

West Highland Yachting Week

The following tables summarise the outcomes from a 3-stage test carried out on balancing the WHYW Data Controller interests in processing competitors' personal data and their data protection rights.

Identifying a Legitimate Interest

Question

What is the purpose of the processing operation?

Answer

The Controller processes competitors' basic personal data required as business critical and without which the organisation could not provide the services expected.

Competitors are made aware of the need to process their basic data as part of the enrolment process.

Is the processing necessary to meet one or more specific organisational objectives?

Processing of competitors' personal data is necessary for:

- Management of entry to the correct races and categories and for safety related purposes

Is the processing necessary to meet one or more specific objectives of any Third Party?

No.

Personal data is never shared with or sold to any third parties without owners' prior consent (which they are free to withhold) except where required to do so by law.

Does the GDPR, ePrivacy Regulation or other national legislation specifically identify the processing activity as being a legitimate activity, subject to the completion of a balancing test and positive outcome?

Yes.

The GDPR allows organisations to demonstrate through the completion of a balancing test their legitimate interest in processing basic personal data for the purposes of administering and operating the organisation.

The Necessity Test

Question

Why is the processing activity important to the Controller?

Answer

Processing of customers' basic data is considered business critical and without it the organisation could not provide the services expected (summarised below).

Why is the processing activity important to other parties the data may be disclosed to, if applicable?

N/A

Is there another way of achieving the objective?

No.

In order to provide the services expected, the organisation has a requirement to process members' basic personal data, which may include:

West Highland Yachting Week

- Member's name, address, telephone number(s) and email address
- Date of birth / age related information
- Bank account details of the member or other person making payment to the organisation

The Balancing Test

Question

Would the individual expect the processing activity to take place?

Answer

Yes.

It is reasonable for members to expect to have their basic personal data processed in order to receive the services to which they are entitled.

Does the processing add value to a product or service that the individual uses?

Yes.

By allowing processing of basic personal data, members gain added value through receipt of the services identified above.

Is the processing likely to negatively impact the individual's rights?

No.

Processing of basic personal data will not impact on individual's rights.

Members are entitled to object to their basic personal data being processed and/or withhold their personal data at any point.

Is the processing likely to result in unwarranted harm or distress to the Individual?

No.

Processing of basic personal data will not result in unwarranted harm or distress to members.