

Legitimate Interests Assessment

Part 1: Purpose

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

• Why do you want to process the data?	VR Tour Bus Project
• What benefit do you expect to get from the processing?	Recording life in London
• Do any third parties benefit from the processing?	Aimed at tourism industry
• Are there any wider public benefits to the processing?	Social history document
• How important are the benefits that you have identified?	Historical & commercial importance
• What would the impact be if you couldn't go ahead with the processing?	Lower quality
• Are you complying with any specific data protection rules that apply to your processing (eg profiling requirements, or e-privacy legislation)?	No
• Are you complying with other relevant laws?	Yes
• Are you complying with industry guidelines or codes of practice?	Yes - In accordance with Association of Photographers (AOP) guidelines
• Are there any other ethical issues with the processing?	No

Part 2: Necessity

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

• Will this processing actually help you achieve your purpose?	Yes
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• Is the processing proportionate to that purpose?	Yes
• Can you achieve the same purpose without the processing?	No
• Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way?	No

Part 3: Balancing

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.

Nature of the personal data	
• Is it special category data or criminal offence data?	No
• Is it data which people are likely to consider particularly 'private'?	No
• Are you processing children's data or data relating to other vulnerable people?	Image captures are within guidelines of existing UK law
• Is the data about people in their personal or professional capacity?	Personal

Reasonable expectations	
• Do you have an existing relationship with the individual?	No
• What's the nature of the relationship and how have you used data in the past?	N/a
• Did you collect the data directly from the individual? What did you tell them at the time?	Candid photographic captures, crowd release signage provided to raise awareness
• 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?	N/a

• How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations?	Taken 2021-2022 No
• Is your intended purpose and method widely understood?	Yes
• Are you intending to do anything new or innovative?	No
• Do you have any evidence about expectations – eg from market research, focus groups or other forms of consultation?	No
• Are there any other factors in the particular circumstances that mean they would or would not expect the processing?	Expected as overt recording, and crowd release notice

Likely impact

• What are the possible impacts of the processing on people?	No known impact on individuals, no recorded dates or nomenclature
• Will individuals lose any control over the use of their personal data?	No, images copyrighted and not reused. Any request for removal will be considered
• What is the likelihood and severity of any potential impact?	Negligible
• Are some people likely to object to the processing or find it intrusive?	No
• Would you be happy to explain the processing to individuals?	Yes
• Can you adopt any safeguards to minimise the impact?	No

Can you offer individuals an opt-out?	Legitimate requests may be accommodated
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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?

Yes

VR Tour Bus is regulated by UK laws and subject to the laws of Great Britain & Northern Ireland.

All images and recordings are professional captures that are used for a legitimate project - the VR Tour Bus - London.

VR Tour Bus has taken all reasonable care to avoid invasion of privacy of individuals photographed, filmed or recorded in all public spaces featured in the tour.

Individuals featured in the tour are in no way endorsing the VR Tour Bus, no images are believed to be indecent, no subjects were harassed and every attempt has been made to ensure that there has been no breach of subject confidence.

VR Tour Bus ® is an official Transport for London licensed product.

All images, unless specified, are copyright Rod Edwards 2023.

LIA completed by

Rod Edwards CEO and Director of Rod Edwards Ltd

Date

25th January 2023

This legitimate interests assessment (LIA) is produced in accordance with ICO legitimate interests guidance.