



Railway Children India

Data Protection Policy

Version 1.0 – Month/Year
(Approved by Board on 28/11/2020)

1. Introduction

- 1.1 The protection of data is a major concern for Railway Children India which is taken into consideration in all of its activities and business processes. In its functioning, Railway Children India is required to gather, collect and use data/information about individuals which pertain to children, donors, suppliers, business contacts, employees, and other people that Railway Children India has a working relationship with, or may need to contact.
- 1.2 Data protection and information security are an integral part of the policy of Railway Children India. The purpose of this policy is to maintain the privacy and protect the personal information of children, donors, suppliers, business contacts, employees, and other people that Railway Children India has a working relationship with, or may need to contact and ensure compliance with laws and regulations applicable to Railway Children India.

2. Scope of the Policy:

- 2.1 This policy is applicable to all children, donors, suppliers, business contacts, employees, and other people that Railway Children India has a working relationship with, or may need to contact, and any other person/organisation who may receive personal information, have access to personal information collected or processed, or those who provide information to Railway Children India. This policy shall apply to all the aforementioned categories of persons irrespective of their geographical location. All employees of Railway Children India are expected to support the privacy policy and principles when they collect and/or handle personal information. Or are involved in the process of maintaining or disposing of personal information. This policy provides the necessary information to successfully meet Railway Children India's commitment towards data privacy.
- 2.2 All partner organisations and any third-party working with or for Railway Children India, and those who may have access to personal information, will be expected to have read, understand and comply with this policy.

3. Data Privacy Principles

This Policy describes generally acceptable privacy principles (GAPP) for the protection and appropriate use of personal information at Railway Children India. These principles shall govern the use, collection, disposal and transfer of personal information, except as specifically provided by this Policy or as required by applicable laws:

- **Notice:** Railway Children India shall provide data subjects with notice about how it collects, uses, retains, and discloses personal information about them.
- **Choice and Consent:** Railway Children India shall give data subjects the choices and obtain their consent regarding how it collects, uses, and discloses their personal information.
- **Rights of Data Subject:** Railway Children India shall provide individuals with the right to control their personal information, which includes the right to access, modify, erase, restrict, transmit, or object to certain uses of their information and for withdrawal of earlier given consent to the notice.
- **Collection:** Railway Children India shall collect personal information from data subjects only for the purposes identified, and/or in the privacy notice/contract agreements and only to provide requested product or service.
- **Use, Retention and Disposal:** Railway Children India shall only use personal information that has been collected for the purposes identified in the privacy notice/contract agreements and in accordance with the consent that the data subject shall provide. Railway Children India shall not retain personal information longer than is necessary to fulfil the purposes for which it was collected and to maintain reasonable business records. Railway Children India shall dispose the personal information once it has served its intended purpose or as specified by the data subject.
- **Access:** Railway Children India shall allow data subjects to make inquiries regarding the personal information about them, that Railway Children India shall hold and, when appropriate, shall provide access to their personal information for review, and/or update.
- **Disclosure to Third Parties:** Railway Children India shall disclose personal information to third parties/partner organisations only for purposes identified in the privacy notice /contract agreements. Railway Children India shall disclose such personal information in a secure manner, with assurances of protection by those parties, according to the contracts, laws and other segments, and, where needed, with consent of the data subject.
- **Obligations for Sub-processor:** Where a processor (vendor or 3rd party acting on behalf of Railway Children India) engages another processor (Sub-processor) for carrying out specific processing activities on behalf of Railway Children India, the same data protection obligations as set out in the contract or other legal act between Railway Children India and the processor shall be imposed on the Sub-processor by way of a contract which shall provide sufficient guarantees to implement appropriate technical and organisational measures in a manner consistent with law and with this policy. Where the Sub-processor fails to fulfil its data protection obligations, the initial processor (relevant vendor or 3rd party acting on behalf of Railway Children India) shall remain fully liable to Railway Children India for the performance of that Sub-processor's obligations.
- **Security for Privacy:** Railway Children India shall protect personal information from unauthorized access, data leakage and misuse.
- **Quality:** Railway Children India shall take steps to ensure that personal information in its records is accurate and relevant to the purposes for which it was collected.

- **Monitoring and Enforcement:** Railway Children India shall monitor compliance with its privacy policies, both internally and with Third Parties, and establish the processes to address inquiries, complaints and disputes.

4. Responsibilities

- 4.1 Everyone who works for or with Railway Children India shall be responsible for ensuring data is collected, stored and handled appropriately. Each team that handles personal data must ensure that it is handled and processed in line with this policy and data protection principles.

Data Protection Officer:

- 4.2 The owner for the Data Protection Policy shall be the Data Protection Officer, in RCI the Data Protection Officer is the Departmental heads for their respective department, who shall be responsible for the maintenance and accuracy of this Policy. Any queries regarding the implementation of this Policy shall be directed to Nitin Aggarwal, Head of Finance and IFR.
- 4.3 Data Protection Policy shall review on an annual basis for updates. Policy shall be updated in-line with any major changes within the organisations environment or on recommendations provided by the board of Directors.
- 4.4 In addition to the above, the Data Protection Officer shall be responsible for the following:
- Keeping the board updated about data protection responsibilities, risks and issues.
 - Reviewing all data protection procedures and related policies, in line with an agreed schedule.
 - Arranging data protection training and advice for the people covered by this policy.
 - Handling data protection questions from staff and anyone else covered by this policy.
 - Dealing with requests from individuals to see the data Railway Children India holds about them (also called 'subject access requests').
 - Checking and approving any contracts or agreements with third parties that may handle the Railway Children India's sensitive data.

The IT Manager, shall be responsible for:

- Ensuring that all systems, services and equipment used for storing data meet acceptable security standards.
- Performing regular checks and scans to ensure that security hardware and software is functioning properly.
- Evaluating any third-party services, the company is considering to use to store or process data such as cloud computing services etc.

The Marketing Manager, shall be responsible for:

- Approving any data protection statements attached to communications such as emails and letters.
- Addressing any data protection queries from journalists or media outlets like newspapers.
- Where necessary, working with other staff to ensure marketing initiatives abide by data protection principles.

4.5 The duty of overall compliance of this policy shall be of the board of directors of Railway Children India who shall ensure that all legal requirements of Railway Children India are met and are complied with.

5. General Staff Guidelines

5.1 All employees and staff of Railway Children shall follow and adhere to the following broad guidelines in pursuance of this policy:

- The only people able to access data covered by this policy should be those who **need it for their work**.
- Data **should not be shared informally**. When access to confidential information is required, employees may request the same from their line managers.
- **Railway Children India will provide training** to all employees to help them understand their responsibilities when handling data.
- Employees should keep all data secure, by taking sensible precautions and following the guidelines below.
 - In particular, **strong passwords must be used** and they should never be shared.
 - Personal data **should not be disclosed** to unauthorised people, either within the company or externally.
 - Data should be **regularly reviewed and updated** if it is found to be out of date. If no longer required, it should be deleted and disposed of.
 - Employees **should request help** from their line manager or the data protection officer if they are unsure about any aspect of data protection.

6. Collection of Data:

6.1 Personal and confidential information may be collected online or offline. Regardless of the Collection method, the same privacy protection shall apply to all personal information.

6.2 Personal information shall not be collected unless either of the following is fulfilled:

- The data subject has provided a valid informed and free consent;
- Processing is necessary for the performance of a contract to which the data subject is a party or in order to take steps at the request of the data subject prior to entering into a contract;
- Processing is necessary for compliance of the organization's legal obligation;
- Processing is necessary in order to protect the vital interests of the data subject; or
- Processing is necessary for the performance of a task carried out in the public interest.

6.3 Data subjects shall not be required to provide more personal information than is necessary for the provision of the product or service that data subject has requested or authorized. If any data not needed for providing a service or product is requested, such fields shall be

clearly labelled as optional. Collection of personal information shall be avoided or limited when reasonably possible.

- 6.4 Personal information shall be de-identified when the purposes of data collection can be achieved without personally identifiable information, at reasonable cost.
- 6.5 When using vendors to collect personal information on the behalf of Railway Children India, it shall be ensured that the vendors comply with the privacy requirements of Railway Children India as defined in this Policy.
- 6.6 Railway Children India shall at minimum, annually review and monitor the information collected, the consent obtained and the notice / contract agreement identifying the purpose.
- 6.7 The project team/support function shall obtain approval from the IT Security team before adopting the new methods for collecting personal information electronically.
- 6.8 Railway Children India shall review the privacy policies and collection methods of Third-Parties before accepting personal information from Third-Party data sources.

7. Use, Retention and Disposal of Data

- 7.1 Personal information may only be used for the purposes identified in the notice/contract agreements and only if the data subject has given consent;
- 7.2 When data is **stored on paper, (written or printed)** it should be kept in a secure place where unauthorised people cannot access it.
- 7.3 When not required, the paper or files should be kept **in a locked drawer or filing cabinet**.
- 7.4 Employees should make sure papers and printouts are **not left where unauthorised people may have access to them**.
- 7.5 **Data printouts should be shredded** and disposed of securely when no longer required.
- 7.6 When data is **stored electronically**, it must be protected from unauthorised access, accidental deletion and malicious hacking attempts:
- 7.7 Data should at all times be **protected by strong passwords** that are changed regularly and never shared between employees.
- 7.8 If data is **stored on removable media** (like a CD/DVD/pen-drive), the same should be kept locked away securely when not being used.
- 7.9 Data should only be stored on **designated drives and servers**, and should only be uploaded to an **approved cloud computing services**.

- 7.10 Servers containing personal data should be **sited in a secure location**, away from general office space.
- 7.11 Data should be **backed up frequently**. Those backups should be tested regularly, in line with the company's standard backup procedures.
- 7.12 Data should **never be saved directly** to laptops or other mobile devices like tablets or smart phones.
- 7.13 All servers and computers containing data should be protected by **approved security software and a firewall**.
- 7.14 When working with personal data, employees should ensure **the screens of their computers are always locked** when left unattended.
- 7.15 Personal data **should not be shared informally**. In particular, it should never be sent by email, as this form of communication is not secure.
- 7.16 Data must be **encrypted before being transferred electronically**. The IT manager can explain how to send data to authorised external contacts.
- 7.17 Employees **should not save copies of personal data to their own computers**. Always access and update the central copy of any data.

8. Access to Data

- 8.1 Railway Children India shall establish a mechanism to enable and facilitate exercise of data subject's rights of access, blockage, erasure, opposition, rectification, and, where appropriate or required by applicable law, a system for giving notice of inappropriate exposure of personal information.
- 8.2 Data subjects shall be entitled to obtain the details about their own personal information upon a request made and set forth in writing. Railway Children India shall provide its response to a request at the earliest and preferably within 14 days of the receipt of written request.
- 8.3 The data subjects shall have the right to require Railway Children India to correct or supplement erroneous, misleading, outdated, or incomplete personal information.
- 8.4 Requests for access to or rectification of personal information shall be directed, to the Data Protection Officer
- 8.5 All data subjects shall be entitled to:
- Ask **what information** the company holds about them and why.
 - Ask **how to gain access** to it.
 - Be informed **how to keep it up to date**.
 - Be informed how the company is **meeting its data protection obligations**.

- The identity of the person seeking data under this policy shall always be ascertained and verified before handing over any information.

9. Disclosure

- 9.1 The data subject shall be informed in the privacy notice /contract agreement, that personal information, if disclosed to third parties/partner organisations, the same shall be done only for the purposes described in the privacy notice/ contract agreement and for which the data subject has provided consent.
- 9.2 Personal information of data subjects may be disclosed to the Third Parties / partner organisations only for reasons consistent with the purposes identified in the notice /contract agreements or other purposes authorized by law.
- 9.3 Railway Children India shall notify the data subjects prior to disclosing personal information to Third Parties /partner organisations for purposes not previously identified in the notice / contract agreements.
- 9.4 Railway Children India shall communicate the privacy practices, procedures and the requirements for data privacy and protection to the Third Parties / partner organisations.
- 9.5 The Third Parties shall sign a Non-Disclosure Agreement (NDA) with Railway Children India before any personal information is disclosed to the Third Parties. The NDA shall include the terms on non-disclosure of customer information.

10. Dispute Resolution

- 10.1 Any person with inquiries or complaints about the processing of their personal information shall first discuss the matter with the Data Protection Officer.
- 10.2 Donors / Third Parties with inquiries or complaints about the processing of their personal information shall bring the matter to the attention of the Data Protection Officer in writing.
- 10.3 Any disputes concerning the processing of the personal information of non-employees shall be resolved through arbitration.