

## **BNHS Legitimate Interest Assessment for Observer's names attached to biological records submitted to County Recorders**

When a biological record is submitted to one of the county recorders appointed by the Bedfordshire Natural History Society (BNHS), the observer's name is attached to that record. The observer's name is personal data and so is covered by the new General Data Protection Regulation (GDPR) and county recorders are allowed to hold that personal data provided there is a legitimate interest.

### **Legitimate Interest Assessment**

*What is the purpose of the processing operation?* To hold species records in databases and as paper records. These include personal information identifying the original observer who submitted the record. The original observer is entitled to have their name attached to the record if they so desire but may ask to opt out and have their name removed.

*Is the processing necessary to meet organisational objectives?* Yes. Species records must be linked to the original supplier of the record for verification purposes.

*Is the processing necessary to meet specific objectives of any Third Party?* Yes. All records are passed on to the Bedfordshire & Luton Biodiversity Recording and Monitoring Centre (BRMC), who require the original observer's name for any future verification purposes. A Data Sharing Agreement exists between BNHS and BRMC, signed by a representative of both parties.

*Why is the processing activity important to the BNHS?* Recording of biological records on behalf of BRMC is an important function of BNHS and is achieved through the appointment of County Recorders, who would not be able to fulfil their recording obligations without this processing activity.

*Is there another way of achieving the objective?* No. The verification is not possible without processing of personal data in the form of the name of the original observer.

*Would the original observer expect the processing activity to take place when submitting a record?* Yes. The individuals are informed of the BNHS Privacy Policy, which can be viewed on the BNHS website and describes how data will be stored and exchanged with BRMC through a Data Sharing Agreement.

*Does the processing add value to the biological recording activity?* Yes. It adds value to the database of species records and these can be accessed by the individual upon request.

*Is the processing likely to negatively impact the individual's rights or result in harm or distress to the individual?* No. The individual is aware of the data exchange policies and can opt out at any time. The processing is not used for any marketing purposes, and the personal data is not shared externally.

*Would there be a prejudice to BNHS or BRMC if processing does not happen?* Yes. The activity is essential for the recording and monitoring obligations of county recorders.

*Is the processing in the interests of the individual whose personal data it relates to?* Yes. It adds value to the database of species records that can be accessed by the individual.

*Are the legitimate interests of the individual aligned with the party looking to rely on their legitimate interests for the processing?* Yes. The individual and data controller have shared aims for the data processing. Both parties want the species data to be verified and compiled on the central database.

*What is the connection between the individual and the organisation?* The individuals are unpaid and supply biological records to the BNHS via county recorders. The organisation verifies and compiles the records for the individual.

*What is the nature of the data to be processed? Is data of this nature subject to any special protections under GDPR?* Biological recording data with original observer's name. There are no special protected data held.

*Would the processing limit or undermine the rights of individuals?* No. The individual can opt out at any time. Personal data is not shared externally beyond BNHS, BRMC and where appropriate official national recording schemes. Personal data is only used for processing and verification of records.

*Has the personal information been obtained directly from the individual, or obtained indirectly?* Personal information is submitted directly to county recorders via online forms, email, telephone communication or paper records.

*Is there any imbalance in who holds the power between the organisation and the individual?* No. The individual has the option to opt out at any time.

*Is it likely that the individual may expect their information to be used for this purpose?* Yes. The individual is informed how the data will be used and this information is contained in the BNHS Privacy Policy. The role of record centres and their use of data is well understood by individuals with a long-standing data exchange relationship.

*Could the processing be considered intrusive or inappropriate?* No. The personal data is used for specific operational purposes, not for marketing. It is never passed to a third party for these purposes.

*Is a fair processing notice provided to the individual?* Yes. At the time of data submission or before the individual is made aware of the processing activity.

*Can the individual whose data is being processed object to it easily?* Yes. The individual can opt out at any time by email, phone or letter.

The Data Sharing Agreement between BNHS and BRMC has been updated to reflect GDPR requirements. Personal details are removed from database exports to be shared with parties beyond BNHS and BRMC. All data is stored on secure databases with limited access. Individuals can opt out at any time. I believe that we are able to rely on legitimate interests for this processing operation.

Signed by:

Role: Honorary Chairman of BNHS

Date: