**Legitimate Interests Assessment Checklist**

If Legitimate Interests is used as the lawful basis for processing personal data (GDPR Article 6(e)), there are additional factors that have to be taken into consideration before embarking on the proposed processing. The Data Protection Impact Assessment (DPIA) process already examines the risks associated with the project but there are some points that need to be covered in more detail when legitimate interests are being used as the lawful basis for processing. Rather than completing a separate Legitimate Interests Assessment (LIA) form which would duplicate some of the points already covered in the DPIA, the checklist below should be used in conjunction with the DPIA form you are already completing (either long or short version) to ensure these additional points are covered on your existing form.

Please consider all the points in the checklist below and ensure that the text in your DPIA form addresses each of the relevant points. Please check each box once you have addressed the point, or mark ‘Not Applicable’ if it is not relevant to your project. It is suggested that most of these points are covered under questions 2 and 6 on the DPIA form but as long as the points are covered somewhere on the DPIA form it does not matter too much where they are addressed.

Please submit this completed checklist with you completed DPIA form to [data.projection@stir.ac.uk](mailto:data.projection@stir.ac.uk).

|  |
| --- |
| **2) Justification, purpose and necessity** |
| Will any third parties benefit from the processing; or  Not Applicable  Are there any wider public benefits to the processing; or  Not Applicable  What would be the impact if you couldn’t go ahead with the processing; or  Not Applicable  Are you complying with other relevant laws (including e-privacy/marketing); or  Not Applicable  Are you complying with industry guidelines or codes of practice; or  Not Applicable  Are there any other ethical issues with the processing; or  Not Applicable  Will the processing actually help you achieve your purpose; or  Not Applicable  Is the processing proportionate to that purpose; or  Not Applicable  Are there any other factors in the particular circumstances that mean individuals would or would not expect the processing; or  Not Applicable  Can individuals opt-out of the processing; or  Not Applicable  Do you have any evidence about expectations, e.g. from market research, focus groups or other forms of consultation; or  Not Applicable |

|  |
| --- |
| **6) Describe the Personal Data and Information flows** |
| If you obtained the data from third party what did they tell the individuals about reuse by third parties for other or  Not Applicable  and does this cover you;  How long ago did you collect the data? Are their any changes in technology or context since then that would or  Not Applicable  affect expectations;  Will individuals lose any control over the use of their personal data; or  Not Applicable |