

Legitimate Interest Assessment – Appendix 4

All personal data processing being undertaken based on legitimate interest requires a legitimate interest assessment (LIA). Answering the questions below will help you to decide whether or not legitimate interest is justifiable as your legal basis for processing. If at the end your decision is No, you must ensure that you have another lawful basis, or cease the processing activity.

For help and advice, please contact alex.tolley@peterborough-diocese.org.uk. Please also see the **Data Protection Policy** and the **Privacy Notice Policy** for further information.

Office	Bishops' Office, Bishop's Officers
Data to be processed	Data concerning spiritual directors held by the Bishop of Peterborough and the spirituality adviser on his behalf
Date assessment completed	27/01/2020

PURPOSE TEST	YES	NO	ADDITIONAL NOTES
1. Is there a specific reason for your processing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	To exercise bishop's legal and pastoral responsibilities as diocesan bishop; general oversight of ministry; responsibility to assess qualifications and suitability for any particular office or ministry within the diocese
2. Would there be an adverse impact (including to third parties) if the processing couldn't go ahead?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Suitable ministry with in the diocese and care of clergy in the diocese could not be assured without this processing.
3. Are you complying with other relevant laws, or codes of practice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
NECESSITY TEST	YES	NO	ADDITIONAL NOTES
4. Can you achieve the same purpose without the processing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
5. Can you achieve the same purpose by processing less data?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
BALANCING TEST	YES	NO	ADDITIONAL NOTES
6. Is it special category data or criminal offence data?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	All is special category on the basis that the information identified religious belief. There may be records on some files of criminal offence.

7. Is it data which people are likely to consider particularly 'private'?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. Are you processing data about children or vulnerable people?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Did you collect the data from the data subject directly?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Would the data subject reasonably expect your processing?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Expected that the bishop will adhere to his responsibilities under the Canons and ensure appropriate pastoral care of those who carry his licence.
11. Are there any risks to the data subject's rights and freedoms?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	All data is held securely in a paper only format by the bishop and on a password protected PC by the spirituality adviser
12. If Yes to question 11, have you adopted any safeguards to mitigate any risks?	<input type="checkbox"/>	<input type="checkbox"/>	.
13. Can you explain your processing to data subjects?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	In privacy notice which is sent out on receipt of data, or on change in way of processing data.
14. Does your processing legitimately override the interests of the data subject and any risks to their rights or freedoms?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	It is the only way to fulfil the bishop's canonical requirements effectively. However it does enable the ministry spirituality advisers
DECISION			
Can you use legitimate interests for your processing?			Yes

If you decide to go ahead with legitimate interests this assessment must be kept with the privacy notice that accompanies it, and the following section must be included in your privacy notice:

Privacy Notice - Legitimate Interest Assessment

I have a specific purpose with a defined benefit	To allow me to fulfil my responsibilities as chief pastor of the diocese and support and help develop your ministry, and the ministries of those for whom you act as spirituality advisers.
The processing is necessary to achieve the defined benefit.	The processing is the only way to effectively achieve this defined benefit.

The purpose is balanced against, and does not override, you the interests, rights and freedoms.	The processing allows me to provide appropriate care for you, as Bishop of the Diocese. Although this processing does override your interests, rights and freedoms, but doing so it allows me to help you effectively fulfil your ministry.
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For a copy of the full Legitimate Interest Assessment, please contact alex.tolley@peterborough-diocese.org.uk

Extract from Bishops' Office Retention Policy