



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	College Office
Data Subject(s)	Students
Nature of personal data processed	Personal details of students from point of application, including health, visa and fee status information; records of on-course academic attendance and progress, including reasonable adjustments; records of participation in the College's governance and cultural life; data arising from financial and welfare support; information on meals and accommodation; contact details for emergencies. See Students ROPA for full details.
Special category, criminal offence or children's data?	Yes. Gender and, if disclosed, gender re-assignment. Personal details may include health and disability information. In very rare cases students will be required by the University to declare unspent criminal convictions.
Are the data assets recorded in the ROPAs?	Yes
Department Head	Alisdair Rogers
Assessment Owner	Alisdair Rogers
Assessment Start date	21 January 2019
Decision Date	

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

Why do you want to process the data – what are you trying to achieve?	The main aims of processing the data are: 1) to comply with the relevant legislation on equality, freedom of speech, harassment, health & safety, immigration, safeguarding, and data protection; 2) to be able to make reasonable decisions on individuals' behalf about teaching, accommodation, financial and welfare support; 3) to enable effective communication within the College
Who benefits from the processing? In what way?	The College benefits from complying with national legislation. The College community (which includes around 600 in residence) benefits from safeguarding and, more widely, being protected from the (admittedly very low) risk of harm from members convicted of criminal offences. Individual students benefit from being provided with appropriate support to learning and well-being.
Are there any wider public benefits to the processing?	Yes, including statutory compliance
How important are those benefits?	Substantially important. Several activities are absolutely necessary for the functioning of the College as an educational institution.
What would the impact be if you couldn't go ahead?	The College would not be able to carry out many of its basic functions or comply with national legislation.
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, processing is necessary for the fulfilment of the College's functions.
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?	Students are admitted to courses varying in length from nine months to four or more years. In some cases, where an undergraduate proceeds to a graduate degree or, because of suspension of status, the relationship lasts longer. During this time a student may reside in college-owned accommodation and participate in a range of college-based activities. Depending on their course the College may play a significant role in the provision of teaching or research support.
How has the data been obtained? If supplied from a third party what did they tell the individual about reuse?	Data is obtained from the individual, schools and referees, the University of Oxford, and, in some instances, third parties. We believe that third party data is compliant with the requirements of data protection.
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. Information on disability and health and, more rarely, gender reassignment and criminal conviction.
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?	Largely, no. The majority of special category data is disclosed at the individuals' discretion or is necessary for statutory compliance. Where possible, the College does offer an opt-out.
What is the possible impact on the individual?	The impact is beneficial to the individual. In the case of health and disability information it is used to make reasonable adjustments to, for example, accommodation or examination arrangements.
How big an impact might it have on them?	The impact may be small but nonetheless significant in, for example, University examinations
Are you processing children's data?	Yes, occasionally undergraduates are under 18 when they start their course. However, they would be regarded as competent under DPA legislation to exercise their own data protection rights.
Are any of the individuals vulnerable in any other way?	Some students may have mental health issues or disabilities.
Can you adopt any safeguards and technical measures to minimise the impact?	Yes, which have been adopted. These include restricting access, redaction, anonymization, encryption, and password protection.
Can you offer an opt-out?	No, except in relatively minor cases, e.g. public statement of examination results. Personal data on health and disability is disclosed only at individuals' discretion.



Decision

Outcome Date	30 January 2019
Outcome	Approved
How was the outcome decided	Reviewed by DPO
Further Action	N/A
Next Review date	January 2020
Agreed by	Roger Boden (DPO)