## Legitimate Interest Assessment – AdaPT

Based on the ICO template

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| Part 1: Purpose test |

You need to assess whether there is a legitimate interest behind the processing.

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| * Why do you want to process the data?  |  | | --- | | This is part of a research project to collect anonymous client outcome data in order to allow analysis of the data and, ultimately, provide improved services to our members in relation to outcome measures.  In order to collect this information, BACP need to use an online system and it is necessary to process the personal data of users in order to manage licences and to ensure appropriate use of the system (licence and project management). |  * What benefit do you expect to get from the processing?  |  | | --- | | The processing will reveal whether or not using an online platform, in relation to outcome measures, is likely to be beneficial to our members. It should also help to identify any functions or processes that are particularly useful and whether there are any training needs in relation to using outcome measures effectively or the use of online systems. |  * Do any third parties benefit from the processing?  |  | | --- | | The research/processing should indicate whether or not outcome measures are beneficial to therapists and clients. This will ultimately be used to inform best practice in therapy. |  * Are there any wider public benefits to the processing?  |  | | --- | | As above |  * How important are the benefits that you have identified?  |  | | --- | | The benefits are important in order to provide clarity with regard to the way our members should use outcome measures as part of providing therapeutic services, and identify what training/support members may need to use outcome measures and/or an online platform. This could potentially lead to an improvement in the therapy our members provide to clients. |  * What would the impact be if you couldn’t go ahead with the processing?  |  | | --- | | BACP wouldn’t have the evidence to support their advice and guidance to members with regard to outcome measures. |  * Are you complying with any specific data protection rules that apply to your processing (e.g. profiling requirements, or e-privacy legislation)?  |  | | --- | | Not applicable in this case |  * Are you complying with other relevant laws?  |  | | --- | | No relevant laws known about, however, ethical processes related to research will be followed. |  * Are you complying with industry guidelines or codes of practice?  |  | | --- | | See above with regard to ethical processes |  * Are there any other ethical issues with the processing?  |  | | --- | | This is covered by the ethical documentation supporting the research | |

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| Part 2: Necessity test |

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| * Will this processing actually help you achieve your purpose?  |  | | --- | | Yes – the processing will help to provide evidence with regard to the use of outcome measures (this data is not readily available from those working in private practice) |  * Is the processing proportionate to that purpose?  |  | | --- | | Yes – the client data (outcome measures) is anonymous to everyone but the therapist. User data is only processed where it is required by Manyother to administer the online platform. BACP only process personal data to manage system licences and to manage the project. |  * Can you achieve the same purpose without the processing?  |  | | --- | | No – as the data is not readily available |  * Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?  |  | | --- | | No – consideration has been given to the data being collected and processed. | |

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| Part 3: Balancing test |

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| **Nature of the personal data** |
| * Is it special category data or criminal offence data?  |  | | --- | | No – only personal data is processed as any client related data is anonymised. |  * Is it data which people are likely to consider particularly ‘private’?  |  | | --- | | No – please see above |  * Are you processing children’s data or data relating to other vulnerable people?  |  | | --- | | No – any data relating to clients or others not classed as system users is anonymised. |  * Is the data about people in their personal or professional capacity?  |  | | --- | | Professional – this is because the personal data relates to members of BACP using the system. | |
| **Reasonable expectations** |
| * Do you have an existing relationship with the individual?  |  | | --- | | Yes – individuals put themselves forward to become part of the project. |  * What’s the nature of the relationship and how have you used data in the past?  |  | | --- | | Existing members of BACP. The data being collected has not been processed previously. |  * Did you collect the data directly from the individual? What did you tell them at the time?  |  | | --- | | The data is collected directly from the individual. Manyother are responsible for providing a privacy notice for system usage. BACP provide a privacy notice before the data is processed with regard to licence and project management. Manyother and BACP also inform system users that information is passed from Manyother to BACP for licence and project management purposes. |  * 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?  |  | | --- | | Not applicable |  * How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?  |  | | --- | | It is unlikely there are changes that would affect expectations with regard to this project. |  * Is your intended purpose and method widely understood?  |  | | --- | | Yes – the information is included in the privacy notice |  * Are you intending to do anything new or innovative?  |  | | --- | | No, processes use standard technology and solutions |  * Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?  |  | | --- | | Processing is done in accordance with BACP’s research processes and guidance. |  * Are there any other factors in the particular circumstances that mean they would or would not expect the processing?  |  | | --- | | No | |
| **Likely impact** |
| * What are the possible impacts of the processing on people?  |  | | --- | | The impact is likely to be minimal because the information processed is restricted to limited personal data. |  * Will individuals lose any control over the use of their personal data?  |  | | --- | | No – individuals will be allowed the opportunity to withdraw from the project, at which point their personal data will be removed from BACP systems and the online platform. |  * What is the likelihood and severity of any potential impact?  |  | | --- | | We feel it is unlikely that any impact will occur and believe any impact that did occur would be of low severity given the nature of the data. |  * Are some people likely to object to the processing or find it intrusive?  |  | | --- | | No – the data being processed is limited |  * Would you be happy to explain the processing to individuals?  |  | | --- | | Yes – it is explained within the relevant privacy notices |  * Can you adopt any safeguards to minimise the impact?  |  | | --- | | Yes – processes will be designed using BACP’s Data Protection Checklist to help ensure a reduced risk of any incidents. |  * Can you offer individuals an opt-out?  |  | | --- | | Yes – please see details above. | |

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| 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.

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| Can you rely on legitimate interests for this processing? | | Yes |
| Provided that client information stored on the Pragmatic Tracker system is anonymous, it is unlikely that any impactful personal data will be processed.  If participants are provided with an accurate and sufficient privacy notice, it is likely that legitimate interest is an appropriate legal basis in this case. | | |
| LIA completed by | Data Protection Lead and Senior Research Fellow | |
| Date | 1 Jul 21 | |