Miss IG Geek Ltd
thinking human

Legitimate Interests Assessment

Web Enquiries

Purpose of processing

Business development; to engage with prospective clients

Processing activities:

- Collect enquiries via web form
- Form plugin on Wordpress, hosted by 34SP
- Send enquiries to me for response
- Email from Wordpress plugin to MS Office

Correspondence

- Emails exchanged, phone call or video conference arranged to discuss potential services
- (If engagement looks likely; input of prospect details [name, professional contact info, company, nature of services they're looking for, potential amount of £] into CRM [Zoho Bigin]

Lawful Basis

Does any other lawful basis for processing apply?

- Legal obligation – no
- Contract – no (any contractual relationship arising from the enquiry would be with the enquirer's employer, not the data subject themselves)
- Vital interests – no
- Public interest – no
- Consent – possible, but consent is often inappropriately over-used at the moment, so I'd rather showcase how to do 'legitimate interests' properly than shift cognitive load (and responsibility) onto the data subject.

Interests being pursued

Mine:

- Acquire clients so that I can earn enough income to keep the business going (and cover living costs)

Prospects':

- Find out whether my services are suitable to help them with their data protection challenges, take steps to engaging me for work

3rd parties:

- None (directly) although I like to think my tiny contributions to the economic interests of the UK and the social interests of humanity in general are worthwhile, despite their insignificance in the grand scheme of things

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Necessity Test

This processing is:

Critical **Necessary** **Useful** **Nice to have**

The majority of new business comes to me from web enquiries – although I could set up alternate channels for receiving incoming leads (eg, social media), these would likely have a higher privacy cost to the enquirer and to myself.

Legitimate interests justification

Supporting factors:

Reasonable expectations of the data subject

- When a data subject uses a contact form to initiate contact, it is reasonable to expect that the personal data provided will be processed to facilitate the making of contact in response

Impact on data subject: low, beneficial:

- If no processing were carried out, the data subject would not get a response to their enquiry, which would be disappointing.

Additional safeguards:

- Website and office infrastructure security: (SSL, firewalls, 2-factor authentication, encryption of data-at-rest, Processing Agreement terms with service providers, due diligence on provider security and privacy).
- Corporate ethics: "don't be a git" – strong aversion to covert repurposing, adtech, data-mining, profiling, unsolicited direct marketing or exploitation.
- Transparency: privacy notice and this LIA
- Minimisation: Only a message and an email address are required to submit the contact form, because I really don't need anything else and don't want the hassle of trying to manage heaps of data I can live without

Impact to rights of the data subject

If everything goes according to plan:

- I really can't think of any ways in which data subjects' rights could be adversely impacted by this processing, and that's unusual because I can usually find at least some aspect of doom and gloom in any given scenario. Maybe I'm biased – if you can think of anything I've missed, please let me know

If something goes wrong:

- I (or one of my suppliers for this processing) have a personal data breach:
    - Possible increase in spam and phishing emails to contact info provided
    - Someone might impersonate me and response to offer lower standards of GDPR support to the enquirer *horrified face*
        - Mitigation: lots of security
- I decide to do reprehensible things with the data

    - Intrusion on individual's privacy, breach of their right to fair, lawful and transparent processing
        - Mitigation: my privacy evangelism and desire to maintain a good professional reputation
- I fumble or fail to uphold applicable data subjects' rights (to be informed, access, objection, rectification, restriction, complaint)
    - Data subject rights are withheld or denied
        - Mitigation: data protection by design and by default
            - Capability to selectively delete messages from the web server and my email account
            - Careful records management
            - Only choosing providers which can support my Controller obligations
            - This LIA, which shows I've thought about it in detail
- Someone makes a spoof request impersonating a legit business
    - Annoyance, concern, nuisance, waste of the real data subject's time and energy
        - Mitigation: the hope that no-one would be childish or silly enough to bother doing this
        - (Adding a gatekeeping step to verify the legitimacy of the email would be technically-challenging, costly, likely be cause more of a nuisance to legitimate prospects than is warranted by the low risk that they'll be impersonated; conclusion – not worth it.)

Balancing Test Conclusion:

This processing for this purpose fits within the criteria for legitimate interests, data subjects' rights and freedoms are not unduly burdened, it's all fine as long as I do my job properly.