

# 1. Introduction

[Company Name] (“we,” “our,” or “us”) operates an Enterprise Resource Planning (ERP) platform (“the Platform”) that provides business management tools including accounting, inventory, sales, reporting, and related services.

We are committed to protecting personal data in accordance with the **Data Protection Act, 2019 of Kenya** and applicable regulations issued by the Office of the Data Protection Commissioner (ODPC).

This Privacy Policy explains how we collect, process, store, protect, and manage personal data and tenant data within our multi-tenant ERP system.

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## 2. Our Role Under the Law

Under the Data Protection Act, 2019:

- We act as a **Data Controller** in respect of account, billing, and user registration data.
- We act as a **Data Processor** in respect of business data entered into the ERP by tenant organizations on behalf of their customers, employees, and suppliers.

Each tenant organization remains responsible for ensuring it has a lawful basis for processing personal data uploaded into the Platform.

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## 3. Principles of Data Protection

We process personal data in accordance with the principles outlined in the Data Protection Act, 2019. We ensure that personal data is:

- Processed lawfully, fairly, and transparently
- Collected for explicit and legitimate purposes
- Adequate, relevant, and limited to what is necessary
- Accurate and kept up to date

- Retained only for as long as necessary
  - Processed securely and protected against unauthorized access or loss
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## **4. Categories of Data We Collect**

### **4.1 Account and Administrative Data**

- Organization name
- Names of authorized users
- Email addresses
- Phone numbers
- Billing details
- Login credentials

### **4.2 Tenant Business Data**

This includes data uploaded or generated within the ERP system, such as:

- Customer records
- Supplier records
- Employee data
- Financial transactions
- Inventory records
- Sales and operational data

All such data remains the property of the respective tenant.

### **4.3 Technical and Usage Data**

- IP addresses
  - Device information
  - System logs
  - Activity records
  - Error monitoring data
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## **5. Data Ownership and Tenant Isolation**

### **5.1 Data Ownership**

All business data entered into the ERP remains the sole property of the respective tenant organization. We do not claim ownership over tenant data.

### **5.2 Multi-Tenancy and Data Isolation**

Our ERP platform operates under a strict multi-tenant architecture with logical isolation.

- Each tenant's data environment is segregated from others.
- No tenant can access or view another tenant's data.
- Role-based access controls ensure only authorized users within a tenant organization can access their data.
- Administrative access is restricted, controlled, and audited.

We implement technical and organizational safeguards to maintain strict data separation.

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## **6. Lawful Basis for Processing**

We process personal data under the following lawful bases:

- Performance of a contract (to provide ERP services)

- Legal obligations (tax, regulatory compliance)
  - Legitimate interests (system security, fraud prevention, service improvement)
  - Consent (where required under the Act)
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## 7. No Sale or Resale of Data

We do **not** sell, rent, trade, lease, or resell personal data or tenant data to third parties, partners, or advertisers.

Your data is used strictly for:

- Delivering ERP services
- System maintenance and improvement
- Billing and subscription management
- Security monitoring
- Legal and regulatory compliance

We do not monetize customer data.

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## 8. Data Sharing and Third Parties

We may share limited data only in the following circumstances:

- With secure hosting and infrastructure providers strictly for service delivery
- With payment processors for subscription billing
- When required by law, court order, or lawful request by competent authorities
- To protect the rights, safety, or integrity of the Platform

All third-party service providers are contractually bound to maintain confidentiality and comply with data protection standards.

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## 9. Data Retention

We retain personal data:

- For the duration of the tenant's active subscription
- As required by applicable Kenyan laws (e.g., tax or financial regulations)
- As necessary to resolve disputes or enforce agreements

We do not retain personal data longer than necessary for its intended purpose.

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## 10. Data Deletion Requests

Tenants and data subjects have the right to request deletion of personal data, subject to legal limitations.

Upon receiving a verified deletion request:

- We will process the request within **7 calendar days**.
- Data will be permanently removed from production systems.
- Backup data will be securely deleted according to our retention schedule.

Where legal obligations require retention (e.g., tax records), deletion may be limited to the extent permitted by law.

Once deletion is completed, the data cannot be restored.

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## 11. Data Security Measures

We implement appropriate technical and organizational measures including:

- Encrypted data transmission (HTTPS/TLS)
- Role-based access controls
- Secure authentication systems
- Audit logging
- Secure cloud infrastructure
- Regular monitoring and vulnerability management

We take reasonable steps to protect data from unauthorized access, loss, misuse, alteration, or disclosure.

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## **12. Data Subject Rights Under the Data Protection Act, 2019**

Under Kenyan law, data subjects have the right to:

- Be informed about the use of their personal data
- Access their personal data
- Object to processing
- Request correction of inaccurate data
- Request deletion of personal data
- Withdraw consent where processing is based on consent

Requests may be submitted through our official contact channels below.

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## **13. Cross-Border Data Transfers**

Where personal data is stored or processed outside Kenya, we ensure that appropriate safeguards are in place to maintain compliance with the Data Protection Act, 2019.

We ensure adequate protection standards are maintained in all jurisdictions where data is processed.

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## **14. Data Breach Notification**

In the event of a data breach that poses a risk to the rights and freedoms of data subjects:

- We will notify the Office of the Data Protection Commissioner within the legally prescribed timeframe.
- Affected data subjects will be notified where required by law.

We maintain internal breach detection and response procedures.

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## **15. Children's Data**

Our ERP platform is not intended for direct use by children. We do not knowingly collect personal data from children without lawful authorization.

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## **16. Changes to This Privacy Policy**

We may update this Privacy Policy periodically to reflect legal, operational, or technical changes.

Material changes will be communicated via email or through the Platform.

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