

## Part 1: Purpose test

You need to assess whether there is a legitimate interest behind the processing.

- Why do you want to process the data?
  - What benefit do you expect to get from the processing?
  - Do any third parties benefit from the processing?
  - Are there any wider public benefits to the processing?
  - How important are the benefits that you have identified?
  - What would the impact be if you couldn't go ahead with the processing?
  - Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?
  - Are you complying with other relevant laws?
  - Are you complying with industry guidelines or codes of practice?
  - Are there any other ethical issues with the processing?
- The Trust's Equality, Diversity and Inclusion (EDI) Policy has the following objectives:
    - All proposals must be assessed on equal terms, regardless of the sex, age, and/or ethnicity of the applicant. Proposals are assessed and ranked on their merits, in accordance with the published criteria and the aims and objectives set for each scheme or call for funding.
    - In respect of our research funding portfolio, we are committed to ensuring that the best researchers from a diverse population are attracted into research careers and supporting development of those careers.
    - We will ensure our funding mechanisms and processes do not present any potential barriers and bias to funding and seek to ensure that people who are engaged with the processes, operate these fairly and without prejudice or bias.
    - We are committed to creating a culture where diversity is embedded in all our activities and values dignity, mutual respect and inclusivity at work and where unlawful discrimination is eliminated.

To achieve these aims the Trustees have approved the collection of data on age, gender, racial or ethnic origin and disability status. Data will be requested from grant applicants via the Trust's Grant Management System and for existing and future Trustees, committee and panel members, peer reviewers and staff via an electronic survey. Providing this data will be optional. The collection of this data in an anonymised form will allow us to measure progress

against these objectives.

- No third parties benefit from the processing of this data.
- For the wider public reporting on this data will demonstrate that the Trust is committed to its EDI objectives and is a transparent and fair funder.
- It is important that applicants and those volunteering to work with the Trust to assess applications can see the Trust's commitment to the policy.
- If the data was not collected, then the Trust would not be able to demonstrate that the objectives are being met.
- We will be collecting data on age, gender, racial or ethnic origin and health. Of these data categories the latter two are classified as special category data. Our Lawful Basis for collecting the data is legitimate interest. Additionally our Conditions for processing special category data is; reasons of **substantive public interest** with sub-condition **equality of opportunity or treatment**, and **archiving, research or statistics**.
- No other ethical issues with processing this data have been identified.

## Part 2: Necessity test

You need to assess whether the processing is necessary for the purpose you have identified.

- Will this processing actually help you achieve your purpose?
  - Is the processing proportionate to that purpose?
  - Can you achieve the same purpose without the processing?
  - Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?
- The processing of this data in an anonymized collated format will help the Trust to achieve the objectives of its EDI Policy.
  - The Trust believes that the processing is proportionate and relevant to our grant application processes.
  - No there is no other method of monitoring equality, diversity and inclusion without the collection of this data.
  - No there is no other way of processing this data and we are requesting the minimum amount of information. All participants also have the option of opting out of providing data, and for grant applicants this will have no bearing on the way their application is assessed.

## Part 3: Balancing test

You need to consider the impact on individuals' interests and rights and freedoms and assess whether this overrides your legitimate interests.

First, use the [DPIA screening checklist](#). If you hit any of the triggers on that checklist you need to conduct a DPIA instead to assess risks in more detail.

| <b>Nature of the personal data</b>   |
|--|
| <ul style="list-style-type: none"><li>• Is it special category data or criminal offence data?</li><li>• Is it data which people are likely to consider particularly 'private'?</li><li>• Are you processing children's data or data relating to other vulnerable people?</li><li>• Is the data about people in their personal or professional capacity?</li></ul>  |
| <ul style="list-style-type: none"><li>• The data is special category data.</li><li>• The Trust does not consider the data to be especially private.</li><li>• The Trust does not process children's data or data relating to other vulnerable people.</li><li>• The data is not about people in their personal or professional capacity.</li></ul>   |
| <b>Reasonable expectations</b>   |
| <ul style="list-style-type: none"><li>• Do you have an existing relationship with the individual?</li><li>• What's the nature of the relationship and how have you used data in the past?</li><li>• Did you collect the data directly from the individual? What did you tell them at the time?</li><li>• If you obtained the data from a third party, what did they tell the individuals about reuse by third parties for other purposes and does this cover you?</li><li>• How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?</li><li>• Is your intended purpose and method widely understood?</li><li>• Are you intending to do anything new or innovative?</li><li>• Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?</li><li>• Are there any other factors in the particular circumstances that mean they would or would not expect the processing?</li></ul> |
| <ul style="list-style-type: none"><li>• We have an existing relationship with some individuals, such as current serving Trustees, committee and panel members, peer reviewers and staff. Some grant applicants will also be previous grant holders or have applied to the Trust before.</li><li>• We have previously collected contact details, information on any conflicts of interest (other appointments held) and for applicants their current career stage.</li><li>• Data is collected directly from the individual for each type of individual a role description or set of guidelines is made available on our website when either</li></ul>  |

the role is advertised of the funding call opened.

- The Trust does not obtain data from third parties.
- For Trustees, committee and panel members these are fixed term appointment after which the data is not retained. Data is retained for no longer than six years, per the document retention policy.. For peer reviewers we asked for their consent as part of the introduction of the GDPR regulations. For staff the longest serving staff member has been in employment for over 10 year and data will be held in accordance with employment law. For grant applicants a new Grant Management System was introduced in 2017 and since assessed to be GDPR compliant.
- Our intended purpose and method are widely understood within the sector.
- The Trust is not undertaking anything new or innovative.
- By collecting this data will be aligning with other funders who routinely request this type of data for this reason we have not consulted outside of the Trustees.
- As this data is routinely requested by other funders we consider that applicants would expect to be asked for this data and would expect the Trust to process it.

### Likely impact

- What are the possible impacts of the processing on people?
- Will individuals lose any control over the use of their personal data?
- What is the likelihood and severity of any potential impact?
- Are some people likely to object to the processing or find it intrusive?
- Would you be happy to explain the processing to individuals?
- Can you adopt any safeguards to minimise the impact?

- We do not envisage any impact on processing of people as the data collected will not be considered when making appointments or awarding funding.
- At any time individuals can amend or withdraw their data.
- The Trust considered the potential impact to be unlikely and minimal.
- The Trust does not consider that individuals will consider it to be obtrusive and all will have the option of opting out and not providing data.
- Our processes are explained in detail within our privacy policy and notice which are available on our website.
- All data will be stored in a password protected spreadsheet in an anonymous format and any reporting will be in a collated format.

Can you offer individuals an opt-out?

**Yes / No**

## Making the decision

This is where you use your answers to Parts 1, 2 and 3 to decide whether or not you can apply the legitimate interests basis.

| Can you rely on legitimate interests for this processing?   | <b>Yes / No</b>                                   |
|---|---|
| In addition to following the IPO guidance the rationale for our collection of this data, the method of collection and storage and the consideration of the Lawful Basis and Condition for processing of special category data have been reviewed by the Trust's legal advisors. |   |
| LIA completed by  | Sarah Allport, Head of Communities and Governance |
| Date  | 6 October 2022                                    |

## What's next?

Keep a record of this LIA, and keep it under review.

Do a DPIA if necessary.

Include details of your purposes and lawful basis for processing in your privacy information, including an outline of your legitimate interests.