to put community members/trainees at any security risk as a result of its Data activity, working with our communities/partners to ensure the same where necessary.

Therefore:

4.1. EFICOR will not collect non-essential data that could put community members at risk without the express consent of the individuals involved, and a clear process for



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managing and mitigating that risk.

4.2. EFICOR will take all reasonable measures to ensure that the process of Data collection and the totality of the Data lifecycle have no negative physical, psychological, or political consequences for the community members.

4.3. EFICOR will ensure protections are in place to store all data securely using adequate physical, organizational, and technological measures to protect the Data.

4.4. EFICOR will ensure that Personal Data that is no longer required to fulfill the identified purposes shall be destroyed, erased, or made anonymous. EFICOR guidelines and procedures govern the destruction of the Personal Data of community members/trainees. EFICOR shall use reasonable care in the disposal or destruction of personal information, to prevent unauthorized parties from gaining access to the information.

4.5. EFICOR will endeavor to mitigate risk to all its community members/trainees, but especially community members from vulnerable populations and groups. Data collection and handling of information about people that could lead to stigma or discrimination should only be managed by personnel with the appropriate training and experience.

5. Consent

Community members have the right to be fully informed to make a meaningful decision about their participation in any Data activity, including the provision of their Personal Data.

Therefore:

5.1. EFICOR will seek to gain meaningful consent before collecting any Personal Data from community members. Data will only be used for the purpose it was collected for.

5.2. To obtain such meaningful consent, EFICOR will make privacy information readily available in complete form, while giving emphasis or bringing attention to five key elements:

5.2.1. what Personal Data is being collected, with sufficient precision for individuals to meaningfully understand what they are consenting to.

5.2.2. to which parties' the Personal Data collected would be shared.

5.2.3. for what purposes Personal Data is being collected, used, or disclosed, in sufficient detail for individuals to meaningfully understand what they are consenting to; and

5.2.4. risks of harm and other consequences.

5.2.5. Information regarding their rights as per the Digital Personal Data Protection Act, 2023.

5.3. Programme Data will only be used for the purpose it was collected and Personal Data specifically will only be used for the purpose for which individuals gave their consent.

5.4. All community members are free to choose whether to give their consent, based upon an understanding of the relevant facts and risks, without inducement or negative consequences should they choose not to participate.

5.5. All community members are free to withdraw their involvement/ consent in the Data

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activity at any stage without any negative consequences, including their participation in EFICOR and/or its Partners' programmes.

5.6. If the Data process involves minors, EFICOR will comply with all applicable law and will obtain all required consents and ensure that collection of data is only carried out with the best interests of the child.

5.7. Consent will be based on a transparent and accurate assessment of the use of Data and context. If the use or the context changes, then EFICOR will re- evaluate whether additional consent needs to be obtained from individuals for the new purpose.

6. Disaggregation of data:

6.1. To better represent the diversity of communities, and in particular to ensure the rights of vulnerable, disadvantaged, and marginalized populations, (considering gender, age, disability, minority or specific ethnic groups, PWD, PLHA for example) it is important that they can be counted and adequately represented as part of the information that EFICOR uses.

6.2. Where appropriate and possible, EFICOR will make every effort to ensure that vulnerable groups, including those who are neglected by dominant groups, women, members of minority groups, persons with disabilities, persons with HIV/AIDS, and, single mothers are fully represented in data collection, and that the resulting datasets can be disaggregated by gender and other relevant categories.

6.3. EFICOR will use all reasonable efforts to ensure the inclusion of community members from marginalized populations.

6.4. EFICOR will use all reasonable efforts to ensure the accuracy of data collected, stored, and used, by using all reasonable efforts to keep the information up to date and relevant.

7. Handling queries and complaints

All people have the right to rectification of demonstrably false, inaccurate, or incomplete Data collected about them. As part of this right, individuals and communities or partners (where applicable) have a right to establish the existence of and access to Personal Data collected about themselves. All people have a right to redress from relevant parties when harm was caused as a result of either Data collected about them or how Data about them were collected, processed, or used.

Therefore:

7.1. EFICOR will seek to respond to all complaints related to the community members/trainees' and staff data that has been collected.

7.2. EFICOR commits to rectifying data based on reasonable requests to correct false, inaccurate, or incomplete data, where the identity of the person requesting changes to their (or dependent's) data is based on the authentic evidence provided by community members/trainees/staff.

7.3. EFICOR will use the complaint handling and response mechanisms in targeted communities that enable community members to submit a complaint if any harm was caused as a result of the data collection, processing, or use of data collected.

7.4. In case he/she is not satisfied, he/she can complain against the Data Fiduciary to the



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Data Protection Board in a hassle-free manner. Community will be made aware as how to complain.

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References:

World Renew Responsible use, management, and protection of programme data Policy - 2019

https://www.oecd.org/sti/ieconomy/oecd_privacy_framework.pdf, pp 14,15

Personal Data Protection Bill, 2019.

Data protection Act, 2023.