

Legitimate interests assessment (LIA) Farnworth Rose Solicitors.

Part 1: Purpose test

You need to assess whether there is a legitimate interest behind the processing.

- Why do you want to process the data?
 - What benefit do you expect to get from the processing?
 - Do any third parties benefit from the processing?
 - Are there any wider public benefits to the processing?
 - How important are the benefits that you have identified?
 - What would the impact be if you couldn't go ahead with the processing?
 - Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?
 - Are you complying with other relevant laws?
 - Are you complying with industry guidelines or codes of practice?
 - Are there any other ethical issues with the processing?
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- Farnworth Rose wish to process the data to send email marketing campaigns to existing clients and prospects who request a quote or information from the company.
 - We expect to benefit from increased sales and brand awareness.
 - The data subjects will benefit because they will continue to receive news, offer and discounts relevant to legal services.
 - There are no wider public benefits.
 - The benefits are very important, the company needs to promote itself in order to succeed and continue to employ staff. Data subjects benefit by improving their understanding of subjects that may otherwise cost them financially or otherwise e.g. the benefits of making a Will.
 - The impact would be decreased sales with subsequent risk to the business' future.
 - All data protection rules and PECR are being followed. All newsletters have an unsubscribe option on them and are managed through MailChimp.
 - All relevant laws are being complied with.
 - We are complying with the SRA rules.
 - There are no ethical issues with the processing

Part 2: Necessity 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?
- Is the processing proportionate to that purpose?
- Can you achieve the same purpose without the processing?
- Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?

- This processing will definitely achieve the purpose over the long term, raising awareness of the businesses and ensuring that we supply educational content to our clients.
- The processing is entirely proportionate to the purpose, we require an email address only.
- There is no other way to achieve the same purpose without the processing.
- Farnworth Rose process the minimum of data to achieve the purpose.

Part 3: Balancing test

You need to 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.

Nature of the personal data
<ul style="list-style-type: none">• Is it special category data or criminal offence data?• Is it data which people are likely to consider particularly 'private'?• Are you processing children's data or data relating to other vulnerable people?• Is the data about people in their personal or professional capacity?
<ul style="list-style-type: none">• DPIA screening checklist completed• There is no special category or criminal offence data involved.• The data is email address only, not considered particularly private.• Farnworth Rose does not process children's data• Farnworth Rose does not knowingly process data relating to vulnerable people.• The data is about people in their personal capacity and professional capacity.
Reasonable expectations
<ul style="list-style-type: none">• Do you have an existing relationship with the individual?• What's the nature of the relationship and how have you used data in the past?• Did you collect the data directly from the individual? What did you tell them at the time?• 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?• How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?• Is your intended purpose and method widely understood?• Are you intending to do anything new or innovative?• Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?• Are there any other factors in the particular circumstances that mean they would or would not expect the processing?

- Farnworth Rose do have an existing relationship with the individuals.
- The data subjects have either previously been clients of the company or have requested fee estimates or information on our services.
- The data is collected directly from the individual and our terms and conditions and quotes state that we use legitimate interests for the purpose of email marketing.
- No data is obtained through third parties.
- This is a new activity and the data will be collected monthly, no historical data is involved using the legitimate interested basis for processing data.
- The intended purpose and method is widely understood.
- Farnworth Rose are not intending to do anything new or innovative.
- There are no other factors that mean they would not expect the processing.

Likely impact

- What are the possible impacts of the processing on people?
 - Will individuals lose any control over the use of their personal data?
 - What is the likelihood and severity of any potential impact?
 - Are some people likely to object to the processing or find it intrusive?
 - Would you be happy to explain the processing to individuals?
 - Can you adopt any safeguards to minimise the impact?
- The possible impacts of processing would be the individuals finding the emails invasive, however this is minimal as they will they will receive a maximum of 15 emails per year and they can opt out at any point.
 - The individuals will not lose control over the use of their personal data
 - The likelihood of potential impact is very low and the severity is low.
 - The vast majority of people will not object to the processing or find it intrusive. It is likely that over a longer period of months and years gathering this data that some people will object but they will then be removed from the data permanently.
 - Farnworth Rose are happy to explain the processing to the individuals.
 - The impact will be minimised by sending the minimal amount of emails required to meet our purpose, with a maximum 15 per calendar year.

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)	
The data subjects have all been clients or prospective clients of the company. No historical data will be process under legitimate interests so all data subjects will recall their interaction with the company. All emails in the scope of this Legitimate Interests Assessment are sent with an unsubscribe link which promptly unsubscribes data subjects.	
LIA completed by	P Coombes
Date	30/10/2020

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.