



Data Privacy Policy

Updated: February 2019

1. Introduction

Amakomaya Apps Pvt. Ltd., registered under the Nepal Company Act 2063 (2006) with its physical address at Kathmandu-2, Lazimpat, Shivabhaktamarga-304. Amakomaya provides a digital solution that is dedicated to recording and reporting maternal, newborn, child health, and immunization services provided by local health facilities in the community. It includes an Android app designed to educate and empower pregnant mothers and their families for a healthy and happy pregnancy.

2. Purpose

This Data Privacy Policy outlines the types of personal and health information collected by Amakomaya, the methods of data collection, storage, access, sharing, by ensuring the privacy and security of the data in compliance with the Nepal Privacy Act, 2075 (2018) and other applicable legislation and regulations of Nepal.

3. Data Collection

Amakomaya collects data through its android app and web platform. The data collected includes:

For Pregnant Mothers:

Full Name: To uniquely identify each user.

Last Menstrual Period (LMP) Date: To calculate the due date and provide relevant health information.

Address: To locate the user and provide geographically relevant health information and services.

Mobile Phone Number: For counseling, communication and follow-up.

Husband's Name: To involve family members in the health education process.

Previous Pregnancy History: To assess risk factors and provide tailored advice.

Blood Group: To prepare for any potential complications during pregnancy and childbirth.

Delivery Information: To record the birth details for future healthcare.

Child Health Information: To track the child's health and development.

Child Date of Birth: To provide age-specific health information and services.

Child Sex: For demographic analysis and health monitoring.

Child Immunization Information: To ensure the child receives all necessary vaccines.

Child Nutrition Information: To monitor and support the child's nutritional status.

For Health Workers:

Service Information: Details of the health services provided to pregnant mothers.

Health Status Updates: Regular updates on the health of pregnant mothers and their newborns.

Continuum of Care Records: Documentation of ongoing care and follow-ups.

4. Data Collection Entities

Data is collection or entered by:

Mothers and Family Members/Husband: Individual users of the Amakomaya app.

Health Workers and Program Supporting Partners: Users of the Amakomaya web app for entering detailed personal, demographic, and health data of mothers.

5. Data Access

Data is accessed by the following entities:

Mothers and Family Members (Husband): To access their own data.

Health Workers and Program Supporting Partners: To access individual line-listing data of pregnant mothers and their children, check their health status, push notifications, and create monthly reports of their work.

Local Level Government (LLG), District, Province, Federal Authorized Users, Partners, and Program Supporting Partners: To access aggregated data from each health facility for monitoring, assessment, and evaluation of the system periodically.

6. Data Sharing

Amakomaya shares collected data with other applications based on government decisions and legal arrangements. The data is shared using Fast Healthcare Interoperability Resources (FHIR) API with systems such as DHIS2, EMR, and National health Insurance System. This ensures interoperability and enhances the efficiency of health information exchange across different platforms.

7. Data Storage and Security

The Amakomaya application is hosted in the Nepal Government's Integrated Data Center (GIDC), Singhadurbar, Kathmandu. All software code and collected data are under government

control. The GIDC provides data backup facilities at the Makwanpur Hetuda Data Center. The security of the system is managed per GIDC system administrator by respecting all Nepal government's laws and policies, including regular security audits, encryption of sensitive data, and secure access controls.

8. Legal Basis for Processing Information

The legal basis for processing personal information in Amakomaya includes:

Consent: Obtained from users when they register and provide their information in the app.

Legal Obligation: Compliance with legal and regulatory requirements as stipulated by Nepalese law.

9. Disclosure of Personal Data to Third Parties

Amakomaya does not disclose personal data to third parties except under the following circumstances:

With Consent: When explicit consent is provided by the user.

Legal Requirements: When required by law or to comply with legal processes.

Public Health and Safety: To protect the health and safety of individuals or the public.

Government and Regulatory Authorities: As required for compliance with government and regulatory requirements.

10. App User Rights

Amakomaya App users have the right to:

Access: Request and obtain a copy of their personal data.

Rectification: Request corrections to any inaccuracies in their data.

Erasure: Request deletion of their data, subject to applicable laws and regulations.

Data Portability: Receive their data in a structured, commonly used, and machine-readable format and have the right to transmit that data to another controller.

Object: Object to the processing of their data under certain conditions.

11. Data Protection Measures

Amakomaya implements the following measures to protect personal data:

Regular Security Audits: Conducting periodic security audits to identify and mitigate potential vulnerabilities.

Data Encryption: Encrypting sensitive data to protect it from unauthorized access during transmission and storage.

Secure Access Controls: Implementing strict access controls to ensure that only authorized personnel can access personal data.

Data Anonymization: Anonymizing data used for reporting and analysis to protect individual privacy.

Data Backup: Regularly backing up data to ensure its availability and integrity in case of a disaster.

12. Data Privacy and Security Responsibility

The responsibility for data privacy and security is preserved by:

Amakomaya Apps Pvt. Ltd.: Ensuring compliance with all relevant data protection laws and regulations.

Nepal Government Data Center (GIDC): Managing the security of the system and data backup facilities.

Authorized Personnel: Only allowing access to data to authorized individuals and entities as per the legal and regulatory framework.

13. Data Ownership

Ownership: The data collected and processed by Amakomaya is owned by the individual users (pregnant mothers and family members) who provide their personal information through the app.

Custodianship: Amakomaya Apps Pvt. Ltd. serves as the custodian of the data, ensuring it is handled in accordance with legal and regulatory requirements.

Government Control: All software code and collected data are under the control of the Nepal Government, ensuring compliance with national data protection laws.

14. Compliance with Nepal's Data Protection Framework

In accordance with the Nepal Privacy Act, 2075 (2018), Amakomaya Apps Pvt. Ltd. complies with the following principles and requirements:

Data Minimization: Collecting only the data necessary for the specified purposes.

Purpose Limitation: Processing personal data only for the purposes for which it was collected.

Data Accuracy: Ensuring that personal data is accurate and up-to-date.

Storage Limitation: Retaining personal data only for as long as necessary to fulfill the purposes for which it was collected.

Security Measures: Implementing appropriate technical and organizational measures to protect personal data against unauthorized access, disclosure, alteration, or destruction.

Accountability: Ensuring accountability for compliance with data protection principles and demonstrating compliance with applicable laws and regulations.

15. Legal Provisions from The Privacy Act, 2075 (2018)

In accordance with The Privacy Act, 2075 (2018), Amakomaya Apps Pvt. Ltd. ensures:

Right to Privacy: Respecting the right to privacy of all individuals and ensuring that personal information is collected, processed, and used in a manner that respects individual privacy (Section 3).

Informed Consent: Obtaining informed consent from individuals before collecting or processing their personal data (Section 7).

Data Subject Rights: Ensuring that individuals can exercise their rights, including the right to access, rectify, and erase their personal data, as well as the right to data portability and the right to object to data processing (Sections 16-21).

Data Protection Officer (DPO): Appointing a Data Protection Officer to oversee compliance with data protection laws and address any data protection concerns (Section 26).

Breach Notification: Notifying relevant authorities and affected individuals in the event of a data breach that poses a risk to their privacy and personal data (Section 23).

16. Contact Information

For any inquiries or concerns regarding this Data Privacy Policy or data protection practices, users can contact:

Address: Amakomaya Apps Pvt. Ltd., Kathmandu-2, Lazimpat, Shivabhaktamarga-304, Nepal

Email: amakomaya2012@gmail.com

Phone: +977-15428090

17. Policy Updates

Amakomaya reserves the right to update this Data Privacy Policy as needed to reflect changes in legal requirements, technology, and our practices. Users will be notified of any significant changes through the app and our website.

By using the Amakomaya app and services, users agree to the terms outlined in this Data Privacy Policy.