

Using data for Legitimate Interest purposes



This document provides an overview of the instances when we we rely on 'Legitimate Interests' as a GDPR lawful basis to process personal data. It also sets out a person's data protection rights when this lawful basis is used.

Background

The UK GDPR sets out several lawful reasons which allow an organisation to use information about identifiable living individuals (personal data), one of which is called 'Legitimate Interests'. When an organisation uses or shares personal data for the purposes of a legitimate interest it should be transparent about it.

Our reliance on 'Legitimate Interests'

We can rely on 'Legitimate Interests' as a lawful basis to use personal data when there is an organisational, third party or wider societal interest. In using this basis, we ensure there is a limited privacy impact and people generally expect us to use data in this way. We rely on 'Legitimate Interests' as a lawful basis in the following circumstances:

Communicating

- To effectively respond to correspondence which has been instigated by members of the public and professionals acting on behalf of that individual
- To organise and run focus groups and events which are used to provide a collective view on topics of interest. This involves very minimal processing of personal data
- When managing social media responses in the form of comments and on the private messaging function which is on the main police social media accounts.
- To inform employees of force activity, local and national issues, and changes in policy
- To allow individuals to be notified when roles become available within the Constabulary that match their set criteria
- To allow individuals to register their interest to attend an event held by the Constabulary (i.e. recruitment webinars/promotion seminars).

Promoting what we do

- When publishing some photos and videos, such as at an event
- When publishing educational or informative articles

- To share court results and convictions with members of the organisation. This is to highlight, inform and educate staff on cases which have concluded and highlight positive work undertaken by Officers in these cases.

Disclosures

- When responding to some requests from the insurance industry for the purposes of helping the insured person to settle their claim
- When responding to requests made from a legal representative so that they can provide their client with legal advice and support them with civil proceedings.

Research and Statistics

- To improve services to the public and reduce crime. This can also include disclosures to other organisations including HMICFRS and local authorities (road accidents etc.)
- When sharing statistical data about protected characteristics where there is no direct public task
- For trends and projects e.g. bail statistics, performance related, looking internally to support the force in performance management
- When employees voluntarily complete a dyslexia screening tool. This enables our employees to work to their best potential.

Administrative

- To process requests for corporate printing from any internal department
- To facilitate the delivery and posting of letters, documents and parcels between internal departments / sites as well as external via the postal service
- To maintain and administer employee sports and recreational memberships
- For members of the public to support policing via Community Speed Watch initiatives.

Property Management and Security

- To utilise CCTV around police buildings and police vehicles for the safety and security of police personnel and premises
- When adding ID photographs to internal systems such as outlook. This further supports security of the building and the personnel inside it
- To ensure the operational effectiveness of the fleet through loss recovery following road traffic collisions involving the Constabulary's fleet
- To make note of those purchasing vehicles sold at auction (end of life vehicles) in order to recover costs
- To monitor employees driving quality and fuel consumption allowing for improvements such as fleet utilisation and efficiency.

Legal

- To handle the defence against civil litigation claims made against the organisation

- To provide legal advice to all members of the organisation on a wide range of topics. This is also within the public interest as without proper legal advice the Constabulary may fail to act appropriately in its duties resulting in negative reputational and financial impacts on the organisation as a public resource.

Your rights when we use ‘Legitimate Interests’ as a lawful basis

You have the right to object to us using your personal data where we have relied on ‘Legitimate Interests’ as a lawful basis to do something with your data. Where objection is upheld, you also have a greater right to ask us to erase or restrict use of your data.

You can contact our Data Protection Officer to exercise these rights via email (requests@cheshire.police.uk) or telephone (01606 362384). In doing so, you will need to explain the grounds relating to your particular situation.

Last Updated: April 2022