

DATA PRIVACY POLICY

I. INTRODUCTION

- I.1 We at VIVA 365 Insurance Brokers Limited (hereinafter referred to as “VIVA 365” or the “Company”) take our responsibilities under the data protection laws in Kenya (and internationally) seriously. The purpose of this policy is to help you understand how we collect, use, disclose and/or process the personal data you have provided to us and also to assist you in making informed decision before giving us access to your personal data.
- I.2 This statement should be read together with our Terms and Conditions for products and services.
- I.3 Personal data is information relating to our customer or potential customers (hereafter referred to “you” or “your”)
- I.4 The data controller of your personal data is VIVA 365 that you have or may have a relationship with.
- I.5 This statement applies to all customers, suppliers and all clients who has any business dealings with the company.

3. STATEMENT OF DETAILS

3.1 Collection of Information

We collect your personal information with your knowledge and consent when you do any of the following (please note that this list is not exhaustive):

- a) Apply for a specific product or service;
- b) Ask for more information about our product or service or contact us with a query or complaint;
- c) Respond to or participate in a survey, marketing promotion, prize competition or special offer;
- d) We may also collect your information from other organizations including credit-reference Bureaus, fraud prevention agencies and business directories;
- e) We may collect your information when you interact with us as a supplier as prescribed in this statement;
- f) We may also collect information when you visit any of our premises;
- g) When you interact with our sales agents they may collect personal information;

3.2 What Information is collected

The information we collect and store about you includes but is not limited to the following:

- a) Your identity including your name, photograph, address, location, phone number, identity document type and number, date of birth, email address, age and gender.
- b) Your account information, information about your bank account numbers and SWIFT codes or other banking information.
- c) Your transaction information from Mpesa statements and bank statements.
- d) Details on your earnings as per your pay slip.
- e) Your contact with us, such as when you: call us or interact with us through social media (we may record your conversations, social media or other interactions with us)

3.3 Use of Information

We may use and analyze your information for the following purposes:

- a) Processing applications for products and services, effecting payments, transactions and completing instructions or requests;
- b) Responding to any of your queries or concerns;
- c) Verifying your identity information through publicly available and/or restricted government databases in order to comply with applicable regulatory requirements;
- d) Assessing suitability for products and services;
- e) Carrying out credit checks and credit scoring;
- f) Keeping you informed generally about new products and services and contacting you with any new product unless you opt out of receiving such marketing messages (you may contact any of our subsidiaries at any time to opt out of receiving marketing messages or by sending stop to the number provided in the sms);
- g) To comply with any legal, governmental or regulatory requirement or for use by our lawyers in connection with any legal proceedings;
- h) In business practices including to quality control, training and ensuring effective systems operations;
- i) To understand how you use our products and services for purposes of developing or improving products and services;
- j) Preventing and detecting fraud or other crimes and for debt recovery;
- k) For research, statistical, survey and other scientific or business purposes;
- l) Provide aggregated data (which do not contain any information which may identify you as an individual) to third parties for research and scientific purpose;
- m) Administer any of our online platforms/websites.

3.4. Lawful Basis for processing your information

We will process your personal information based on any of the lawful basis provided for under the Data Protection Law:

- a) The performance of a Product/Service Agreement with you;
- b) VIVA 365's legitimate business interests;
- c) Compliance with a mandatory legal obligation;
- d) Consent you provide;
- e) Public interest;
- f) Your vital interest.

3.5. Retention of Information

We retain your personal data in line with our legal and regulatory obligations and for business and operational purposes. In the majority of cases this will be for seven years from the end of your relationship with us

Anonymized information that can no longer be associated with you may be held indefinitely.

4 DISCLOSURE OF INFORMATION

4.1 We will respect the confidentiality of the personal data you provide to us.

4.2 Any disclosure of your information shall be in accordance with applicable law and regulations. The company shall assess and review each application for information and may decline to grant such information to the requesting party.

4.3 We may disclose your information to:

- a) Law-enforcement agencies, regulatory authorities, courts or other statutory authorities in response to a demand issued with the appropriate lawful mandate and where the form and scope of the demand is compliant with the law.
- b) Our associates, partners, software developers or agents who are involved in delivering the company's products and services you order or use;
- c) Fraud prevention and Anti money laundering agencies, credit- reference agencies;
- d) Publicly available and/or restricted government databases to verify your identity information in order to comply with regulatory requirements;
- e) Debt-collection agencies or other debt-recovery organizations;
- f) Survey agencies that conduct surveys on behalf of the company;
- g) Any other person that we deem legitimately necessary to share the data with

4.4 We shall not release any information to any individual or entity that is acting beyond its legal mandate.

4.5 **Marketing**

4.5.1 We may use your personal data to conduct market research and surveys with the aim of improving our products and services and for marketing purposes, promotional events, competitions and lucky draws.

4.5.2 You can ask us to stop sending you marketing messages at any time by writing to us or by following the opt out option on any marketing message sent to you or by attending to us or contacting us at any time through the provided contacts.

5. **ACCESS TO AND UPDATING YOUR INFORMATION**

If you believe that our records contain inaccurate or incomplete information about you, please visit any of our branch outlets to make the necessary amendments. Some changes will only be made once the necessary supporting documentation has been obtained. We will take reasonable steps to investigate your concerns and correct inaccurate information in a timely manner.

6. **SAFEGUARDING AND PROTECTION OF INFORMATION**

The company has put in place technical and operational measures to ensure integrity and confidentiality of your data via controls around: access control, physical and environmental security and monitoring and compliance.

7. **YOUR RIGHTS**

7.1 Subject to legal and contractual exceptions, you have rights under data protection laws in relation to your personal data. These are listed below: -

- a) Right to be informed that we are collecting personal data about you;
- b) Right to access personal data that we hold about you and request for information about how we process it;
- c) Right to request that we correct your personal data where it is inaccurate or incomplete;
- d) Right to request that we erase your personal data noting that we may continue to retain your information if obligated by the law or entitled to do so;
- e) Right to object and withdraw your consent to processing of your personal data. We may continue to process if we have a legitimate or legal reason to do so;
- f) Right to request restricted processing of your personal data noting that we may be entitled or legally obligated to continue processing your data and refuse your request;

7.2 If you wish to exercise any of the rights set out above, please contact us on our data protection email.

7.3 We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to speed up our response.

8. COOKIES

8.1 We may use cookies and similar technologies on our websites and apps, and in our emails. Cookies are text files that gather small amounts of information, which your computer or mobile device stores when you visit a website or use an app. When you return to the website or app, or visit websites and apps that use the same cookies, they recognize these cookies and so your device.

8.2 We use cookies to do many different jobs, like letting you navigate between pages efficiently, remembering your preferences, and generally improving your online experience. They can also help to make sure that the ads you see online are more relevant to you and your interests. We also use similar technologies such as pixel tags and JavaScript for these purposes.

8.3 We also use cookies in some of our emails to help us understand how you interact with our emails, and to help us improve our future email communications. These cookies also help us make sure that the ads you see online are more relevant to you and your interests.

8.4 The terms and conditions of our websites and apps give you more information on cookies, how and where we use them, and how you can control them.

9. HOW TO CONTACT US

If you would like to contact us on any topics in this privacy policy, you can email us at dataprotection@viva-365.com or submit a request via our digital platforms.

10. RIGHT TO LODGE COMPLAINT

You have the right to lodge a complaint with the relevant supervisory authority that is tasked with personal data protection within the republic of Kenya

11. AMENDMENTS TO THIS STATEMENT

The company reserves the right to amend or modify this statement at any time and you are advised to visit this site regularly to check for any amendments.

15/12/2020

Statement Effective Date; Version 01