

LIA (PrimarySite)

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?

Why do you want to process the data? – PrimarySite is a means by which the Brierley Hill Primary School can contact those with parental responsibility. This may include information regarding a child's attendance, health and safety notices, school closure, school trip information, etc. It will use contact information obtained from the data subject which is stored in the school's management information system.

What benefit do you expect to get from the processing? – Those with parental responsibility will obtain information about their child in an efficient and timely manner.

Do any third parties benefit from the processing? – No.

Are there any wider public benefits to the processing? – It will ensure the health and safety and safeguarding of the child.

How important are the benefits that you have identified? – Brierley Hill Primary School has a duty of care respecting its children. It is important that those with parental responsibility receive the information in a timely and efficient way.

What would the impact be if you couldn't go ahead with the processing?

– Those with parental responsibility would not receive the information in a timely and efficient way. It would be less efficient with the possibilities of inconsistencies when it comes to parents either receiving or not receiving the information. It would also be more costly and less environmentally friendly. Ultimately it may impact on the school's duty of care in terms of keeping children safe.

Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)? –

The lawful basis in order to process personal data in line with the 'lawfulness, fairness and transparency principle is as follows:

6.1 (c) Processing is necessary for compliance with a legal obligation to which the controller is subject; e.g. health & safety and safeguarding

6.1 (e) Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller

6.1 (f) Processing is necessary for the purposes of the legitimate interest pursued by the controller or by a third party

The school has highlighted legitimate interests as the lawful basis by which it processes personal data. This is recorded in Privacy Notice (Pupil) Brierley Hill Primary School.

Are you complying with other relevant laws? - Health and Safety at Work Act, Safeguarding Vulnerable Groups Act, and Working together to Safeguard Children Guidelines (DfE).

Are you complying with industry guidelines or codes of practice? –

Department of Education guidance, ICO guidance and Safeguarding.

Are there any other ethical issues with the processing? – No. It is a process that has been in place for numerous years and parents accept and are happy with this communication method.

Part 2: Necessity test

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

- Will this processing actually help you achieve your purpose?
- Is the processing proportionate to that purpose?
- Can you achieve the same purpose without the processing?
- Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?

Will this processing actually help you achieve your purpose? - By Brierley Hill Primary School using the contact details from its management information system the parent will be assured that they will be receiving messages in a timely manner without leaving the responsibility of delivering important messages to the pupil.

Is the processing proportionate to that purpose? - The text messaging service will only be used to inform parents of school activities and issues which may impact on the child. The legitimate interest test will be identified as the lawful basis for processing personal data in the Brierley Hill Primary School Privacy Notice (Pupil).

Can you achieve the same purpose without the processing? - There is an expectation that parents will be updated in a timely manner about anything that will impact upon their child whilst they are at the school. The most appropriate method to provide parents with this information via PrimarySite which will ensure that important messages are delivered to parents without reliance on the child.

The school may, for example, post details of school closure on its website or via a local radio station. However, there is no guarantee that this information may reach those with parental responsibility in a timely manner.

Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way? - The text messaging service will only be using the contact details of those with parental responsibility obtained from Brierley Hill Primary School management information system.

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
<ul style="list-style-type: none"> ▪ 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?
<p>Is it special category data or criminal offence data? – PrimarySite will not be using special category data, i.e. race/ethnic origin and the health of an individual.</p> <p>Is it data which people are likely to consider particularly ‘private’? – A person’s text number or e-mail address is not necessarily available in the public domain and would be considered by many to be ‘private.’</p> <p>Are you processing children’s data or data relating to other vulnerable people? – No.</p> <p>Is the data about people in their personal or professional capacity? – No the personal detail relates to the persons e-mail address and text number.</p>
Reasonable expectations
<ul style="list-style-type: none"> ▪ 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 – e.g. 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?

Do you have an existing relationship with the individual? – Information is obtained from those with parental responsibility as part of the enrolment of the child to Brierley Hill Primary School. This information is collected via registration forms when a pupil joins the school, pupil update forms the school issue at the start of the year, Common Transfer File (CTF) or secure file transfer from previous schools.

What's the nature of the relationship and how have you used data in the past? – It is the child parent relationship. The information is processed and stored on the Brierley Hill Primary School management information system.

Did you collect the data directly from the individual? What did you tell them at the time? – Information was collected from those with parental responsibility for the enrolment of the child to Brierley Hill Primary School. There is an expectation by those with parental responsibility that the school will be contacting them respecting anything that may impact on their child.

PrimarySite obtains information from Brierley Hill Primary School management information system. This is highlighted in the school's Privacy Notice (Pupil).

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? – The information was not obtained from a third party.

How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations? – The information was collected when the child enrolled to Brierley Hill Primary School.

Is your intended purpose and method widely understood? – The lawful basis for processing personal data is highlighted in the Brierley Hill Primary School Privacy Notice (Pupil).

Are you intending to do anything new or innovative? – No

Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation? – Yes, Governor Consultation was undertaken.

Are there any other factors in the particular circumstances that mean they would or would not expect the processing? – There is an expectation that those with parental responsibility receive information in a timely manner about their child.

Likely impact	
<ul style="list-style-type: none"> ▪ 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? 	
What are the possible impacts of the processing on people? – Limited.	
Will individuals lose any control over the use of their personal data? – No.	
What is the likelihood and severity of any potential impact? – It would be minimal.	
Are some people likely to object to the processing or find it intrusive? – It is very unlikely.	
Would you be happy to explain the processing to individuals? – Yes	
Can you adopt any safeguards to minimise the impact? – The personal data is obtained from Brierley Hill Primary School management information system using the name of the parent and their text number and e-mail address where appropriate.	
Can you offer individuals an opt-out?	No

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.

Can you rely on legitimate interests for this processing?	Yes
Do you have any comments to justify your answer? (optional).	
<p>There is an expectation that parents will be updated in a timely manner about anything that will impact upon their child whilst they are at the school. The most appropriate method to provide parents with this information is via PrimarySite text/messaging service which will ensure that important messages are delivered to parents without reliance on the pupil.</p>	
LIA completed by	YourIGDPO Service
Date	6 th October 2020

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