



Kirinyaga University

UNIVERSITY MEDICAL SERVICES PRIVACY NOTICE

1. Introduction

Kirinyaga University is registered as a Data handler and Data controller with the Office of the Data Protection Commissioner (ODPC). We are committed to ensuring privacy and confidentiality in the data we handle and process in accordance with the Data Protection Act 2019.

This Notice explains why, how we collect, use, store and process your personal and health data in line with the data protection act of 2019, the constitution of Kenya (article 31) and guidelines issued by office of data protection commissioner.

2. Why do we need your information?

As the healthcare professionals who provide you with care, we maintain records about your health and any treatment or care you have received previously.

These records help to provide you with the best possible healthcare.

3. How we collect your data

We collect basic personal and medical data directly from you (via forms, interview and examination) or indirectly from:

- Guardians or parents (for minors)
- Referral hospital and clinics
- SHIF or private medical insurers
- Laboratory and pharmacy service providers

4. What data we collect

We may collect the following categories of data:

- i Personal identification details such as Name, age, sex, gender, race address, next of kin/guardian, emergency contact details
- ii Medical and clinical records e.g., history of hospitalization immunization, notes and reports about your health
- iii Laboratory and Pharmacy data e.g., laboratory tests result, x-rays etc.
- iv Relevant information from other health professionals, relatives or those who care for you
- v Appointment and administrative records

5. Purpose of processing your data

To ensure you receive the best possible care, your data is processed and used to facilitate the care you receive. Information held about you may be processed for the following reason:

- i Provide diagnosis, treatment and care
- ii Facilitate referral and follow up
- iii Support public health programs and protect the health of the public
- iv Comply with legal and regulatory requirements
- v Monitoring quality of services provided and clinical audit

6. Basis for Legal Processing Your Information

Under section 30 and section 46 of data protection act, we process your data on the following legal grounds:

- i Public Interest: Where we may need to handle your personal information when it is in the public interest. For example, when there is an outbreak of a specific disease
- ii Consent: When you have consented.
- iii Vital Interest: If you are incapable of giving consent, and we must use your information to protect your vital interests (i.e. In circumstances requiring emergency treatment).

- iv Legal obligation: If we need your information to defend a legal claim against us by you, or by another party.
- v Providing You with Medical Care: Where we need your information to provide you with medical and healthcare services.

7. Organizations who we share your data with and why

We occasionally may need to share your information with other organizations that do not directly treat you, such as the SHA, M.O.H, laboratories, pharmacies, referral health facilities and insurance providers where necessary. Normally, we will share the information in an anonymous form so it will not be possible to identify you from this information. This information is used to plan and improve services.

The information collected includes data such as residence, age, gender, ethnicity, language preference, country of birth, religion, long term conditions such as diabetes, blood pressure, and medication

8. Your rights as data subject

Under section 26 to 40 of the data protection act you have the right to:

- i **Right to Access:** You have the right to see what information we hold about you and to request a copy of this information.
- ii **Right to Rectification:** We want to make sure that your personal information
- iii is accurate and up to date. You may ask us to correct any information you think is inaccurate. If considered appropriate, a retrospective entry can be made by a clinician if you have concerns regarding the accuracy of your clinical record.
- iv **Right to Object:** We use your data for a legitimate purpose but you may object to your data being used for training or research without affecting your medical treatment.
- v **Right to Withdraw Consent:** Where we have obtained your consent to process your personal data for certain activities such as research project, you may withdraw your participation consent at any time.

- vi **Right to Erasure:** You have the right to request us to erase your personal data except where retention is required for legal claims or public health.

9. Exercise of Rights by Others

Until the age of 18, your parent or guardian will be able to access your medical information. This means they can discuss your care with health services staff and may request to see copies of your medical information.

10. How do we maintain confidentiality of your records?

- i We are committed to protecting your privacy and will only use information collected lawfully in accordance with Data Protection Act 2019 and other relevant legislations.
- ii Our staff only have access to personal information where it is appropriate to their role and is strictly on a need-to-know basis.
- iii We will not disclose your information to any third party without your permission unless there are exceptional circumstances (such as in life or death situations)
- iv In some circumstances we may need to store your data after your consent has been withdrawn to comply with a legal requirement.
- v We would however like to use your name, contact details and email address to inform you of services that may benefit you, with your consent only.
- vi At any stage where we would like to use your data for anything other than the specified purposes and where there is no lawful requirement for us to share or process your data, we will ensure that you have the ability to consent and opt out prior to any data processing taking place. This information is not shared with third parties or used for any marketing and you can unsubscribe at any time via phone, email or by informing the Health Care services

11. Data storage and security measures

Health records and personal data may be stored electronically, on paper, or a mixture of both formats Security measures include:

- i Data is stored in secure storage systems
- ii Data is restricted access to authorized personnel only

- iii Use of passwords protected electronic system
- iv Medical registry is restricted to authorized personnel
- v Safe handling and disposal of medical records
- vi Training staff on confidentiality and data protection

12. Third parties

Sometimes we record information about third parties mentioned by you to us during any consultation. We are under an obligation to make sure we also protect that third party's rights as an individual and to ensure that references to them which may breach their rights to confidentiality, are removed before we send any information to any other party including yourself. Third parties can include: spouses, partners, and other family members

13. Partner organizations

We may also have to share your information, subject to strict agreements on how it will be used, with the following organizations:

- i Emergency / Evacuation Services such as 911
- ii Independent Contractors such as dentists, opticians, pharmacists
- iii Private and other public Health Service Providers
- iv Ambulance Services
- v Local Authorities
- vi Education Services
- vii Fire and Rescue Services
- viii Police & Judicial Services
- ix We may also use external companies to process personal information, such as for archiving or disposal purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure.

14. Data retention period

We retain medical records in accordance with professional guidelines and act.

Medical records:

Physically retained for a period of six years or longer or if required by law, need for research or audit purposes

Electronic medical data retained for 20 years as per the digital health act 2025 or longer if required by law

15. Contact in case of complains or queries

If you have any questions or complaints, you wish to raise about how your personal information is used by the University clinic or wish to exercise any of your rights please contact University's Data Protection Officer dpo@kyu.ac.ke

16. Review /update of privacy policy

We may update this privacy notice from time to time in response to changing legal, technical or business developments. When we update our privacy notice, we will take appropriate measures to inform you.