

# Oxford Diocesan Guild Data legitimate interest assessment

## Assessment of the Guild'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 Guild: 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 Guild's legitimate interest in personal data and uses that to determine which of the types of personal data held by the Guild are subject to it, and which require formal consent for their use.

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

The Guild is a membership organisation that primarily exists for the benefit of its members. It also recognises the interests and inter-dependence of the wider ringing community.

The Guild'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 Guild to know who its members are, when they joined or re-joined 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 Guild 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 Guild 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 Guild and Branches use member mailing lists that go to almost all members (and

some other interested parties). For the small number of members without e-mail the Guild and Branches communicate via the relevant tower correspondent or nominated proxy.

**Balance of interests** – *We must consider whether the data subjects would reasonably expect the Guild or 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 Guild or 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 between their Branch and 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 Guild or their Branch to contact them about Guild or Branch activities, or other appropriate matters directly related to ringing.
- The Guild or their Branch will not unreasonably disclose their contact details to third parties.
- E-mail addresses will be protected as far as technically possible.

**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 events (e.g. an outing or striking competition) may be published
- People in published photos may be identified by name, except minors.

Members who have agreed to become a **Guild officer, 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:

- Private e-mail addresses are not published on the Guild or Branch websites. The addresses published for tower correspondents and officers are generic addresses (e.g. secretary@odg.org.uk, membership@odg.org.uk).
- The mailing lists hide recipients' addresses from the sender, and from other recipients. Personal addresses are only accessible to the system administrators.
- Guild or Branch Publications which may include address and telephone number of Guild or Branch Officers and tower correspondents, may be available in paper form, distributed to Guild towers, officers and some members. They can also be viewed via a private, members' only, area of the Guild website, which is password protected.
- The Guild publications have previously published personal e-mail addresses of officers and tower correspondents, but better protection is now provided by replacing them with generic addresses.

## **Conclusion**

Given the above reasonable expectations, and the measures in place to protect the related personal information, the Guild 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 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 Guild's function and consent to be contacted by the Guild 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 decide not to receive some emails. Some emails will remain mandatory e.g. Membership renewal and some Guild notices.

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