



Legitimate Interests Assessment Form

Although it is not compulsory for an organisation to have a written record of an LIA, the ICO does state that this process does help demonstrate compliance in line with the College's accountability obligations under Articles 5(2) and 24 of the GDPR.

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

Department Name	Human Resources
Data Subject(s)	Employed Non-Academic Staff
Nature of personal data processed	Information provided during recruitment on CVs and college forms, including personal details, medical and financial banking details.
Special category, criminal offence or children's data?	Special category and on rare occasions disclosure of criminal offences.
Are the data assets recorded in the ROPAs?	Yes
Department Head	Marie Ruffle
Assessment Owner	Marie Ruffle
Assessment Start date	10 th October 2019
Decision Date	27 th April 2020

1) Purpose: identify the legitimate interest(s). Consider:

Why do you want to process the data – what are you trying to achieve?	To have accurate contact details and to comply with employment law requirements, e.g. Home Office for eligibility to work in the UK.
Who benefits from the processing? In what way?	Applicants benefit from their applications being considered in a fair, transparent and lawful manner. The College benefits from appropriate information on applicants including any special needs to be taken account in, for example, arranging interviews.
Are there any wider public benefits to the processing?	Yes. There is an interest in knowing that they are conducted fairly and in accordance with the relevant legislation on equality.
How important are those benefits?	Very important
What would the impact be if you couldn't go ahead?	We would not be able to make informed or fair decisions during recruitment.
Would your use of the data be unethical or unlawful in any way?	No
Have you considered any Tribunal judgements/case law in identifying 'legitimate interests'?	No

2) Necessity: apply the necessity test. Consider:

Does this processing actually help to further that interest?	Yes
Is it a reasonable way to go about it?	Yes
Is there another less intrusive way to achieve the same result?	No

3) Balancing test: Do the Individual's interests override the legitimate interest?

What is the nature of your relationship with the individual? Is it pre-existing and have you used their data previously?	In most cases there is no pre-existing relationship (some applications are internal). The College has a relationship with each individual during the period in which applications are considered (normally no longer than a few weeks or 1 year when including retention for unsuccessful applicants).
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	Relationships with successful applicants will last longer and be more multiplex.
How has the data been obtained? If supplied from a third party what did they tell the individual about reuse?	The data is obtained from the individual.
Do you have the means and processes to keep the information up to date?	Yes
Is any of the data particularly sensitive or private?	Yes, for example information relating to disability or health
Would people expect you to use their data in this way?	Yes
Are you happy to explain it to them?	Yes
Are some people likely to object or find it intrusive?	No.
What is the possible impact on the individual?	In the case of special category data (e.g. disability) they may receive reasonable adjustments to the interview procedure. In the case of criminal convictions, in extremis an offer may be withdrawn; this would follow an assessment by more than one recruiting manager of the College. Also in rare cases, membership of a proscribed organisation – if revealed during application – might lead to the withdrawal of an offer, again following due process by managers in College.
How big an impact might it have on them?	The impact would be minor except, potentially, in the very rare cases mentioned above
Are you processing children's data?	No.
Are any of the individuals vulnerable in any other way?	Very unlikely, though possible.
Can you adopt any safeguards and technical measures to minimise the impact?	Yes: restricting access and password protection.
Can you offer an opt-out?	No

Decision

Outcome Date	27 th April 2020
Outcome	Approved
How was the outcome decided	Reviewed by DPO
Further Action	N/A
Next Review date	April 2021
Agreed by	Roger Boden (DPO)