



VENTNOR MARINA MOORERS ASSOCIATION

Ventnor Marina, Calcutt Lane, Stockton, Rugby, Warwickshire, CV23 8HY

LEGITIMATE INTEREST ASSESSMENT

The Association was formed to:

- promote recreational boating;
- represent the interests of members jointly or individually as berth holders at Ventnor Marina;
- keep berth holders informed on any matters relating to their interests within Ventnor Marina;
- promote such services, facilities and social events for members as may be determined.

The Association collects and processes personal data for the following reasons:

1. To provide a voluntary service for the benefit of moorers at Ventnor Marina as specified in the constitution;
2. To administer membership records;
3. To manage volunteers;
4. To maintain the Association's accounts and records ;
5. To run events and activities with due regard to Health and Safety;
6. To inform people of news, events and activities which are believed to be in line with the aims of the Association.

The Data Controller is the Officers and Committee of the Association collectively.

IDENTIFYING A LEGITIMATE INTEREST	Answer	Comments/Notes
1. What is the purpose of the processing operation?	To meet the objectives of the Association	In the main, the legal basis for processing personal data is 'contract' as people give a consideration (eg their subscription) in return for which they are provided with membership service.
2. Is the processing necessary to meet one or more specific organisational objectives?	Yes.	In order to provide social events for members we need to know how many people are likely to attend, to prepare Health and Safety evaluations, collect attendance fees for different categories of attendees in accordance with the rates for particular events. We rely on volunteers to help organise events and activities and all the Officers and Committee members of the Association are volunteers who have been elected by the membership.

THE NECESSITY TEST	Answer	Comments/Notes
3. Why is the processing activity important to the Data Controller?	We would not be able to meet the objectives of the Association if the data was not processed.	
4. Why is the processing activity important to other parties the data may be disclosed to?	<ol style="list-style-type: none"> 1. Insurance company & advisers – would not be able to fulfil contractual obligations to the Association. 2. Emergency Services /Harbourmaster & staff at Ventnor Marina – to assist them in performing their obligations to the individual. 	Disclosure of personal data to Emergency Services/Harbourmaster & staff at Ventnor Marina in some emergencies would be considered to be protecting the vital interests of the individual or of another individual. For example, Members' boats may display a badge indicating that they are members of the Association and the Association might be asked for contact details due to a Member's boat being in difficulty or a Member having an accident at a lock.
5. Is there another way of achieving the objectives?	No	

THE BALANCING TEST	Answer	Comments/Notes
6. Would the individual expect the processing activity to take place?	Yes – they have either chosen to join the Association or chosen to attend an event or activity organised by the Association	
7. Is the processing likely to negatively impact on the individual’s rights?	No	
8. Is the processing likely to result in unwarranted harm or distress to the individual?	No	
9. Would there be a prejudice to the Data Controller if processing does not take place?	Yes – the Data Controller would not be able to fulfil their obligations as elected Officers and Committee of the Association	
10. Would there be prejudice to the Third Party if processing does not happen?	Yes – The third parties (1) & (2) identified above would not be able to fulfil their obligations to the Association.	
11. Is the processing in the interests of the individual whose personal data it relates to?	The Data Controller believes it to be.	
12. Are the legitimate interests of the individual aligned with the party looking to rely on their legitimate interests for processing?	The Data Controller believes them to be.	
13. What is the connection between the individual and the organisation?	The individual has chosen either: <ul style="list-style-type: none"> • to join the Association, and/or • attend an event or activity organised by the Association 	
14. What is the nature of the data to be processed?	<ul style="list-style-type: none"> • name, and/or • contact details; and/or • boat name; and/or • photos taken at an event or activity organised by the Association 	No Special Categories of Personal Data are processed.
15. Is there a two-way relationship in place between the organisation and the individual whose personal information is going to be processed?	Yes – the Association was formed to serve the interests of the Members and to provide events and activities of moorers generally at Ventnor Marina.	
16. Would the processing limit or undermine the rights of individuals?	No	
17. Has the personal information been obtained directly from the individual, or obtained indirectly?	In the main the personal information has been obtained directly from the individual. Examples of where information may have been obtained indirectly are if one person has provided the names of some people expecting to attend an event; where someone has provided a photograph of an event.	
18. Is there any imbalance in who holds the power between the organisation and the individual?	The individual has no choice regarding how the data is processed but membership of the Association is voluntary as is attendance at any event or activity organised by the Association.	
19. Is it likely that the individual may expect their information to be used for these purposes?	Yes	

THE BALANCING TEST - continued	Answer	Comments/Notes
20. Could the processing be considered intrusive or inappropriate? In particular, could it be perceived as such by the individual or in the context of the relationship?	The Data Controller does not believe it would be.	
21. Is a fair processing notice provided to the individual, if so, how? Are they sufficiently clear and up front regarding the purpose of the processing?	Membership application forms have the Data Privacy Policy on the reverse. The Data Privacy Policy is available on the Association’s website. A copy of the Data Privacy Policy is displayed in the Moorers’ Lounge at Ventnor Marina. All e-mail communications from the Secretary of the Association contain a link to the Data Privacy Policy.	Not currently in place, pending review of the Data Privacy Policy by the Committee. Will be in place by 25 May 2018
22. Can the scope of the processing be modified to reduce/mitigate any underlying privacy risks or harms?	No	

SAFEGUARDING AND COMPENSATING CONTROLS

Access to the data is restricted so that only the Officers and Committee Members who need to hold information do so. For example:

- access to the full membership records is restricted to the Secretary of the Association;
- access to the accounting records of the Association is restricted to the Treasurer and the Secretary;
- access to the Association’s Mailchimp account is restricted to Secretary and the Communications Officer;
- access to the Association’s closed Facebook group is by invitation only using an e-mail address supplied by the Member.

In the event of the absence or illness of an Officer or Committee Member with access to personal data, another Officer or Committee Member may access personal data not normally available to them. All Officers and Committee Members are required to sign a Data Handling Undertaking.

Members are given a unique identifier and can use this to identify their membership subscription renewals.

OUTCOME OF ASSESSMENT

Having worked through this assessment, I believe that Legitimate Interest is a valid, legal basis for processing the personal data indicated in (1) to (5) at the beginning of the assessment where such data is not processed on a contract basis. In reaching the conclusion I have taken account of the reasonable expectations of an individual joining the Association and/or attending an event or activity organised by the Association (Questions 6 - 8); the balance of power between the Data Controller and the individual (Questions 6, 11 - 13, 15, 19 & 21) and the potential impact on both the individual and the Data Controller of the data processing (Questions 3, 5, 7 – 9 & 16 - 19)

Signed: _____ Date: _____
 GILLIAN CHAPPLE – Secretary, Ventnor Marina Moorers Association