Sample LIA template for media relations

This legitimate interests assessment (LIA) template is designed to help you consider legitimate interests as a basis for processing for a small PR agency doing media relations activity. Please also refer to the [full template provided by the ICO](https://ico.org.uk/media/for-organisations/forms/2258435/gdpr-guidance-legitimate-interests-sample-lia-template.docx) and use this to complete your own.

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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? * 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? |
| The purpose of the data processing is to maintain a database of journalists and other influencers so that the agency may contact them with relevant information. This is the core part of an activity known as ‘media relations’.  The agency benefits by using the data to share relevant information and content with the data subjects in order to gain media coverage for the agency’s clients.  There are wider public benefits. The agency helps keep journalists and other influencers informed of what is going on in their industry. The agency also helps clients, small and large, have access to the media. Access to the media is an important part of a well-functioning democracy.  These benefits are commercially vital for the agency as it enables it to do the media relations work it is engaged to do for its clients. Beneficial for the data subjects as they are alerted to relevant information which helps them do their jobs.  The data will not be used in any unethical or unlawful way. |

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| Part 2: Necessity test |

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

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| * 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? |
| This processing helps us achieve our purpose and is reasonable and proportionate.  The same purpose could not be achieved without the processing. There is no practical way of achieving the same purpose in another way. |

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| 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](https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/accountability-and-governance/data-protection-impact-assessments/). If you hit any of the triggers on that checklist you need to conduct a DPIA instead to assess risks in more detail.

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| **Nature of the personal data** | |
| * 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? | |
| It is not special category or criminal offence data and the data is not likely to be considered particularly ‘private’.  We are not processing children’s data  Data is about people in their professional capacity. | |
| **Reasonable expectations** | |
| * 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 – eg 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? | |
| In many cases an existing relationship exists between us and individual data subjects.  Journalists and other influencers expect their details to be processed by PR agencies and the purpose is widely understood. This practise is known as ‘media relations’ and has been common for many years. Nothing has changed in technology or context that would affect this expectation.  Data is kept up-to-date and third-party sources are GDPR compliant and have notified data subjects that their data will be shared with us. | |
| **Likely impact** | |
| * 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? | |
| Data subjects are likely to receive communications by email, telephone and social media from members of the agency’s team.  The impact can be beneficial when communications from PR professionals are appropriate to the topics the data subjects cover. Potentially distracting when communications are not relevant.  Some people may object very occasionally, usually if the information provided by the agency turns out to be not relevant to a particular individual at a given time.  We would always be happy to explain our processing to individuals.  To minimise impact we can ensure that data is kept up-to-date and our team makes reasonable efforts to send only relevant information and content to data subjects. | |
| Can you offer individuals an opt-out? | **Yes** / No |

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| What’s next? |

Please refer to the ICO’s [template](https://ico.org.uk/media/for-organisations/forms/2258435/gdpr-guidance-legitimate-interests-sample-lia-template.docx) to complete your own LIA specific to each process your business undertakes where you consider legitimate interests to be the appropriate basis for processing personal data.

*This sample is provided by ResponseSource as general guidance for the PR community only and does not represent legal advice.*