Legitimate Interests Assessment Form

The LIA is a light-touch test complete in three parts.

It is not necessary to follow this exact process, but you can use this form to help assess whether legitimate interest can be applied to your processing of personal data.

You should complete and keep a record of this assessment to provide justification for your decision to use legitimate interest as a legal basis before you start processing the data.

|  |  |
| --- | --- |
| Asset Reference |  |
| Process Name / Description |  |
| Data Subject(s) |  |
| Nature of personal data processed |  |
| Special category, criminal offence or children's data? |  |
| Are the data assets recorded in the information asset register? |  |
| Process owner |  |
| Assessment Owner |  |
| Assessment Start date |  |
| Decision Date |  |

|  |  |
| --- | --- |
| **1) Purpose**: **identify the legitimate interest(s). Consider:** | |
| Why do you want to process the data – what are you trying to achieve? |  |
| Who benefits from the processing? In what way? |  |
| Are there any wider public benefits to the processing? |  |
| How important are those benefits? |  |
| What would the impact be if you couldn’t go ahead? |  |
| Would your use of the data be unethical or unlawful in any way? |  |
| Have you considered any Tribunal judgements/case law in identifying 'legitimate interests'? |  |
| **2) Necessity: apply the necessity test. Consider:** | |
| Does this processing actually help to further that interest? |  |
| Is it a reasonable way to go about it? |  |
| Is there another less intrusive way to achieve the same result? |  |
|  | |
| What is the nature of your relationship with the individual? Is it pre-exisiting and have you used their data previously? |  |
| How has the data been obtained? If supplied from a third party what did they tell the individual about reuse? |  |
| Do you have the means and processes to keep the information up to date. |  |
| Is any of the data particularly sensitive or private? |  |
| Would people expect you to use their data in this way? |  |
| Are you happy to explain it to them? |  |
| Are some people likely to object or find it intrusive? |  |
| What is the possible impact on the individual? |  |
| How big an impact might it have on them? |  |
| Are you processing children’s data? |  |
| Are any of the individuals vulnerable in any other way? |  |
| Can you adopt any safeguards and technical measures to minimise the impact? |  |
| Can you offer an opt-out? |  |

|  |  |
| --- | --- |
| **Decision** | |
| Outcome Date |  |
| Outcome |  |
| How was the outcome decided |  |
| Further Action |  |
| Next Review date |  |
| Agreed by |  |