



Northern Ireland
Housing Executive

Retirement Association

Legitimate Interests Assessment (LIA)

Version 0.1 1st August 2023
Version 0.2 10 September 2023
Version 0.3 3rd October 2023

Lawful basis for processing – Legitimate Interests Assessment (LIA)

The NIHE Retirement Association (hereafter referred to as The Association) has evaluated the lawful basis for processing your information as “Legitimate Interests”. This is defined in Article 6(1)(f) of the regulations.

A Legitimate Interests Assessment has been completed and this document examines the following areas:

- Purpose test – is there a legitimate interest behind the processing?
- Necessity test – is the processing necessary for that purpose
- Balancing test – is the legitimate interest overridden by the individual’s interests, rights or freedoms?

Purpose Test

The Association has determined that the specified information is required to manage The Association on behalf of its members. This information is in addition to the member’s information which is managed by the NIHE on behalf of The Association. This includes membership records including subscriptions paid and in connection with the running of The Association (this would include AGM minutes and attendance records).

Necessity Test

To function the officers of The Association must be able to hold and process information relating to the members, if this were denied The Association would cease to function due to the inability to process membership or maintain financial or historical records.

Balancing Test

- Interests – by being a member of The Association members have an expectation that their interests will be managed by the officers of The Association. In this case their interests are enhanced rather than eroded by having legitimate interest as a processing basis. Member’s rights are considered for example by using the members permissible communication method.
- Freedoms – no impact to a member’s freedoms is known. The only information held is their name, address, e-mail address, telephone number and date of leaving and poses no risks to the member’s freedoms or legal rights.
- Rights – Members rights have been considered against those defined in the Regulations

The right to be informed

The Associations Privacy Notice details what information is collected, the basis for processing, who it is shared with, why it is collected and how long it will be kept

The right of access

Any member can make a subject access request to The Association

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| The right to rectification | Any member can advise the Secretary of any corrections |
| The right to erasure | This right is not absolute and in this it will be refused as a name will remain on historical records as having been a member |
| The right to restrict processing | This right allows an individual to restrict processing if the information is incorrect. Such requests will be limited to the time taken to rectify inaccuracies in the member's data |
| The right to data portability | This right does not apply in this case |
| The right to object | Members have the right to object to processing based on a legitimate interests legal basis. This will be assessed by The Association's officers. Whilst each case will be assessed on the member's situation it would be expected that this would not be viable. |
| The right not to be subject to automated decision making including profiling | The Association does not carry out any automated decision making or profiling |

Considering the member's rights the impact is minimal and the member's rights do not override the Legitimate Interest.

In summary the balancing test has only identified minor restrictions on member's rights and these do not, in the opinion of the officers, override Legitimate Interests as a legal basis for processing.

In this case the process is necessary for the purposes of the Legitimate Interests pursued by the controller, The Association, to manage your membership of The Association. As such we do not need your consent to process your information as specified in the Privacy Notice whilst you are a member of The Association.

Full details of the purposes for which the information will be processed are detailed in the Privacy Notice.