



HAMAR PROFESSIONAL COLLEGE
PROFESSIONAL TRAINING HUB

**HAMAR PROFESSIONAL COLLEGE
DATA PROTECTION POLICY**

2020



1. INTRODUCTION AND CONTEXT

Hamar Professional College is an inclusive, non-governmental organisation whose objectives are:

- To promote the constitutional right of Somali citizens to enjoy fair labor relations as stated by Article 24 of the Constitution.
- To offer high quality training across all sectors to cater to the needs of our partners and learners across Somalia.
- To provide customized training programme to suit the learning needs of our learners to achieve their full potential to develop professionally and personally and help them progress in their career.
- To work with various employers and government initiatives to help and support the communities in achieving their training and employment needs and enhance employee skills so as to maximise workforce efficiency.
- To support those seeking work experience placements and volunteering opportunities that can be taken in a safe and structured way.
- To advance community development through educational, economic and support services.
- To empower women, youth and people from disadvantaged backgrounds to participate equally in existing work markets, and to ultimately improve the job prospects of these people.

During the course of our activities, Hamar Professional College will collect, store and process personal data about its employees, customers, suppliers and other third parties, and it recognises that the correct and lawful treatment of this data will maintain confidence in the organisation and will provide for successful business operations.

2. PURPOSE AND SCOPE OF THE POLICY

The purpose of this policy is to outline how Hamar Professional College complies with the current Data Protection General Principles, the rules that must be followed when handling personal data, such as how organisations are expected to keep data safe and the rights of individuals to whom the information relates.

This policy is aimed at employees, board members, customers, volunteers and individuals to whom the data relates, as well as third party suppliers. It refers to all data that identifies an individual whether stored electronically or in paper form within our filing system. All employees involved in data processing have a responsibility to follow the Data Protection Policy, Data Retention Policy and Subject Access Request Policy.



3. DATA PROTECTION PRINCIPLES

Any authorized officer at HPC who is to collect and retain personal information must comply with the following principles:

- In order to ensure that personal data is fairly and lawfully processed, the Officer must keep a record of the legal grounds for processing for all personal data we collect or receive. Most processing carried out by the organisation is covered by one of the following legal grounds for processing:
 - a. The individual has consented to the processing.
 - b. The processing is necessary for the performance of a contract/arrangement with the individual in question.
 - c. The processing is necessary for compliance with a legal obligation.
 - d. The processing is necessary to protect the vital interests of the data subject or another person.
 - e. The processing is necessary for the performance of a task in the public interest or in the exercise of official authority vested in Hamar Professional College.
 - f. The processing is necessary for the purposes of Hamar Professional College or a third party's Legitimate Interests.
 - g. Hamar Professional College has a privacy policy which explains why personal data is collected and what will be done with it.
 - h. Hamar Professional College considers what information is relevant and that any personal data collected is limited to what is necessary in relation to the purposes for which it is processed.
 - i. Hamar Professional College ensures that it has systems and processes in place to ensure the accuracy of any personal data and that reasonable steps are taken to ensure that inaccurate data is rectified.
 - j. Hamar Professional College has a Data Retention Policy which ensures that the data it holds is not retained for longer than necessary. Data which is no longer required is securely destroyed.
 - k. Hamar Professional College ensures that all employees and volunteers processing data on its behalf receive annual Data Protection training and regular reminders regarding the rights of individuals, as set out below.
 - l. Hamar Professional College has a Subject Access Policy that outlines the rights of individuals to access the data held about them. Further



information related to privacy can be found in our privacy policy, available on the website.

- m. Hamar Professional College ensures that appropriate security measures are taken against unlawful or unauthorised processing of personal data, and against the accidental loss of, or damage to, personal data. The organisation has in place procedures and technologies to maintain the security of all personal data from the point of collection to the point of destruction. The organisation will only transfer personal data to a Data Processor if they agree to comply with those procedures and policies, or if they put in place adequate measures.
- n. Hamar Professional College maintains data security by protecting the confidentiality, integrity, and availability (for authorised purposes) of the personal data, defined as follows:
 - Confidentiality means that only people who are authorised to use the data can access it.
 - Integrity means that personal data should be accurate and suitable for the purpose for which it is processed.
 - Availability means that authorised users should be able to access the data if they need it for authorised purposes. Personal data should therefore be stored on the Charity's central computer system instead of individual PCs.
- o. Should there be a breach of the Data Protection Laws, including the Data Protection Principles, this would be described as a Data Breach. There is a requirement to report certain types of data breaches to the relevant supervisory authority. All Data Breaches are taken seriously and must be reported to the Data Protection Officer at the earliest opportunity. All data breaches are reported on a quarterly basis to the Board of Directors, and actions are taken to ensure that any weaknesses in security are quickly identified and resolved.
- p. In order to ensure that personal data held by the organisation is not kept for longer than necessary, the Hamar Professional College will meet the requirements of the current Data Protection Principles and follow best practice in this area. Data Subjects now have the "right to erasure", otherwise known as the "right to be forgotten", which means that they can request the erasure of personal data in certain circumstances, including:
 - Where the personal data are no longer necessary in relation to the purposes for which they were collected or processed.



- Where the data subject withdraws consent and the organisation relied on consent as a ground for processing and there is no other legal ground for processing.
 - Where the data subject objects to the processing and there are no overriding legitimate grounds for the processing; or
 - Where the personal data has been unlawfully processed.
- q. Hamar Professional College can refuse to comply with a request for erasure if the data is being processed for the following reasons:
- The processing is necessary for exercising the right of freedom of expression and information.
 - The processing is necessary to comply with a legal obligation or for the performance of a public interest task or exercise of official authority.
 - The processing is necessary for public health purposes in the public interest.
 - The processing is necessary for archiving purposes in the public interest, scientific research, historical research, or statistical purposes; or
 - The processing is necessary for the exercise or defence of legal claims.
- r. Once the data has been retained for the periods outlined or in the event the organisation is required to comply with a request for erasure, Hamar Professional College will ensure that all data is destroyed securely.
- s. This policy is to be circulated to all staff, board members, and volunteers as part of their induction, and will be referred to as part of the annual Data Protection refresher training. In order to demonstrate that the policy has been read and understood, the appropriate policy agreement form will be signed, and compliance with this policy, and others, will be monitored as part of regular supervision and appraisals.
- t. At the point of contracting a third-party supplier to carry out a service on behalf of Hamar Professional College, the Organisation will ensure that information is only retained for as long as necessary to provide the specified service, and only the appropriate data is shared.



4. DATA SUBJECT RIGHTS

Rights for individuals are as follows:

- The right to be informed about the Associations' data collection and data processing activities.
- The right of access to their own personal data.
- The right to rectification of their personal data in certain circumstances.
- The right to erasure of their personal data (also known as the right to be forgotten).
- The right to restrict processing of their personal data in certain circumstances.
- The right to data portability i.e., the right to receive a copy of their personal data or transfer the personal data to another data controller.
- The right to object to the processing of their personal data.
- The right not to be subject to automated decision making and profiling.

5. SUBJECT ACCESS REQUEST POLICY

A subject access request is a written request for personal information (known as personal data) held about a Data Subject by the Organisation. A Data Subject has the right to access to his/her personal data and also to obtain the following:

- Confirmation that their data is being processed.
- The purposes of the processing.
- The categories of personal data concerned.
- The recipients or categories of recipients to whom the personal data is disclosed.
- The envisaged period for which the personal data will be stored (or the criteria used to determine that period);
- The existence of the right to request rectification or erasure, to object to or to request the restriction of the processing;
- The right to lodge a complaint with the College's Data Protection Compliance Office.
- Any available information as to the source of the personal data; and
- The existence of any automated decision-making, including profiling.

In order to make a subject access request free of charge, a Data Subject can contact Hamar Professional College via telephone: +252614954040 Email: info@hpc.org.so .



6. THE ROLE OF THE DATA PROTECTION COMPLIANCE OFFICER

The Association has appointed a Data Protection Officer who reports to the Board of Directors on a quarterly basis.

The role of the Data Protection Officer is:

- To inform and advise the organisation and its employees about their obligations to comply with the laws of the land and other data protection laws.
- To monitor compliance with data protection laws, including managing internal data protection activities, advising on data protection impact assessments, training staff, and conducting internal audits.
- To be the first point of contact for supervisory authorities and for individuals whose data is processed, for example, employees and trainees.

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