**Legitimate Interests Assessment**

Data protection legislation requires that an appropriate [lawful basis](https://www.gla.ac.uk/myglasgow/dpfoioffice/guidanceforstaffandstudents/dataprotection/lawfulbasisforprocessing/) for the [processing](https://www.gla.ac.uk/myglasgow/dpfoioffice/guidanceforstaffandstudents/dataprotection/processingpersonaldata/) of personal data is identified and documented before the processing takes place.

A Legitimate Interests Assessment (LIA) is a three-part test used to determine whether Legitimate Interests applies to a data processing activity, and to justify and document the decision making when relying on Legitimate Interests as a lawful basis.

When relying on Legitimate Interests as a lawful basis, the University must demonstrate that:

* there is a clear purpose for processing the data (the Purpose test);
* it is necessary to achieve the purpose for processing (the Necessity test); and
* the interests of the University in processing the data are not outweighed by the interests, rights, and freedoms of the people affected by the processing (the Balance test).

**Completing the LIA**

The LIA is split into three parts based on the Purpose, Necessity, and Balance test.

1. Complete parts 1-3 below in as much detail as possible.
2. Document the outcome of the assessment in the ‘Making a decision’ section.
3. Save the completed LIA for future reference and keep it under review.

**Further information**

Please consult the Data protection & Freedom of Information (DP&FOI) Office’s [website](https://www.gla.ac.uk/myglasgow/dpfoioffice/).

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| Part 1: Purpose test |

What is the purpose for processing the data?

Note that Legitimate Interests cannot be used by the University in relation to personal data processing that falls within our public task, such as education or research activities.

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| Consider the following:* Why are you processing personal data?
* What are the benefits of the processing to the University?
* Are there any wider public benefits to the processing?
* Is the processing in the University’s interest or in the interest of any third parties?
* What would the impact be if you could not process the data?
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| Part 2: Necessity test |

Is the processing necessary for the purpose you have identified?

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| Consider the following:* Is the processing necessary to achieve the purpose identified above?
* Is there any other way to achieve this purpose?
* Is the processing proportionate to what you are trying to achieve?
* Can you process less data or process the data in a less intrusive way to achieve the same purpose?
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| Part 3: Balance test |

Consider the impact to the interests and fundamental rights and freedoms of the individuals affected by the processing, and whether these override the legitimate interests identified above.

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| Consider the following:* What is the **nature of the personal data** you want to process?

*Does it include* [*special category*](https://www.gla.ac.uk/myglasgow/dpfoioffice/guidanceforstaffandstudents/dataprotection/specialcategorydata/), *criminal convictions, or data about* [*children or vulnerable adults*](https://www.gla.ac.uk/myglasgow/dpfoioffice/guidanceforstaffandstudents/dataprotection/rightsofchildren/)*?)** What are the **reasonable expectations** of affected individuals?

*What is the University’s relationship with the individuals and is there a potential power imbalance? What were individuals told when you collected the data from them? Would they expect the processing to take place? Does the processing add value to a service they are using?** What is the **likely impact** of the processing on the individual, and can any safeguards be put in place to mitigate potential negative impacts?

*Would individuals object to the processing or find it intrusive? Will individuals lose control over their personal data through the processing?*  |
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| Making a decision |

This is where you use your answers to Parts 1, 2 and 3 to decide whether you can rely on Legitimate Interests as a legal basis to process personal data.

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|  Can you rely on legitimate interests for this processing activity?  | Yes / No |
| Do you have any comments to justify your answer? (optional) |
| LIA completed by |  |
| Date completed |  |