

GDPR - Legitimate Interests Assessment (LIA)

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| Title | GDPR - Legitimate Interests Assessment (LIA) | | | |
| Description | Statement of Legitimate Interests | | | |
| Created by | Mike Moore | | | |
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Purpose

Our purposes range from the taking of photos, displaying photos at events for customers to view, making photos available on our website for purchase after an event, storing the photos, registering customers at events, registering customers on our website, ongoing emails regarding offers and discounts.

Each purpose is considered in its own right and the same process is undertaken. When considering the company's Legitimate Interest, we ask the following questions to determine what level of interest exists for the purpose intended.

a) Identifying the Legitimate Interest

- Why do we want to process the data?
- What are we trying to achieve?
- Who benefits from the processing? In what way?
- Are there any wider public benefits to the processing?
- How important are those benefits?
- What would the impact be if we couldn't go ahead?
- Would our use of the data be unethical or unlawful in any way?

b) Conducting a Necessity Test

- Does this processing actually help to further that interest?
- Is it a reasonable way to go about it?
- Is there another less intrusive way to achieve the same result?

c) Conducting a Balancing Test

- What is the nature of our relationship with the individual?
- Is any of the data particularly sensitive or private?
- Would people expect us to use their data in this way?
- Are we happy to explain it to them?
- Are some people likely to object or find it intrusive?
- What is the possible impact on the individual?
- How big an impact might it have on them?
- Are any of the individuals vulnerable in any other way?
- Can we adopt any safeguards to minimise the impact?
- Can we offer an opt-out?



Definitions

DE Photo (Franchising) Ltd (referred to as the company here after) incorporates the following brands and websites:

DE Photo www.dephoto.biz
DE Events www.events.dephoto.biz
DE Schools www.schools.dephoto.biz www.myschool.photos
DE AllStars www.allstars.dephoto.biz

Personal Data

Photographic Images taken by the company are considered personal data and;

- a) are processed lawfully, fairly and in a transparent manner in relation to individuals;
- b) collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
- c) adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed;
- d) processed in a manner that ensures appropriate security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Business Interest

The company is an event photography company who provides digital images in both electronic and printed formats. Photos are only taken during public events in our role as the appointed official photographers to the specific event organisers. Photos are made available for purchase during the public event and can also be viewed and purchased post-event from the company website.

Due to the restricted circumstances surrounding events in public places, the company is not in a realistic position to obtain prior consent nor able to identify any data subjects beyond the photographic image itself. Therefore, the photo is a necessity for customers to identify themselves or their children, without which no identification by the customer would be possible.

Every effort is made by the company to ensure that the event organiser notifies participants and spectators of the presence of an official photographer both prior and during the event.

Public's Interest

Since its establishment in 2002, the company has sold over 4 million photos and during that period has received 5 requests for removal of images. This demonstrates that the products, services and methods of purchase we provide are proven to be in the public's interest, without which our customers could not enjoy the cherished moments captured by our photographers.



Protecting your Privacy

The company respects your privacy and individual rights and will remove images from a display at the event upon legitimate request or from our websites by sending an email to removal@dephoto.co.uk

During an event what Personal Data does the company process?

- a) Photographic Images and age groups for classification
- b) No other data is captured in conjunction with the taking of photographic images unless specifically requested to do so by the customer. For example, where the customer requests personalisation of a photo. In these instances, no data is stored and only used for the purposes of the photo requested.
- c) Customers may volunteer their personal data in order to be kept informed of the availability of the event photos post-event. In these instances, we collect the customer's name and email address.

For more information on the company's full Data Protection Policy and GDPR compliance please visit www.DEphoto.biz\GDPR

Management and Review

This policy should be reviewed as scheduled once annually unless performance indicators, changes to legislation or the organisation necessitate it.

Last Review Date: 16/05/2018

Next Review Date: 16/05/2019