



CHECKLIST - LEGITIMATE IMPACT ASSESSMENT

Legitimate Interests Assessment (LIA) Checklist – Data Protection (Jersey) Law 2018

1. BEFORE YOU START

- Confirm “legitimate interests” is available.
- Not a public authority relying on this basis for core public functions.
- No other more appropriate lawful basis clearly applies.
- Identify the processing clearly - what data, whose data, what categories.
- Check if a DPIA is also needed for high-risk processing.

2. PURPOSE TEST – IS THERE A LEGITIMATE INTEREST?

- Describe the purpose clearly.
- State whose interests are involved (organisation, third party, public).
- Explain why the purpose is lawful, ethical and expected.
- Ensure the purpose is specific and not vague.
- Confirm the purpose is not illegal or against public policy.

3. NECESSITY TEST – IS THE PROCESSING NECESSARY?

- Confirm the processing is genuinely necessary to achieve the purpose.
- Check for less intrusive alternatives.
- Consider anonymisation or minimisation.
- Assess whether another lawful basis would be more suitable.
- Ensure the data collected is relevant and not excessive.



4. BALANCING TEST – DO YOUR INTERESTS OUTWEIGH INDIVIDUALS’ RIGHTS?

Identify potential impacts on individuals.

Consider vulnerability, power imbalance, or children.

Assess whether special category data is involved.

Evaluate individuals’ reasonable expectations.

Ensure transparency in privacy information.

Document safeguards (access controls, minimisation, encryption, etc.).

Confirm individuals can easily exercise the right to object.

5. DOCUMENTATION & ACCOUNTABILITY

Record your full LIA assessment and conclusions.

Note who approved the assessment and when.

Update Records of Processing Activities and privacy notices.

Set review dates based on risk level.

6. WHEN TO STOP AND RECONSIDER

If you cannot clearly explain a legitimate interest.

If high-risk data is involved alongside a power imbalance.

If individuals are likely to object strongly.

If risks remain high despite safeguards