The Aquaculture Consortium

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# DATA PROTECTION AND PRIVACY POLICY

## Document Control

| Item | Details |
|---|---|
| Original Approval Date | 14/10/2019 |
| Last Review Date | 27/02/2026 |
| Approved by | Board of Directors |
| Policy Owner | Compliance & Risk Office |
| Version | 2.0 |
| Next Review Date | 26/02/2027 |

## Version History

| Version | Date | Description | Approved By |
|---|---|---|---|
| 1.0 | 14/10/2019 | Initial Data Protection and Privacy Policy | Board of Directors |
| 2.0 | 27/02/2026 | Expanded governance, cybersecurity, privacy | Board of Directors |

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| | | and information security framework | |

# 1. Purpose

The purpose of this Policy is to set out how The Aquaculture Consortium Limited ("TAC") collects, uses, stores, protects, shares and manages personal, commercial and operational data.

TAC works with employees, farmers, MSMEs, fisherfolk, suppliers, customers, partners, investors, development actors, public institutions and portfolio enterprises. In the course of its operations, TAC may collect personal, commercial, financial, operational and technical information.

TAC is committed to handling all data responsibly, lawfully, securely and transparently.

This Policy also supports TAC's commitment to ethical business conduct, ESG principles, safeguarding, cybersecurity, investor and donor compliance expectations, responsible governance and protection of stakeholder information.

# 2. Scope

This Policy applies to:

- Directors, employees, consultants, interns and contracted personnel;
- Portfolio enterprises, subsidiaries, branches and affiliated operations where applicable;
- Farmers, MSMEs, fisherfolk, suppliers, customers, partners and other value-chain actors;
- Data collected through physical forms, digital systems, websites, mobile applications, emails, contracts, surveys, training programmes, profiling exercises, transactions, applications and business relationships;
- Physical, digital and electronic data processing activities connected to TAC operations.

All persons handling TAC data are expected to comply with this Policy.

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## 3. Legal and Regulatory Context

This Policy is guided by applicable laws and regulations including:

- Data Protection Act, 2019 of Kenya;
- Relevant regulations and guidance issued by the Office of the Data Protection Commissioner;
- Applicable contractual, investor, donor and partner data protection obligations;
- Applicable cybersecurity, confidentiality and privacy obligations.

TAC shall also consider international good practice relating to privacy, cybersecurity, confidentiality and responsible information management.

## 4. Types of Data Collected

TAC may collect and process the following categories of information:

- Names, ID/passport numbers, contact details and addresses;
- Employee and consultant records;
- Farmer, fisherfolk and MSME profiles;
- Business registration documents;
- Supplier and customer information;
- Bank and payment information where required for transactions;
- Training attendance records;
- Production, inventory, sales and market information;
- Credit readiness and financial profiling information;
- Partnership, investor, donor and contract information;
- Website, communication and digital platform data;
- Images, videos and testimonials where consent has been obtained;
- Device, access and system usage information where relevant for security and operational purposes.

TAC shall only collect data reasonably necessary for legitimate business, compliance, operational or programme purposes.

## 5. Purpose of Data Processing

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TAC may process data for legitimate operational, compliance, governance, programme and business purposes including:

- Managing employment, consultancy and contractor relationships;
- Supporting farmer/MSME registration, profiling, training and technical assistance;
- Processing payments, invoices, procurement and contracts;
- Providing goods, services, advisory and programme support;
- Managing partnerships, grants, investor relations and due diligence;
- Supporting traceability, market access and credit readiness;
- Monitoring impact, programme outcomes and business performance;
- Complying with legal, tax, audit, AML/CFT, investor and donor requirements;
- Communicating with stakeholders;
- Supporting cybersecurity, fraud prevention and operational risk management;
- Improving digital systems, value-chain coordination and service delivery.

## 6. Data Protection Principles

TAC shall handle data in line with the following principles:

### Lawfulness, Fairness and Transparency

Data will be collected and used for legitimate and transparent purposes.

### Purpose Limitation

Data will only be used for the purpose for which it was collected or compatible purposes.

### Data Minimisation

Only necessary and proportionate data shall be collected.

### Accuracy

Reasonable steps shall be taken to ensure data is accurate and updated where appropriate.

### Security

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Data shall be protected against unauthorised access, loss, misuse, alteration or disclosure.

### Retention Limitation

Data shall not be retained longer than necessary.

### Accountability

TAC shall be responsible for demonstrating responsible and lawful data handling.

## 7. Consent and Lawful Basis

Where required, TAC shall obtain consent before collecting or processing personal data.

In some cases, TAC may process data where necessary for:

- Contract performance;
- Legal or regulatory compliance;
- Legitimate business interests;
- Programme implementation;
- Protection of vital interests;
- Public interest activities or lawful institutional partnerships.

For photographs, videos, testimonials, publicity materials and external communications involving identifiable individuals, TAC shall seek consent where appropriate.

Where consent is relied upon, individuals may withdraw consent subject to legal, operational or contractual limitations.

## 8. Data Sharing

TAC may share data with:

- Portfolio enterprises and affiliated operations where necessary;
- Banks, auditors, legal advisors and professional service providers;
- Government agencies and regulators where legally required;

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- Investors, donors and development partners for due diligence, reporting or programme purposes;
- Technology service providers supporting TAC systems;
- Training, research and implementation partners;
- Buyers, markets or financiers supporting farmer/MSME activities where appropriate safeguards exist.

TAC shall not sell personal data to third parties.

Where data is shared, TAC shall take reasonable steps to ensure that:

- The sharing is legitimate and necessary;
- Appropriate safeguards are maintained;
- Confidentiality obligations are respected;
- Third parties use the information only for authorised purposes.

## 9. Data Security and Cybersecurity

TAC shall implement reasonable organisational, technical and administrative measures to protect data and reduce cybersecurity risk.

Measures may include:

- Password-protected systems;
- Access controls and user permissions;
- Secure storage of physical and digital records;
- Limited access to sensitive information;
- Staff awareness on confidentiality and cybersecurity;
- Use of official email and approved communication channels;
- Secure backup and filing practices;
- Proper disposal and destruction of records;
- Monitoring and protection against cyber-enabled fraud, phishing or unauthorised access where practicable.

All employees, consultants and representatives must protect confidential data and must not disclose it without authorisation.

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# 10. Rights of Data Subjects

Where applicable, individuals whose personal data is held by TAC may request to:

- Access their personal data;
- Correct inaccurate information;
- Withdraw consent where processing is based on consent;
- Request deletion where legally permissible;
- Object to certain processing activities;
- Request information regarding how their data is used.

Requests should be directed to:

### Data Protection Contact

Compliance Officer / Compliance & Risk Office
Email: compliance@aquacultureconsortium.com

TAC may require reasonable verification before responding to requests.

# 11. Data Retention

TAC shall retain records for as long as necessary for business, operational, legal, tax, audit, donor, investor, contractual, governance or compliance purposes.

As a general guideline:

- Financial, contractual, compliance and due diligence records may be retained for at least ten (10) years;
- Employment and governance records may be retained in accordance with applicable law and operational requirements;
- Certain records may be retained longer where required by law, audit obligations, donor/investor requirements or legal proceedings.

Data that is no longer required should be securely deleted, archived or disposed of appropriately.

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## 12. Data Breaches and Incident Management

A data breach may include unauthorised access, loss, theft, misuse, destruction, alteration or disclosure of personal, confidential or operational information.

Any suspected data breach must be reported immediately to:

- Compliance Officer;
- Data Protection Contact;
- Senior management; or
- Appropriate IT or systems personnel where applicable.

TAC shall:

- Assess the nature and severity of the breach;
- Take reasonable corrective action;
- Document the incident and response actions;
- Notify affected parties or regulators where legally required;
- Strengthen controls where weaknesses are identified.

## 13. Confidentiality

Employees, consultants, directors and representatives must maintain confidentiality over personal, commercial, financial, technical and operational information obtained through their work with TAC.

Confidentiality obligations continue even after employment, contract or engagement ends.

Unauthorised disclosure, misuse or removal of confidential information may result in disciplinary or legal action.

## 14. Training and Awareness

TAC shall provide appropriate awareness and guidance to employees and relevant personnel on:

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- Data protection and privacy obligations;
- Confidentiality requirements;
- Secure handling of records;
- Cybersecurity and cyber fraud awareness;
- Responsible use of digital systems and communication channels;
- Reporting data breaches or suspicious activity.

New employees, consultants and relevant personnel may receive orientation on this Policy during onboarding.

## 15. Responsibility and Oversight

The Board and Management are responsible for oversight of this Policy.

The Compliance Officer or designated responsible officer shall support implementation, awareness, record management, incident reporting and monitoring of compliance obligations.

The Compliance Officer may escalate material concerns directly to senior management or the Board where appropriate.

All employees, consultants and representatives are responsible for complying with this Policy.

## 16. Review

This Policy shall be reviewed at least annually or earlier where required by changes in law, company operations, digital systems, investor/donor requirements or identified risks.

## 17. Approval

This Policy has been approved by the Board of Directors of The Aquaculture Consortium Limited.

| Name | Position | Signature | Date |
|---|---|---|---|

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| Felix Omondi Osok | Board Chair |  | 27/02/2026 |

## Appendix A : Examples of Personal and Sensitive Information

Examples may include:

- Identification details;
- Financial and payment information;
- Employee and HR records;
- Farmer and MSME profiles;
- Technical and operational data;
- Biometric, image or testimonial data where applicable;
- Investor, donor and partnership information.

## Appendix B : Data Breach Escalation Flow

1. Suspected breach identified.
2. Concern escalated to Compliance Officer or designated contact.
3. Preliminary assessment conducted.
4. Containment and corrective measures initiated.
5. Notification to affected parties or regulators where required.
6. Incident documented and controls reviewed.

## Appendix C : Good Data Handling Practices

Personnel should:

- Use strong passwords;
- Protect devices and records;
- Avoid sharing confidential data unnecessarily;
- Use approved communication channels;

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- Verify payment and information requests;
- Report suspicious cyber activity promptly;
- Dispose of records securely.