

## Legitimate Interest Assessment

### Document Purpose:

To consider if the processing of personal data to support the revenue growth of MyLife Digital Group (MLD), which includes MyLife Digital Limited, Wood for Trees Limited and PGIR Ltd (trading as Insight) is a legitimate interest as described in Article 6.1(f) of the EU General Data Protection Regulation. Whilst Recital 47 of the EU GDPR makes it clear direct marketing can be considered as a Legitimate Interest, MLD still needs to demonstrate that its Legitimate Interest does not override the interests or fundamental rights and freedoms of the data subject. MLD will also be relying on Legitimate Interests to communicate on a business to business basis via phone, post and to corporate email addresses that haven't unsubscribed from previous email campaigns as required under PECR, and with an aim to capture the individuals consent for when new rules are in place with the electronic Privacy Regulation.

### Identifying MyLife Digital Group's Legitimate Interest:

#### What personal data will be collected and processed?

Name, Email, Mobile Phone Number, Direct Dial Phone Number, Job Title, Online Identifiers (via our email service provider and Google Analytics) when visiting our website or opening emails (including your IP address, geographical location, browser type and version, operating system, referral source, length of visit, page views and website navigation paths), Birthdays

#### What additional personal data is being collected that is in the public domain?

Twitter Handle, LinkedIn Profile, Company Name, Company Address, Sector, Job Title, Company Size, Birthday

#### Why does MLD want to process the data?

To identify (profile) potential customers (prospects) and partners who are in job roles that are likely to require our products (which includes Consentric by MyLife Digital) and services so that MLD can communicate relevant messages to them, either by mobile, phone, email or post.

To better understand how individuals interact with our website to deliver a better experience as well as make our content more relevant.

To better understand conversion rates from our ad campaigns and email campaigns so we spend our marketing budget effectively.

To communicate with existing customers and partners about new services and products that are relevant to them.

To email regular newsletters with sector information that we believe our customers, partners and prospects will find interesting.

To invite customers, prospects and partners to events and webinars which are relevant to them.

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### Who benefits from the processing? In what way?

It is in the interests of various MLD stakeholders that revenue growth objectives can be achieved. This includes MLD employees, so we can pay salaries and provide decent benefits, plus our investors who should be rewarded for having the confidence to invest in MLD. Other stakeholders include our prospect customers, customers and partners who will only receive relevant messages as we are able to profile them based on job title, company name and sector. They will not therefore be impacted with messages that are not suitable for their job role.

### Are there any wider public benefits to the processing?

Yes. We are a high growth technology business and want to support the Government's stated objective of making the UK a centre of excellence for fast growth technology businesses. We want to pay our corporation taxes to support the greater good of the economy. As we grow we will employ more people and expand our resource of graduates and school leavers benefiting society as a whole. As more companies adopt our products and services we will be able to support them to build trust by processing personal data transparently and within the requirements (and beyond) of the GDPR.

### What would the impact be if MLD couldn't go ahead?

Our growth would be slower than is expected in our business plan and we wouldn't be able to communicate the effectiveness of our products and services in an efficient manner. We would need to adopt a more 'broadcast' approach to promoting our services as we wouldn't be able to target individuals, and this requires significant marketing budgets.

### Would your use of the data be unethical or unlawful in any way?

No. MLD would always ensure we have a lawful basis for processing data, we will ask for consent when we are required to do so and primarily for electronic communications. We will rely on our Legitimate Interest as a data controller to process personal data, as well any other contractual or legal obligations we have to process and share personal data.

### MyLife Digital Group's Necessity Test:

#### Does this processing actually help to further that interest?

Yes. It is the most efficient and effective approach to ensure we spend our budgets wisely.

#### Is it a reasonable way to go about it?

Yes, we are applying modern direct marketing principles to ensure we provide relevant communications to promote our products and services to individuals who may be interested in them.

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### Is there another less intrusive way to achieve the same result?

MLD would ideally like to spend large budgets on building our brand so people are aware of our services and contact us directly. The budget required to do this is significant and not available. We have therefore elected to use direct marketing to promote our products and services to new potential customers, partners and existing customers as we can control our budgets and ensure we are spending our budget as effectively and efficiently as possible.

### MyLife Digital Group's Balance Test (to consider if the impact of MLD's Legitimate Interest overrides the individuals' interests and rights and freedoms):

#### What is the nature of your relationship with the individual?

In a number of cases MLD may not have a relationship with the individual or will have met them at an event or seminar. Their data may have been shared to us by another Data Controller and we will only ever process the data in-line with contractual terms provided to us by the Data Controller. MLD are only marketing products and services in a business to business capacity, and will only approach people who are in a job role, working for a company or own a company and may have a need for our products and services.

#### Is any of the data particularly sensitive or private?

No. Most data being processed is often made readily available on company websites and on public social profiles. We would only be monitoring activity such as interactions with MLD websites and our email campaigns.

#### Are you happy to explain it to them?

Yes. MLD will only capture and process personal data which has been provided to us or has been made publicly available by the individual on sites such as LinkedIn or a company website, or via interacting with our website, email and social campaigns. When capturing personal data which hasn't been provided to us by the individual we would communicate with the individual first within 30 days of processing their data and identify MLD as the data controller, why we are contacting them (that we believe they may be interested in MLD's products or services) and make them aware of our Privacy Policy. We will always provide the individual the ability to object to MLD processing their data and preventing future communications. We will communicate this message via email subject to the email address being a company email.

#### Are some people likely to object or find it intrusive?

No. MLD have surveyed the people we employ, who have been employed across a selection of businesses, some for many years and some not so long. They have also been employed in many different roles. MLD wanted to assess if they would expect to receive targeted communications for a vendor to promote

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their product or service, the frequency they would find acceptable and how long they would expect the company to contact them until communications ceased.

38 people responded to the survey and over two thirds stated they expected vendors to contact them with marketing communications about products and services relevant to their job role. 11 responses expected communication frequency to be weekly or more than once a week, 5, fortnightly and 9 monthly, 2 quarterly and 9 stated it depended on their relationship with vendor.

At MLD we believe intrusion is also linked to the volume of communications received and how long communications continue to be sent for from last positive interactions, such as downloading a white paper or booking a demo. Based on the results of the survey marketing communications will not be sent any more frequently than fortnightly, unless promoting an event, such as a webinar which would be communicated weekly in the build-up to the event to remind individuals to register. All communications will cease 6 months after the last positive interaction.

### **What is the possible impact on the individual?**

The personal data captured will have been freely given by the individual or found via public websites and therefore will have limited impact on the privacy of the individual. The frequency of the communication and the subject matter may be considered an annoyance and the individual will always be provided with the ability to object to the processing of their data, erasure of their data and the ability to stop certain communications.

To limit the impact, MLD will ensure it checks contact telephone numbers not received from the individual against the CTPS and TPS, and if registered will only contact them via this channel with their consent. MLD will where possible ask the individual which contact method they would prefer and honour their preference.

### **How big an impact might it have on them?**

Based on the results of the survey, we would expect the impact to be minimal.

### **Are you processing children's data?**

No. MLD will not knowingly market its products or services to anyone under the age of 18.

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### Are any of the individuals vulnerable in any other way?

No, MLD would not discriminate against individuals. Our expectation would be that an individual is in a business role we are targeting because they are capable of performing their duties.

### Can you offer an opt-out?

MLD will always highlight to the individual their right to object to any processing activity and when for direct marketing purposes it will be immediately upheld. Individuals can unsubscribe from marketing emails.

### Legitimate Interest Statement for Privacy Policy

MLD is a high growth technology and data analysis business with expertise in Personal Information Management. MLD also have specific domain expertise in the Not for Profit, Charities and Elite Sport sectors for providing Data Analysis and Performance Improvements. To grow and generate profits, MLD need to sell and market its products and services to new potential customers (prospects), additional products and services to existing customers and attract partners who want to sell our products. Generating profits will enable MLD to contribute to the economy by paying taxes in the UK, pay its staff and reward them for the great work they do and reward its investors for having the confidence to invest.

To achieve these aims MLD have a legitimate interest to process personal data to identify potential customers and partners who are in job roles that are likely to require its products and services and communicate this to them, either by phone, email or post. To establish Legitimate Interest as a lawful basis for processing personal data for these purposes a Legitimate Interest Assessment was conducted and is available <here>.

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