

Legitimate Interest Test – November 2024

National Association of Boat Owners

LEGITIMATE INTEREST ASSESSMENT

1. Purpose

The purpose of this document is to record the rationale for the National Association of Boat Owners (“the association’s”) determination that it has a legitimate interest in the processing of a limited amount of its members’ personal data.

2. Legitimate Interest

Article 6(1)(f) of the GDPR provides a lawful basis for processing where: “processing is necessary for the purposes of the legitimate interests pursued by the controller or by a third party except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data, in particular where the data subject is a child.”

Legitimate Interest is therefore an appropriate justification for processing people’s data when:

- they have a reasonable expectation that it will be used in a specific way;
- its use will have a minimal privacy impact;
- there is no other, less intrusive, way to achieve the required outcome.

3. Data Processing

The association uses personal data to enable it to pursue its aims and objectives. It processes data for the following purposes:

- To fundraise and promote the interests of the association;
- To inform members of news, events, and activities;
- To distribute news letters and relevant information;
- To manage volunteers;
- To maintain accounts and records;
- To administer membership records.

The personal data that the association processes has been defined following a data audit, which is documented separately. The association does not process any data except for the purposes set out above. The association does not pass on any information it holds to third parties. The association retains data in accordance with the guidance set out within UK’s Data Protection Legislation. Specifically, the association retains membership data and associated paperwork for up to 1 full tax year after the calendar year to which they relate. Any member may ‘opt out’ of receiving communications other than for membership from the association, by communicating their wishes to the Committee.

4. Reasonable Expectation

The association assesses that its members will have a reasonable expectation that their data will be used for the purposes set out in Section 3 above for the following reasons:

- All members of the association have joined it voluntarily.
- In joining the association, the members fill out a form in which they voluntarily provide the personal information that will be processed.
- The association does not supplement this data with other data obtained from other sources.

5. Necessity

It is necessary that the association processes its members' personal data in a proportionate manner in order that the association can full it's objectives.

6. Balance of Interests

Having determined that it has a legitimate interest in processing its members data, the association must balance this interest against those of the individual.

The association has judged that:

- no harm will come to any individual member through its processing of such data;
- that such processing is not intrusive;
- it does not process children's data;
- that the provision of selective 'opt out' ensures that members can withdraw their consent to specific data processing at any time.

The association therefore the balance of interest is in favour of such processing. It will carry out periodic reviews of this assessment at not less than five-yearly intervals.

David Fletcher

NABO Data Controller

November 2024