

## Customer Relationship Management in Webster Court

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This legitimate interests assessment (LIA) template is designed to help you to decide whether or not the legitimate interests basis is likely to apply to your processing. It should be used alongside our [legitimate interests guidance](#).

### 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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- To provide the best care and support to our residents.
  - Reassurance that we are providing the right support by using the best information.
  - Sometimes we share data with other agencies and providers through Information Sharing Agreements, so these 3<sup>rd</sup> parties will benefit.
  - The processing enables us to evaluate and improve our services allowing us to contribute positively to a reduction in homelessness nationwide.
  - These benefits are essential to providing the right support to our residents in the 21<sup>st</sup> Century.
  - We would be unable to provide the right support to our residents.
  - GDPR plus the additional condition of 'health or social care' for processing special category and criminal offences data.
  - GDPR and Data Protection Act 2018.
  - NHS Data Security and Protection Toolkit (DSPT).
  - The increased risk of processing personal data concerning vulnerable individuals, including special category and criminal convictions data, which we reduce to a low residual risk by use of additional measures (see DPIA).



## Part 2: Necessity test

You need to assess whether the processing is necessary for the purpose you have identified.

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| <ul style="list-style-type: none"><li>• Will this processing actually help you achieve your purpose?</li><li>• Is the processing proportionate to that purpose?</li><li>• Can you achieve the same purpose without the processing?</li><li>• Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?</li></ul>  |
| <ul style="list-style-type: none"><li>• Yes, the processing enables us to provide the best care and support possible to our service users.</li><li>• Yes, we keep personal data, special category data and criminal convictions data only where necessary to provide the best care and support.</li><li>• No, the processing is essential to providing the best care and support.</li><li>• No, the data we process is kept to the minimum necessary to provide the best care and support.</li></ul> |

## 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**

- 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?

- It can sometimes include special category and criminal offence data.
- Yes, special category and criminal offence data is likely to be considered as particularly 'private'.
- We process data relating to vulnerable people, but not children.
- The data concerns people as private individuals.

### **Reasonable expectations**

- 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?

- Yes, we have an existing relationship with the individual.
- Our relationship with the individual is care-provider/cared-for in nature. We have used data in the past to provide the best care and support possible.
- We collect data directly from the individual, when we inform them that it will be used only to enable provision of the best care and support.
- risk information may be provided by a third party, for example Probation Services (for people on licence), who follow their own procedures on information sharing.
- Processing using the Log My Care system is kept under review with Log My Care to ensure we are using up-to-date techniques for processing the data and providing the best care and support.
- Our purpose, of processing to provide the best care and support, is widely understood. Log My Care is an established software developer in this sector.
- We are not intending to do anything new or innovative.
- Outputs from focus groups, key stakeholders and team members are used to review and propose updates to our system.
- We process the data in order to provide the best care and support to the homeless. This is explained at the outset so that individuals do 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?

- Possible impacts include individuals receiving the best care and support with a risk that, in the event of a data breach, their health & safety could be compromised and they could be vulnerable to identity theft.
- Only to the extent that St Martins use the data to provide the best care and support.
- It is very likely that individuals will receive the best care and support. The residual risks are all low after additional measures are applied.
- It is possible but not likely.
- Yes, we do explain the nature and need for our processing to every individual we support.
- We can and do use additional measures to reduce residual risk.

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| Can you offer individuals an opt-out? | Yes |
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## 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.

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| Can you rely on legitimate interests for this processing?   | Yes  |
| Do you have any comments to justify your answer? (optional)   |  |
| We believe that the above demonstrates that 'legitimate interests' is the most appropriate lawful basis for our processing because it fits with service users expectations, it has a minimal privacy impact, and the case for processing in this way is compelling. |  |
| LIA completed by  | Registered Manager Sheltered Housing (Webster Court) |
| Date  | 31 March 2022  |

## 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.