GDPR LEGITIMATE INTERESTS ASSESSMENT

INTRODUCTION

This legitimate interests assessment (LIA) form outlines how the legitimate interests basis applies to personal data processing by Yorkshire Sport Foundation. It has been created from the ICO template with reference to the legitimate interests guidance. It consists of three tests:

1. Identify a legitimate interest
2. Show that the processing is necessary to achieve it
3. Balance it against the individual’s interests, rights and freedoms.

Individuals affected: Coaches, volunteers and other contacts in sports clubs and similar organisations
Level of data held: Personal, some sensitive (disability)
Type of Processing: Storage, contacting and event management
Purpose: Emailing newsletters, event invitations, access and other needs assessment
Impact: Users contacted through email.
Interest: Connecting, influencing and providing opportunities for people in south Yorkshire and West Yorkshire to become more active.

PART I: PURPOSE TEST

To assess whether there is a legitimate interest behind the processing.

• Why do you want to process the data?
  Manage newsletter circulation lists and events
• What benefit do you expect to get from the processing?
  Informing and raising skills of those working in sport/activity of relevant content through email and events.
• Do any third parties benefit from the processing?
  Only indirectly through promotion of news, events or event delivery
• Are there any wider public benefits to the processing?
  Increased health of public
• How important are the benefits that you have identified?
  Crucial to raising awareness and event delivery.
• What would the impact be if you couldn’t go ahead with the processing?
  Events would not go ahead.
• Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?
  Yes, PECR
• Are you complying with other relevant laws?
  Yes, where applicable
• Are you complying with industry guidelines or codes of practice?
  Yes
• Are there any other ethical issues with the processing?
  No

**PART 2: BALANCING TEST**

You need to assess whether the processing is necessary for the purpose you have identified.

• Will this processing actually help you achieve your purpose?
  Yes, it helps us connect, influence and provide sport and physical activity opportunities.
• Is the processing proportionate to that purpose?
  Impact is receiving emails that can be unsubscribed from
• Can you achieve the same purpose without the processing?
  No, the purpose is sharing data and managing events.
• Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?
  Data is collected and stored only for the purposes of contact

**PART 3: NECESSITY TEST**

Consider the impact on individuals’ interests and rights and freedoms and assess whether this overrides your legitimate interests.

First, use the [DPIA screening checklist](#). If you hit any of the triggers on that checklist you need to conduct a DPIA instead to assess risks in more detail.

No applicable triggers on DIPA Checklist

**Nature of the personal data**

• Is it special category data or criminal offence data?
  No
• Is it data which people are likely to consider particularly ‘private’?
  No
• Are you processing children’s data or data relating to other vulnerable people?
  No
• Is the data about people in their personal or professional capacity?
  Both
Reasonable expectations

• Do you have an existing relationship with the individual?
  No

• What’s the nature of the relationship and how have you used data in the past?
  We host details of their organisation in our directory

• Did you collect the data directly from the individual? What did you tell them at the time?
  Details were collected from public sources and partner organisations. They were contacted through email, with an option to unsubscribe.

• If you obtained the data from a third party, what did they tell the individuals about reuse by third parties for other purposes and does this cover you?
  Details were pooled by local partners and shared back as a bigger, public database

• How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?
  Data collected over 10 years, no changes relevant to email newsletters

• Is your intended purpose and method widely understood?
  Yes

• Are you intending to do anything new or innovative?
  No

• Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?
  No

• Are there any other factors in the particular circumstances that mean they would or would not expect the processing?
  No

Likely impact

• What are the possible impacts of the processing on people?
  They will receive emails

• Will individuals lose any control over the use of their personal data?
  No

• What is the likelihood and severity of any potential impact?
  Unlikely, minor

• Are some people likely to object to the processing or find it intrusive?
  Unlikely and they can subscribe at any point

• Would you be happy to explain the processing to individuals?
  Yes

• Can you adopt any safeguards to minimise the impact?
  Unsubscribe list steps further email
Can you offer individuals an opt-out?
Yes

**MAKING THE DECISION**

This is where you use your answers to Parts 1, 2 and 3 to decide whether or not you can apply the legitimate interests basis.

**Can you rely on legitimate interests for this processing?**
Yes

**Do you have any comments to justify your answer? (optional)**
Data used only to email individuals and manage events

LIA completed by: J Pratt

Date: 25 April 2018

Review date: 1 April 2019

**WHAT’S NEXT?**

Keep a record of this LIA, and keep it under review.

Do a DPIA if necessary.

Include details of your purposes and lawful basis for processing in your privacy information, including an outline of your legitimate interests.