



**THE UNITED REPUBLIC OF TANZANIA
MINISTRY OF AGRICULTURE
TANZANIA CO-OPERATIVE DEVELOPMENT COMMISSION (TCDC)**



PRIVACY AND DATA PROTECTION POLICY FOR COOPERATIVE SOCIETIES



March, 2024

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FOREWORD

The importance of cooperatives in the national economy cannot be overemphasized owing to its relationship between its performance and that of key social and economic indicators like employment, marketing of farmers' produces, facilitating financial inclusion, providing social service, uniting people and thus ensuring peace in the country, among others. Since this relationship is there to stay for some time to come, it justifies the argument that any attempts to improve living standards of the people must give particular attention to increased regulatory measures of the cooperative subsector. In strengthening cooperative subsector, the government established Tanzania Cooperative Development commission (TCDC) through Cooperative Societies Act No. 6 of 2013, which give TCDC the mandated to regulate and promote development of cooperative subsector.

In this context, TCDC is committed to provide efficient and effective regulatory and promotional services. That entails transformation of cooperatives from service oriented towards commercialization and modernization, while providing good services to members and protecting members' interest through use of Information Communication Technology (ICT) in cooperatives operations, and ensuring cooperative data are protected. Data Protection Policy for Cooperative Societies is important and revolves around the goals of developing vibrant, innovative and economically viable cooperatives that contributes to the improvement of the livelihoods of Tanzanians and attainment of broad-based economic growth and poverty alleviation.

Currently Cooperative Societies are generating vast amounts of data that are collected, processed stored and transmitted through different means of computing Devices and Applications Technologies. Consequently, in recent years data have been critical resource that drives economic growth and development in countries. As the result, privacy and data protection is increasingly becoming a critical area that requires to be managed carefully.

In this endeavor, the government recognizes the paramount importance of the ICT service providers in cooperatives as the engine of technological advancement in cooperatives, and thus the TCDC provides directions in order to ensure the privacy and security of cooperatives data are sustained. In view of recent developments such as the promotion and ensuring the use of Management Information systems in Cooperatives Operations, the Introduction and operationalization of Cooperative Supervision Management Information System (CSMIS), the promotion of integrating systems posed new challenges such as capacity and knowledge of cooperatives in managing ICTS systems and data, addressing issues of data security, Complacencies by ICT Service providers and consultants among others. These weaknesses jeopardize not only privacy and data and protection but also business continuity due to improper management of data across data ecosystem.

The Privacy and data protection policy therefore, aims at addressing challenges that could or have been happening due to lack of proper guidance regarding privacy and data protection in cooperatives. These include poor storage of data, privacy, storing data in unreliable and inaccessible facilities,

disclosure of cooperative data, misplacement of data, cooperatives data being accessed by unauthorized people, using data for personal whims, low level of data integrity and among others.

Ultimately, this privacy and data protection policy is indeed a tool for facilitating the attainment of the TCDC Medium Term Strategic Plan 2021/2022 – 2025/2026 that envisages providing efficient and effective regulatory and promotional services for vibrant, innovative and economically viable cooperatives, and meeting the agenda 10/30 aims to attain 10 percent annual growth rate for the crops sub-sector by 2030. In this context, I instruct all cooperatives and ICT service providers to comply with data protection policy.



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REGISTRAR OF COOPERATIVE SOCIETIES

LIST OF ABBREVIATIONS

CO: Cooperative Officials

CSMIS: Cooperative Supervision Management Information System

ICT: Information Communication Technology

TCDC: Tanzania Cooperative Development Commission

DEFINITION OF KEY TERMS

In this Policy, unless the context otherwise requires; -

Application: means a software program or set of programs designed to perform specific tasks or functions for end-users, organizations, or computer systems;

Cooperative data: includes cooperatives and members data;

Cooperative Society: Means a Society registered under the Cooperative Society Act, Number 6 of 2023, and shall include a Primary Society, Secondary Society, an Apex and Federation;

Data protector: means a Co-Operative Society and the Service Provider;

Data: all data including contact information, financial data & transaction, members' information (names, gender, age, contacts), marketing information, location details, employee information, economic activities, certificates, licenses, registration details;

Disclosure: Making data available to others outside the cooperative society;

Encryption: The process of converting information or data into code, to prevent unauthorized access.

Official: means, cooperatives Board member or employees;

Parties: Means service providers and cooperative societies;

Processing: Any operation performed on personal data, such as collecting, creating, recording, structuring, organizing, storing, retrieving, accessing, using, seeing, sharing, communicating, disclosing, altering, adapting, updating, combining, erasing, destroying, or deleting personal data, or restricting access or changes to personal data or preventing destruction of the data;

Reliable hosting facility: is a hosting facility with high uptime, robust security measures, scalable resources, and excellent customer support to ensure optimal performance and availability for your website or application;

Services Provider: Any person being a natural or legal, with an agreement to provide Information Communication Technology Services to the Cooperatives;

System: means a software program or set of programs designed to perform specific tasks or functions for end-users, Co-operatives, or computer systems;

TCDC: Means Tanzania Co-Operative Development Commission, established under the Cooperative Societies Act Number 6 of 2013;

CHAPTER ONE

1.0 INTRODUCTION

This chapter is about introduction and consist of background, policy objectives and scope of the policy.

1.1 Background

For a long period of time, cooperative societies have been participating in economic and social activities and thus promoting the economy and development of the Nation as a whole. Following this situation, the Government has been taking various measures to improve the performance and management of cooperative societies in the country. Some of these measures include introducing the CSMIS, providing cooperative education to cooperative members and the public, encouraging citizens to join cooperatives and providing investment education to cooperatives.

The CSMIS was launched in 2023 and has been integrated with various actors including service providers who provide ICT services to cooperatives. The CSMIS has been introduced to remove loopholes for misusing cooperative funds, ensure accuracy of the register of cooperatives, and ensure availability of reliable statistics, and accurate information when needed, and thus guarantee estimation of the contribution of cooperatives in the economic and social spheres. As a result, data privacy and protection in cooperatives is increasingly becoming a critical area that requires to be managed carefully. The data protection policy will ensure privacy and protection of cooperative data which are entered and stored in CSMIS.

The evolution of the data protection policy in cooperatives sub sector has been strongly influenced by increased use of technology in cooperative operations which does not match with capacity of cooperatives in managing technological change and supervising ICT service providers. This weakness has caused emerging of various challenges such as poor storage of data, lack of privacy of cooperative data, poor hosting and data protecting. Some service providers providing ICT services to cooperatives have been storing cooperative data in unreliable and inaccessible backup facilities, disclosure of cooperative data, misplacement of cooperative data, cooperatives data being accessed by unauthorised people, using cooperatives data for personal whims, low level of data integrity and among others. Addressing these issues are important in spearheading the process of ensuring protection of data. It is on the basis of these challenges that the cooperative Data Protection Policy for cooperatives has been formulated to address these challenges.

1.2 Policy Objective

The general objective of data protection policy is to ensure that the cooperative data are stored, hosted and protected to minimize the risk of breaches and uphold the protection of cooperative data.

The specific objectives are to: -

- i). To increase safety of cooperative data;
- ii). To improve ICTs service provision to cooperatives;
- iii). To promote use of ICTs in cooperative operations; and

- iv). To establish a legal and institutional mechanism to protect cooperatives data.

1.3 Scope of the Policy

This policy applies to all staff and leaders in cooperatives, and service providers providing ICTs services. Adherence to this policy is mandatory and non-compliance could lead to disciplinary action.

CHAPTER TWO

2.0 POLICY AREAS

This chapter presents policy area which includes data privacy and protection, as well as hosting and data storage. In these areas important directives has been provided to services providers and cooperatives, which together ensure data protection.

2.1 Data Privacy and Protection

- i). Service provider is restricted from selling, processing, trading, sharing, publishing or transferring data in anyhow, to a third party without consent of a cooperative or approval from regulator;
- ii). Service provider should not use cooperatives data for his personal whims unless with a prior consent of the cooperative or approval from the regulator;
- iii). Service provider is restricted from exchange data through system integration to a third party without consent of a cooperative or approval from regulator;
- iv). Service provider should protect data from any misplacement;
- v). Service provider should protect data from unauthorized access;
- vi). Service provider should protect data from disclosure, alteration, phishing, theft and destruction;
- vii). Service provider's application should maintain high level of data integrity (secure stored, complete, accurate & reliable);
- viii). Cooperative official should not share data to any third party without approval of the cooperative Board;

- ix). Cooperatives should conduct periodic assessments of their data protection practices done by service providers;
- x). Cooperatives should ensure no any person has access to the data unless upon its consent/approval;
- xi). Cooperative officials should maintain high level of integrity when entering, using, updating, and analyzing; and
- xii). Cooperatives should ensure their data is accurate (correct, complete and kept up to date).

2.2 Hosting and Data Storage

- i). Service providers should ensure data are secure stored in a reliable and accessible facility to cooperatives and regulator;
- ii). Service providers should put in place business continuity plan;
- iii). Service providers should have reliable and accessible data backup facilities;
- iv). Service providers should ensure that there are skilled personnel for managing hosting facilities;
- v). Cooperative should ensure the service provider has reliable hosting facilities before contracting the parties;
- vi). Cooperatives should ensure data transmission and storage are done using encryption technologies;
- vii). Cooperatives should ensure all contracts entered with service providers comply with this policy;
- viii). In case of breach or termination of a contract between service provider and the cooperative society there should be no disclosure of data save to a cooperative society only; and

ix). In case of breach or termination of the contracts between parties, the service provider should not cause inaccessibility to the data until handover is due in a compatible format with other database applications.

CHAPTER THREE

3.0 INSTITUTIONAL FRAMEWORK FOR POLICY IMPLEMENTATION

This chapter presents institutional framework for policy implementation, it includes institutions responsible for implementation of this policy and monitoring and evaluation.

3.1 Institutions responsible for implementation of this Policy

Tanzania Cooperative Development Commission (TCDC) will oversee the implementation of this policy, while cooperatives and service providers shall be responsible for the implementation of this policy. The functions of each actor are as follows:-

3.1.1 Cooperatives

- i). Collect, store and update data in the System;
- ii). Ensuring that all data stored in the System are confidential;
- iii). Maintaining and protecting IT equipment;
- iv). Reviewing, understand and ensure that the protection policy is fully adhered;
- v). Communicating with the service providers TCDC when there are challenges in the use of system; and
- vi). Communicating with the TCDC when there are challenges to the implementation of the policy.

3.1.2 Service Providers

- i). Store data in the system;

- ii). Update the system to meet cooperatives' needs
- iii). Ensuring that all data stored in the system are safe and confidential;
- iv). To review, understand and ensure that the protection policy is fully adhered; and
- v). Communicating with the TCDC when there are challenges to the implementation of the policy.

3.1.3 Tanzania Cooperative Development Commission (TCDC)

- i). Coordinating, managing and monitoring of the implementation of this policy;
- ii). Evaluating the implementation of the data protection policy; and
- iii). Working on challenges posed by cooperative societies and service providers.

4.2 Monitoring and Evaluation

Monitoring and Evaluation (M&E) is essential for improving the implementation of the Data Protection Policy. Constant M & E shall provide an assessment of the effect and impact of the policy on implementation. The overall responsibility for monitoring the policy lies within the TCDC. The ICT Support Unit shall play a vital role in the assessment of the policy performance. A more focused systematic and well-defined reporting system that delineates functions of different actors in the course of policy implementation for evaluation shall be developed.

CHAPTER FIVE

COMPLIANCE AND EFFECT OF NON-COMPLIANCE OF THIS POLICY

The parties to this policy are subject to the compliance of the same to wit so failure shall render to legal redress. *The said legal redress shall be in accordance with the Personal data protection Act [CAP. 44], the Co-Operative Societies Act, Number 6 of 2013, and the Registrar's Circular Number 2 of 2022, the legislations which this Policy is made from.*

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