



# SRLPDC

SCOTTISH REGISTER OF LANGUAGE PROFESSIONALS  
WITH THE DEAF COMMUNITY

## LEGITIMATE INTEREST ASSESSMENT

### Introduction

This assessment has been prepared by SRLPDC in accordance with the General Data Protection Regulation (GDPR), and has been reviewed and approved by the SRLPDC Board of Trustees on 31 August 2020.

SRLPDC is a registering body that monitors, supports and regulates language professionals who work within the BSL community across the whole of Scotland. Although registration of interpreters and associated language professionals is not mandatory by law, SRLPDC feels that it is best practice to engage professionals who can guarantee appropriate levels of qualification, PVG membership, engagement in CPD and holding professional insurance. This serves to protect consumers, providers, and of course the Deaf community across the board.

In order to provide this service, SRLPDC requires to collect personal information from its registrants. In doing so, it is acting as the Data Controller.

SRLPDC has reviewed how it processes personal data, the reasons for doing so, and the lawful basis on which it does so. SRLPDC has concluded that the appropriate lawful basis for the processing of registrants' data is Legitimate Interests - *see GDPR Article 6.1f) Legitimate Interests - processing is necessary under the Legitimate Interests of the Controller or Third party, unless these interests are overridden by the individual's interests or fundamental rights.*

### Our Objectives

SRLPDC's objectives are:

1. Promoting BSL/English interpreting and associated professional language services so that deaf people will have access to effective communication, allowing them to make informed choices about every aspect of their lives.
2. Providing support in particular for education, medical, legal, and employment matters, and striving for an equal opportunity for deaf people to enjoy and contribute to culture and the arts.
3. Maintaining and administering a Register of BSL/English interpreters and associated language professionals.



4. Co-operating with any recognised body concerned directly or indirectly with the welfare of deaf people and in the provision of BSL/English professional language services for deaf people throughout the UK and internationally.
5. Establishing and fostering relationships with government, local authorities and relevant public bodies to feed into national and local planning affecting deaf people.
6. Carrying out ongoing assessment of the interpreting/language skills of the registrants, including monitoring of completion of the annual CPD requirements to ensure that professional standards are maintained.
7. Ensuring best practice in BSL/English interpreting and associated professional language activities, and furthering the profession of those practitioners both nationally and internationally.
8. Generally taking such steps as will promote the status and reputation of the Scottish Register of Language Professionals with the Deaf Community (SRLPDC).

In order to meet these objectives, SRLPDC has concluded that it is not appropriate to rely on consent as the lawful basis for the processing of registrant data as SRLPDC cannot meet its objectives without access to this data. The requirement for freely given consent cannot be met if the registrant must provide the data in order to benefit from the service. SRLPDC has therefore concluded that the lawful basis on which it should rely for the collection of registrant data is Legitimate Interests. SRLPDC has also concluded that it is in the legitimate interest of the registrants to provide this data, as without it the services that SRLPDC offer would not be available. SRLPDC believe that registrants would reasonably expect that this data would be required by SRLPDC.

The Assessment below sets out the background to this conclusion.

### Identifying a Legitimate Interest

1. What is the purpose of the processing operation?

The purpose of the processing of this data is to allow SRLPDC to:

- record a registrant's registration status and category
- provide the registrant with information, including information about SRLPDC's work



- evidence the registrant's accreditation (to meet registration criteria and CPD requirements)
- provide the registrant with a photo ID card
- provide the registrant with a SRLPDC website registrant's page login
- provide the registrant with a CPD login
- record the registrant's starting date
- record the registrant's contact details on the SRLPDC website Register
- record payment records
- record evidence of termination of registration

2. Is the processing necessary to meet the objectives of the organisation or one or more specific objectives of any third party?

The type of information collected from registrants may include:

- name, address, contact number and email address
- qualification certificates for verification and authentication
- references
- photos for ID cards
- skills related evidence such as video clips
- interview papers,
- correspondence
- evidence of Professional Indemnity Insurance cover (PII)
- signed confirmation of PII and PVG membership

This data is required to specifically meet objectives 2, 3 and 6 above. Certain data is also required (i.e. contact details) to meet the needs of third parties through access to the SRLPDC website register of communication professionals.

Registrants benefit from the existence of the Register which demonstrates accreditation of the skills and knowledge required to carry out an effective service. The Register provides ease of access and contact to registrants, offering increased employment opportunities in a wide range of settings.

### The Necessity Test

1. Why is the processing activity important to the Controller?

To meet the objectives set out above, it is necessary for SRLPDC to maintain the Scottish Register. To do this SRLPDC requires to process registrants personal data. The personal data is also required to facilitate the provision of BSL/English interpreting services and to assess CPD evidence.



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2. Why is the processing activity important to other parties the data may be disclosed to?

Individuals, groups, organisations and bodies benefit from access to the SRLPDC website of communication professionals in terms of their ability to access interpreting services for Deaf people.

3. Is there another way of achieving this objective?

SRLPDC has not been able to identify any other way of achieving its objectives without the collection of this personal data from its registrants.

### The Balancing Test

1. Would the individuals expect the processing to take place?

Prospective registrants are advised that SRLPDC is a voluntary regulatory body for a number of different registration categories – including BSL/ English sign language interpreters (qualified and trainee), Deafblind interpreters/ communicators, Lipspeakers, Interpreting Agencies and so on.

SRLPDC is the regulatory body in Scotland which:

- maintains the Scottish Register of different categories of communication professionals;
- sets minimum standards for registration;
- sets minimum ongoing professional development requirements;
- ensures SRLPDC registrants comply with SRLPDC's policies;
- promotes awareness of SRLPDC and the purpose of registration;
- provides information, advice and direction for people considering a career in interpreting or communication support with deaf and deaf blind people.

Registrants are required to comply with SRLPDC's policies to maintain and enhance language and communication skills and knowledge to provide effective communication services. These include:

- Principles of Professional Practice
- Continuing Professional Development Policy
- Complaint and Concerns Policy and Procedure
- Child and Vulnerable Adults Protection Policy



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SRLPDC's register provides reassurance to purchasers and users of the service that the registrant has met the requirements for registration and that they are required to keep their skills updated and maintained.

In light of the information SRLPDC provides to prospective registrants regarding these requirements and duties, SRLPDC believes that there will be an expectation of relevant personal information being processed.

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

As above, without the provision of this data for processing the registrants cannot benefit from the services provided by SRLPDC.

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

No. The data is being used to the benefit of the individual registrants.

4. Is the processing likely to result in unwarranted harm or distress to the individual?

No. The data is only processed in the way in which it is described in the Privacy Notice.

5. Would there be a prejudice to the Data Controller if the processing does not happen?

Yes. SRLPDC would not be able to operate its services without the relevant registrant data.

6. Would there be a prejudice to third parties if the processing does not happen?

Yes. Third parties would not be able to access Register information to facilitate the provision of BSL/English interpreting and other registered communication support services.



7. Is the processing in the interests of the individual whose personal data it relates to?

As noted above, SRLPDC has concluded that it is in the legitimate interest of the registrants to provide this data, as without it the services that SRLPDC offer would not be available to them.

8. What is the connection between the individual and SRLPDC?

The individuals supplying the personal data are registrants of SRLPDC.

9. What is the nature of the data being processed?

See above under Identifying a Legitimate Interest.

10. Is there a two-way relationship in place between the organisation and the individual whose personal information is being processed? If so, how close is that relationship?

The relationship is an ongoing two-way relationship until the individual ceases to be a registrant. The Privacy Notice sets out how long SRLPDC will hold their personal data for following the end of the relationship.

11. Would the processing limit or undermine the rights of the individuals?

No. The data processing is carried out as set out in the Privacy Notice. The registrant can leave SRLPDC at any time on giving at least 7 clear days written notice to SRLPDC at which point processing will cease and their personal data will then be held only for as long as the period specified in the Privacy Notice.

12. Has the personal information been obtained directly from the individual or obtained indirectly?

Directly. Information is obtained through application forms, evidence and supplementary information submitted by the individual.



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13. Is there any imbalance in who holds the power between the organisation and the individual?

No. SRLPDC can only meet its objectives with the willing participation of its registrants.

14. Is it likely that the individual may expect their information to be used for this purpose?

Yes. See information under The Balancing Test above. Prospective registrants are advised of the services that SRLPDC offers and the information that will be required. The way in which the data will be used is set out in the Privacy Notice issued to registrants.

15. Could the processing be considered intrusive or inappropriate? Could it be perceived as such by the individual?

No. SRLPDC only requests information which supports the individual's desire to be a registrant of SRLPDC.

16. Is a fair processing notice provided to the individual, if so, how? Are they sufficiently clear and upfront regarding the purpose of the processing?

Yes. A Privacy Notice is issued with the SRLPDC membership application and renewal forms annually and the Privacy Notice is published on the website. The Notice sets out information on the type of data collected and how/why it is used.

17. Can the individual whose data is being processed control the processing activity or object to it easily?

Yes. The Privacy Notice sets out information on how the individual can access and update their information or arrange for their information to be removed from SRLPDC's records.

18. Can the scope of the processing be modified to reduce/mitigate any underlying privacy risks or harms?

No. SRLPDC requests only the data required to allow them to meet their objectives and to provide the services expected of them by their registrants. The Privacy Notice contains details on the time limits for holding certain data and the security precautions in place for protecting the data and surrounding the destruction of the data when it is no longer required.



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