

## Safer Business Network [the Scheme]

# LEGITIMATE INTEREST STATEMENT

### Type of Data Subjects processed

1. The types of Data Subjects processed by the Scheme is defined in the Scheme's *Personal Data Processing Documentation*, namely 'Offenders' processed on the lawful basis of Legitimate Interests, and 'Members' processed on the lawful basis of contract.

### Purpose of processing personal data of Offenders

2. Members of the Scheme have the right to protect their property, staff and customers from crime and anti-social behaviour and to exclude from their premises any individuals who are proven threats to their property, staff or customers or disrupt the peaceful enjoyment that their customers expect from the goods and/or services that our Members offer. The Scheme processes Offenders' personal data for the management of its Exclusion Scheme on behalf of its Members, to inform Members of an offender's modus operandi, to collate intelligence on criminal activity within the area of the Scheme's operation and to contribute to legal proceedings against Offenders where appropriate.
3. The Scheme's area of operation, and its Exclusion Scheme, is within the four London Boroughs of Lambeth, Southwark, Westminster and Lewisham.

### Types of processing

4. For the above purpose, the Scheme undertakes the following types of processing of personal data of Offenders:
  - a. **Data collection**; as defined in *Privacy Notice (Offenders)*;
  - b. **Data storage**;
  - c. **Data retention**; as defined in *Privacy Notice (Offenders)*;
  - d. **Data collation**; associating individual Offenders with multiple incidents, and with other Offenders;
  - e. **Data sharing**; as defined in the Scheme's *Privacy Notice (Offenders)*;
  - f. **Data deletion**; as defined in the Scheme's *Privacy Notice (Offenders)*;
  - g. **Data analysis**; of de-personalised data for historical comparisons etc.

### Categories and types of Personal Data processed

5. **Offender's name and facial image, date of birth, distinguishing marks or characteristics and any relevant information about the nature of his/her activities**; the purpose of this processing is to enable Members to identify Offenders in order to submit reports about them, to include them in a list or gallery of excluded persons (if appropriate and adhering to the Scheme's Rules & Protocols), and to provide information about them which may be necessary to protect the property and personal safety of Members and their staff, customers etc. This data may be shared among Members.
6. **Offenders' postal and email addresses, telephone number(s) and other contact details**; the purpose of this processing is to enable the Scheme to communicate with Offenders from time to time, for example to send warning letters, confirmation of exclusions, rules of the exclusion scheme, or confirmation that exclusions have expired. Such data will not be shared with Members;
7. **Information and evidence about incidents in which an Offender has been involved**; the purpose of this processing is to enable the Scheme to authorise the issuing of Exclusion Notices, to inform Members of an offender's modus operandi, to collate intelligence on criminal activity within the area of the Scheme's

operation and to defend its legal rights against any claim or suit by an Offender or other party. Such data may be shared with Members.

8. For the purposes of identification, some sensitive or 'special category' personal data may be processed by the Scheme e.g. ethnicity and medical conditions where the latter impacts upon the safety of our Members.

### **Necessity and proportionality of processing Offenders' personal data**

9. **It is necessary** for the purposes of the Scheme to process appropriate personal data of Offenders as defined in the Scheme's *Privacy Notice (Offenders)* wholly or partly by automated means because:
  - a. the number of Offenders of legitimate interest to Members, and the number of Scheme Members makes it impractical to process Offenders' personal data in any other way;
  - b. processing Offenders' personal data in any other way, for example in paper-form only, presents unacceptable risks in terms of data integrity, security and confidentiality;
  - c. strict systematic adherence to the Scheme's data retention policy requires processing in this way.
10. **It is proportionate** for the purposes of the Scheme to process Offenders' personal data as defined in the Scheme's *Privacy Notice (Offenders)* because:
  - a. only the specific types of Offenders' data defined in the Scheme's Privacy Notice will be shared among only the Scheme's Members, Data Controller, Board of Management etc in the manner defined in the Scheme's *Privacy Notice (Offenders)*.
  - b. only the specific types of Offenders' personal data defined in the Scheme's *Privacy Notice (Offenders)* may be shared with non-Members of the Scheme, in the manner defined in the Scheme's Privacy Notice;
  - c. the Scheme's data retention policy as defined in the Scheme's *Privacy Notice (Offenders)* observes its obligation to process Offenders' personal data only for as long as is justified by the purpose for which the processing was originally undertaken.