



Data Protection Act /GDPR Privacy Statement

Table of contents

1.	Introduction	3
2.	What is the Legal Justification for Procesing of Personal Data?	3
3.	What Personal Data do we collect about you?	4
4.	How do we collect your Personal Data.....	5
4.1.	Approved Intermediaries.....	5
4.2.	Service providers	5
4.3.	Our marketing teams.....	5
5.	Purposes for which we process your personal Data	6
6.	To whom we may disclose your personal Data	6
7.	How long do we retain your Personal Data?	7
8.	How we protect your personal data	7
	MINORS.....	8
9.	Your right to object to or restrict the processing of your Personal Data	8
10.	Updating your Personal Data.....	8
11.	Updates to Executive Healthcare Solutions Privacy Statement	8
13.	Consent	9
14.	Right to withdraw Consent	9
15.	Right to complain.....	10
16.	Obtaining a copy of the Privacy Statement.	10

1. Introduction

Protecting your information is important to us.

In line with the Data Protection Act 2019, which came into force 11th November 2019 and the GDPR, all data controllers, processors are required to conform with the Act, our statement herein is an introduction of how we collect, handle, process and store any form of data that we come into contact with.

It is therefore, important that you read this Privacy Statement and, if you are a principal member under any of our policies of insurance, we encourage you to share this statement with the beneficiaries of your policy and ensure that they have given you consent to act on their behalf.

This Executive Healthcare Solutions Limited Privacy Statement relates to the collection, usage, disclosure, and storage of your Personal Data throughout the Executive Healthcare Solutions Limited Medical Insurance processes and your data shall not be used for commercial purposes unless consent is obtained.

By applying for insurance cover or any other services, you will be deemed to have given consent to handling and processing of your personal data.

The personal data we process in relation to you and/or your company is provided by you/your representative, third parties, collected through the Executive Healthcare Solutions limited website, publicly available sources or generated during your application for your insurance and/or processing of your insurance claim with us, and through any media and our authorized Insurance brokers and agents.

When we collect and process your personal information, we ensure to keep it safe and to never sell it. We look after it properly and process it in accordance with our privacy principles set out below.

2. What is the Legal Justification for Processing of Personal Data?

We only process personal data for legitimate business purposes and when a legal ground as set out in data protection law is applicable. There are a number of legal grounds that may apply of which the listing below describes the ones most likely to be relevant to you.

Consent

Wherever applicable and possible we will collect and process your data with your consent. We will ensure that consent is requested from you in an explicit manner.

It involves direct and unambiguous action, such as checking a box that is not pre-checked.

When collecting your personal data, we will always make clear to you, which data is necessary in connection with a particular service. All data provided by you will be used for legitimate purposes only

and the EHS undertakes to use such information only in connection with services you will normally expect from us.

Consent for minors

For children under 18, informed consent is given by the child's parent or guardian and we will most probably process their data in a different manner from that of adults.

Contractual obligations

In certain circumstances, we need your personal data to comply with our contractual obligations.

For example, if you request a quotation for any of our insurance products, we would require you to furnish us with your medical history.

Vital Interest

In specific situations, we may be required to process your data to protect or save your life.

Legal compliance

If the law requires us to, we may need to collect and process your data. We will also be legally required to store information and personal data for a limited amount of time, as established by applicable law.

Legitimate interest

In specific situations, we process your data to pursue our legitimate interests in ways which might reasonably be expected and which do not materially impact your rights.

3. What Personal Data do we collect about you?

Personal information you provide is processed fairly, lawfully and in a transparent manner. Personal data that we may process, as appropriate throughout the insurance and claim process is, but is not limited to:

- Name and contact details (such as telephone number, e-mail address and postal address);
- Date of birth
- Profession
- Gender
- Marital status.
- Dependent's details
- Bank accounts

We may also process sensitive or special personal data where relevant to the insurance and claim processes, including where necessary to accommodate any disability needs.

When exercising our rights and obligations under the insurance contracts, it may be necessary to process sensitive data categories. Such sensitive may include but not limited to.

- Claim record.
- Video, photographic images or audio recordings submitted or made as part of the medical claim process.
- Medical reports and medical history
- Previous claim experience available

4. How do we collect your Personal Data

The personal information we require about you (and, if applicable, other people insured under your insurance policy) will be gathered and stored as set out in this Data Privacy statement.

Whilst there are several ways, we collect Personal Data we mainly obtain your information through the following means:

4.1. Approved Intermediaries

We may collect data directly or through our approved and authorized insurance intermediaries and those appointed or acting on your behalf.

4.2. Service providers

We collect your data through various service providers that include but not limited to.

- Insurance companies, locally and internationally.
- Our external advocates
- Medical practitioners and medical institutions

4.3. Our marketing teams.

If you are an insurance intermediary/consultant or business partner, we may also collect your information from our day-to-day business activities with you, business referrals and your attendance at events, categories being collected and processed are as per Data Protection Act 2019 laws of Kenya and the GDPR.

Our marketing team will collect documents from you and transmit the same to the company for processing of your insurance policy and claims where appropriate. This data will be used as per the intended purpose and in an event the data shall be used for commercial purpose, the same will be done in strict adherence of section 37 of the Data Protection Act of 2019.

Your Personal Data may also be collected from third parties during claim processing such as references from previous insurer and government authorities/bodies.

5. Purposes for which we process your personal Data

If you are a customer, we mainly use your personal information so that we can provide a quote, set up, administer and manage your policy, including carrying out a risk survey, and to assess and pay claims as part of an insurance contract. However, there are several other reasons why we use your personal information as set out below.

- To consider whether to enter into an insurance relationship with you.
- To comply with any legal right or obligations to which we are subject to.
- For Processing of any claim in respect of an existing policy of insurance.
- Subrogation/Recovery and includes but is not limited to the following:
 - Processing your insurance policy
 - To determine whether you have an insurable interest in the subject matter.

If you are an intermediary/consultant or business partner, we mainly use your personal information for day-to-day business activities with you and to provide you with information relevant to our services in accordance with our marketing strategy, including a periodic newsletter, invitations to events and communication of new products.

6. To whom we may disclose your personal Data

Executive Healthcare Solutions limited operates a branch network hence any authorized persons working in our network may come into contact with your data.

Your Personal Data may be disclosed to any of the following for any of the purposes outlined above:

Professional advisers, third party service providers, agents or independent contractors providing services to the Executive Healthcare Solutions limited.

To any person in connection with litigation or other legal proceedings, to obtain legal advice or for establishing, exercising or defending legal rights.

Any person to whom disclosure is allowed or required by Law and/or Regulation, Any court, tribunal, Regulatory Authority or Governmental Entity.

Any criminal records bureau, credit bureau or credit reference agency when conducting background checks.

To third parties to provide references at your request or with your consent; and

Third parties to whom we may transfer our rights and/or obligations under any agreement, including but not limited to a potential merger or acquisition of all or part of the Group's business.

Subrogation

In some circumstances, we may provide your personal data to a third party who will determine how and why it will be processed.

7. How long do we retain your Personal Data?

Personal Data is retained as long as necessary for the purpose for which it is collected and to meet legal, regulatory and operational requirements. Retention periods may differ for each insurance policy taken. At the end of the retention period, non-identifiable data is kept for management information/statistical purposes. Executive Healthcare Solutions limited has also put in place a Data retention policy in line with The Data Protection Act of 2019 and the GDPR.

Executive Healthcare Solutions limited may also retain your contact information for the purposes of inviting you to renew any of your insurance policy from time to time and may use your contact to send you notifications notifying you of our various products, renewal notice and claim updates.

8. How we protect your personal data

The security of your Personal Data is important to us, and Executive Healthcare Solutions limited implements technical and organizational measures to safeguard your personal data.

As a responsible organization, Executive Healthcare Solutions limited manages its client's data and only authorized personnel may access your Personal Data.

When using external service providers, we require that they adhere to security standards mandated by Executive Healthcare Solutions limited and regardless of where personal data is transferred, we take all steps reasonably necessary to ensure that it is kept securely.

When transferring your data to European Union ("EU") and your personal data is processed in a country outside of the EU, we will put in place contractual clauses approved by Data Protection Commissioner as provided for under the law and by the EU Commission as providing an adequate level of protection.

MINORS

Executive Healthcare Solutions limited do not issue insurance policy to a minor. Any personal data belonging to a minor where a policy of insurance has been taken out by a parent or guardian on behalf of the minor, shall be processed/handled in accordance with section 33 of the Data Protection Act 2019.

9. Your right to object to or restrict the processing of your Personal Data

In some circumstances you may have the right to object to how Executive Healthcare Solutions limited processes your Personal Data or restrict its processing, but this does not mean you can decide or choose how we process your Personal Data.

Where it is stated that we process your personal information on the basis of a legitimate interest, you are entitled to object to the processing in question on grounds relating to your particular situation, we will then stop processing the information unless we can demonstrate compelling legitimate grounds.

10. Updating your Personal Data

Executive Healthcare Solutions limited will update your data from time to time as advised by you, you are obligated to ensure that Executive Healthcare Solutions limited is always holding accurate and updated personal data.

11. Updates to Executive Healthcare Solutions Privacy Statement

The Executive Healthcare Solutions limited Privacy Statement may be updated from time to time, and it is your responsibility to visit our websites and other communication platforms regularly for the most recent version.

12. Data Subject Rights Request Forms

In accordance with Section 26 of the Data Protection Act, Laws of Kenya, data subjects have the right to: be informed of the use to which their personal data is put; access personal data held by a data controller or processor; object to the processing of all or part of their data; request correction of false or misleading data; and request deletion of such data.

To exercise any of these rights, kindly access the **Data Subject Rights Request Forms** available on our website. These include:

- Request for Access to Personal Data

- Request for Restriction or Objection to Processing
- Request for Rectification
- Request for Data Portability
- Request for Erasure of Personal Data

Once completed, please submit the form along with any supporting documentation to dpo@executive-healthcare.com or by delivery in person or Postal Mail to:

Executive Healthcare Solutions Limited

C/O Data Protection Officer
6th Floor, 9 West, Ring Road Parklands
P.O. Box 14680-00800
Nairobi, Kenya

13. Consent

You understand that by using our site services and our products you agree to be bound by this statement of privacy. If you agree to this statement on behalf of an entity, you represent and warrant that you have the authority to bind that entity to our privacy statement, by using our products and/or accessing our site, if you do not accept it in entirety you must inform us immediately indicating what part of our privacy statement you are not agreeable to.

By providing your personal information or personal information of someone included in your policy to Executive Healthcare Solutions limited, you acknowledge that we may use it only in the ways set out in this Privacy statement.

14. Right to withdraw Consent

For certain uses of your personal information, we may ask for your consent. Where we do this, you have the right to withdraw your consent to further use of your personal information. Withdrawal of consent would not invalidate any processing we carried out prior to your withdrawal of consent. Please note in some cases we may not be able to process your insurance if you withdraw your consent.

We do not generally rely on consent for processing personal information in relation to insurance contracts; we generally rely on other legal grounds, such as the basis that processing is necessary for the performance of a contract to which you are party.

15. Right to complain

If you have concerns in relation to the way Executive Healthcare Solutions limited processes your personal data, you can either contact our Data Protection Officer by writing or email under aforementioned contact data.

16. Obtaining a copy of the Privacy Statement.

From time to time, we may need to make changes to this Privacy Statement, for example as a result of government regulations new technologies or other developments in data protection laws or privacy generally. We encourage you to review periodically to see the most update Privacy Statement.