

## Assessment of the Branch's legitimate interest in personal information

Of the six lawful bases for holding and processing personal information permitted by GDPR, only two are relevant to the Branch: Consent and Legitimate Interest.

ICO guidance describes 'legitimate interest' as the most flexible lawful basis for processing, but to use it we are required to identify a legitimate interest, show that the processing is necessary to achieve it and then balance it against the individual's interests, rights and freedoms.

This document assesses the Branch's legitimate interest in personal data and uses that to determine which of the types of personal data held by the Branch are subject to it, and which require formal consent for their use.

**Legitimate interest** – *We must identify legitimate interests that may include the Branch's own interests and/or the interests of third parties, and which may be commercial interests, individual interests or broader societal benefits.*

The Branch is a membership organisation that primarily exists for the benefit of its members. It is a semi-autonomous operating component of its parent body, the Oxford Diocesan Guild. It also recognises the interests and inter-dependence of the wider ringing community.

The Branch's functions include:

- Managing and administering membership
- Providing services (or facilitating the provision of services) to its members
- Encouraging the development of young ringers
- Providing ringing related information to its members
- Facilitating communication between its members and others on ringing related matters
- Contributing to the well being of the Guild and the wider ringing community.

**Necessity** – *We must consider whether we can reasonably achieve the same result in another less intrusive way.*

Managing and administering membership requires the Branch to know who its members are, when they joined or rejoined the Guild, when they paid subscriptions, their tower affiliation.

Good practice when dealing with members (or others) who are minors, includes appropriate involvement of, and communication with, the minor's parents or guardians. This requires knowing their names and contact details. The Branch also requires the young person's date of birth in order to know whether he or she is still a minor and should therefore be treated as such.

Providing services to members requires the Branch to be able to inform them about the services (training courses, ringing practices, etc). In some cases it may also need to communicate directly with them to make specific arrangements.

The proven most effective primary way to give members timely, useful information is by direct e-mail. The Branch uses a members mailing list that goes to almost all members (and some other interested parties). For the now very small number of members without e-mail the Branch communicates as best it can via the relevant tower correspondent, but this route is slower and less reliable than direct by e-mail to the member.

As well as information for members, the Branch also needs to send some information to the bands at local towers. Typically this relates to the management of towers, the Branch or the Guild. To enable this communication, each band designates one of its number to act as Tower Correspondent.

**Balance of interests** – *We must consider whether the data subjects would reasonably expect the Branch to use the information as it does, whether its use would cause them unjustified harm and whether their interests are likely to override the Branch's legitimate interests.*

**Members** (and others) will **reasonably expect** that the following will happen:

- Their name, information about membership, subscription payment and tower affiliation will be shared with the Guild and used to manage their membership.
- The Guild will list the names of ringers affiliated to each tower in its annual report.
- Their contact details will be used by the Branch to contact them about Branch activities, or other appropriate matters directly related to ringing.

- The Branch will not unreasonably disclose their contact details to third parties.
- E-mail addresses will be protected as far as technically possible.
- Branch (and Guild) officers who need to hold personal information will store and use it responsibly.

**Members** (and others) will **reasonably expect** that the following may happen:

- Names in the attendance book for an event may be read by anyone looking back over previous events.
- If they are present at a meeting and speak, then the minutes may record their name.
- Meeting minutes and records of other events may be published.
- Photos taken at event (eg an outing or striking competition) may be published
- People in published photos may be identified by name.

Members who have agreed to become a **Branch officer** or a **tower correspondent** will **reasonably expect** that:

- Their contact details (see below) will be published to enable them to be contacted.

**Young members** and their **parents** will **reasonably expect** that:

- The parents' contact details will be used to inform them about activity involving young ringers.
- The young person's date of birth will be used to determine whether he/she should be treated as a minor.

**Possible harm** from the use of contact details could include:

- The combination of land-line phone number and postal address can be used by thieves to target a home.
- A stolen e-mail address can be used as a target for spam.

**Protective measures** are in place to guard against both risks:

- Phone numbers given on the Branch website (tower correspondents and officers) are not accompanied by postal addresses.
- Private e-mail addresses are not published on the Branch website. The addresses published for tower correspondents and officers are generic addresses (eg secretary@sdb.odg.org.uk, twyford@sdb.odg.org.uk).
- The members mailing list hides recipients' addresses from the sender, and from other recipients. Personal addresses are only accessible to the list administrators.
- The Guild report publishes the address and telephone number of tower correspondents and the branch secretary, but the report is only available in paper form, distributed mainly to Guild towers, officers and some members. It can also be bought by other ringers.
- The Guild report has so far published personal e-mail addresses of tower correspondents, but better protection can be provided by replacing them with generic addresses in future reports.

## **Conclusion**

Given the above reasonable expectations, and the measures in place to protect the related personal information, the Branch can claim legitimate interest as the lawful basis for holding and using the personal information listed below.

### **Consent and opting out**

Where information is used for core functions like membership admin, there can be no opt out. For example, a member cannot decline to allow the Branch and Guild to record his or her name as a member.

Where contact information is used to deliver information about services to members, this is a part of the Branch's function and consent to be contacted by the Branch is implicit in becoming a member and providing contact details. However, a member may elect not to be informed about such services – for example, he/she may decline to supply an e-mail address for the members' mailing list. This is not desirable, but it would not prevent the Branch functioning fully for its other members. Therefore (ordinary) members may decline to provide an e-mail address, or they may ask the Branch to cease using one that has already been provided.

Members who accept a role within the Branch that requires them to be contactable, implicitly consent to their contact details being used for that purpose.

**For more detail** of data held, see the data status table. *\*\*Separate document\*\**