DATA PROTECTION POLICY - TEMPLATE

INTRODUCTION

This Data Protection Policy ("Policy") is established by **[Insert Organisation Name]** in compliance with the **Digital Personal Data Protection Act, 2023 ("DPDPA")**, its rules, and other applicable laws of India. This Policy ensures lawful, fair, and transparent processing of personal data and reflects our commitment to safeguarding privacy and data security.

This Policy applies to all employees, contractors, vendors, and third parties processing personal data on behalf of the Organisation.

DEFINITIONS

1. **Organisation**: Refers to [Insert Organisation Name], registered under the Companies Act, 2013.
2. **Data Subject**: Any identified or identifiable natural person whose personal data is processed.
3. **Personal Data**: Information relating to an identified or identifiable individual, as defined under the DPDPA.
4. **Processing**: Any operation on personal data, including collection, recording, storage, sharing, and deletion.
5. **Special Categories of Data**: Sensitive personal data, such as financial, health, or biometric information.
6. **Data Protection Officer ("DPO")**: Designated individual overseeing compliance with this Policy.

SCOPE

This Policy applies to all personal data processed by the Organisation, including:

- Collection, use, retention, and transfer of personal data.
- Cross-border data transfers.
- Monitoring, profiling, and other automated decision-making activities.

Where conflicting legal requirements arise, the DPO must provide guidance.

DATA PROTECTION PRINCIPLES

The Organisation adheres to the following principles:

1. **Lawfulness, Fairness, and Transparency**: Processing activities comply with the law and are transparent to data subjects.
2. **Purpose Limitation**: Data is collected for specific, legitimate purposes only.
3. **Data Minimisation**: Only data necessary for specified purposes is processed.
4. **Accuracy**: Data must be accurate and updated promptly.
5. **Storage Limitation**: Data is retained only as long as necessary for the stated purposes.
6. **Integrity and Confidentiality**: Robust security measures protect against unauthorized access or loss.
7. **Accountability**: The Organisation ensures and demonstrates compliance with these principles.

GOVERNANCE STRUCTURE

1. **CEO**: Responsible for Policy implementation across the Organisation.
2. **Privacy Council**: Approves privacy initiatives and reviews risk assessments.
3. **DPO**: Manages Policy enforcement, breach notifications, and compliance audits.
4. **Stakeholders**: Including IT, Legal, HR, and others, support the DPO in data protection tasks.

POLICY IMPLEMENTATION

1. **Data Lifecycle Management**:
    - Maintain records of processing activities (RoPA).
    - Ensure secure data disposal.
2. **Consent Management**:
    - Obtain informed and explicit consent.
    - Provide mechanisms for withdrawal of consent.
3. **Data Subject Rights**:
    - Fulfil rights including access, correction, and erasure within statutory timelines.
4. **Data Breach Management**:
    - Report significant breaches to the Data Protection Board within 72 hours.
    - Maintain an incident management framework.
5. **Data Sharing and Transfers**:
    - Comply with legal requirements for data transfers, including cross-border transfers.
6. **Security Measures**:
    - Implement encryption, access control, and vulnerability assessments.
    - Conduct regular audits to ensure compliance.
7. **Training and Awareness**:
    - Regularly train employees and third parties on data protection obligations.

SPECIAL CATEGORIES OF DATA

Sensitive personal data is processed only with explicit consent or as legally permitted. Enhanced safeguards such as pseudonymization or encryption are applied.

PRIVACY BY DESIGN AND DEFAULT

The Organisation integrates privacy into the design of its systems, ensuring:

- Data minimisation.
- Default privacy settings.
- Clear choices for data subjects.

MONITORING AND COMPLIANCE

Regular audits are conducted to ensure adherence to this Policy. Non-compliance may result in disciplinary action or contract termination.

CONTACT INFORMATION

For queries or complaints regarding this Policy:

[Insert Organisation Name]
Email: [Insert Contact Email]
Phone: [Insert Contact Number]