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Legitimate Interests Assessment (LIA) - Healthcare Professionals

Part 1: Purpose test

Why do you want to process the data? To provide a market research service for healthcare professionals, and those that need to engage with healthcare professionals. The opinions of healthcare professionals are vital to the pharmaceutical and device companies for the purposes of learning more about the healthcare landscape, the needs of the patient and caregiver, and to aid in the development of new treatment pathways.

What benefit do you expect to get from the processing? The data subject themselves benefit as without this contact opportunity they would be unable to participate in the research process, promote improvements to a patient's quality of life, and ensure that their voice is heard in the development of therapy pathways, products and services. Medicys Limited benefits, in that we gain commercially from providing this service.

Do any third parties benefit from the processing? Two groups benefit: Pharmaceutical and Devices companies benefit from the sharing of "market" feedback that allows them to make more accurate strategic decisions and patient and caregivers benefit from improvements made in healthcare and treatment provision.

Are there any wider public benefits to the processing? Yes. To improve the healthcare landscape and provision of healthcare service and product improvements.

How important are the benefits that you have identified? Very important in helping patients, researchers and healthcare professionals develop and use new, and innovative, healthcare products and services.

What would the impact be if you couldn't go ahead with the processing? We would be unable to onboard data subjects to the research process, and the service would cease to the disadvantage of all parties.

Are you complying with any specific data protection rules that apply to your processing (e.g. profiling requirements, or e-privacy legislation)? GDPR, 2016/679 and the UK Data Protection Act 2018.

Are you complying with other relevant laws? N/A

Are you complying with industry guidelines or codes of practice? Are there any other ethical issues with the processing? Yes, those of the BHBIA and EphMRA.

Part 2: Necessity test

Will this processing actually help you achieve your purpose? Yes, this processing in a central part of the service we provide our clients and data subjects.

Is the processing proportionate to that purpose? Yes. We communicate with the data subject via e-mail, telephone and post, for the sole purpose of inviting them to contribute to the research process.

Can you achieve the same purpose without the processing? No. Processing is key to securing the data subjects participation.

Can you achieve the same purpose by processing less data, or by processing the data in another more obvious or less intrusive way? Overall, intrusion to data subject is minimal and makes use of e-mail, telephone and postal methods of communication.

Part 3: Balancing test

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? No

Is the data about people in their personal or professional capacity? Professional Capacity

Reasonable expectations

Do you have an existing relationship with the individual? Yes.

What's the nature of the relationship and how have you used data in the past? As we have been in regular contact with the data subject in the past and have always afforded them an opportunity to opt-out of receiving our invitations. We believe that the individuals whose information we process are fully aware of the nature of their relationship with us and the mutually beneficial reasons for remaining in contact.

Did you collect the data directly from the individual? What did you tell them at the time? The data was collected in several ways, including directly from the individual, via the Internet (say a search of a publicly accessible domain), by referral or from 3rd party list providers.

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? In general terms, that the data subject, having been identified as a relevant and professionally qualified respondent, with relevant expertise would be contacted by pharmaceutical and devices companies to pinpoint HCP's interested in research.

How long ago did you collect the data? Are there any changes in technology or context since then that would affect expectations? The contact data has been received over the past 15 years.

Is your intended purpose and method widely understood? Yes, it is very normal and expected for HCP's to be petitioned for participation in market research. Numerous invitations are sent each day, by many domestic and international clients.

Are you intending to do anything new or innovative? No

Do you have any evidence about expectations – e.g. from market research, focus groups or other forms of consultation? Are there any other factors in the circumstances that mean they would or would not expect the processing? There is a reasonable expectation of communication, with the respondent expecting to hear from us and that if at any point they do object they can opt-out. This is a professionally based communication, concerning what they do for a living, and that they are balancing against several research options, not just from us but others. A limited short-term response is not an indication of future participation, especially if the topic is of interest. In many cases we find that a data subject that has remained obscure for many months suddenly indicates wish to participate, if the topic in relevant, the timing suits them and the incentive meets with their expectations.

Likely impact

What are the possible impacts of the processing on people? Minimal. Contact with the data subject is limited to their specific area of expertise as a healthcare professional.

Will individuals lose any control over the use of their personal data? No. Each data subject can accept or decline an invitation in their professional capacity. The data subject can also opt-out at the point of invite. Upon acceptance of the invite each data subject is fully informed regarding the nature of the purpose, in a detailed document outlying the way in which their data will be processed at project level. At project level consent is always obtained. At any point the data subject can withdraw. Participation is entirely voluntary. All information is provided in the transparent manner in accordance with the guidelines of the BHBIA (our professional body).

What is the likelihood and severity of any potential impact? Minimal

Are some people likely to object to the processing or find it intrusive? Certainly, but experience tells us that the level of objection will be low (<0.1%). We react to all objections within 48 hours.

Would you be happy to explain the processing to individuals? Can you adopt any safeguards to minimise the impact? Indeed. We provide full details to explain the purpose of our processing each time we communicate with the client, outlying the details of the research study in which we are inviting their participation. The respondents would expect to receive such invites as part of their normal day to day received correspondence. They are free to ask any questions. Details of contact dates are kept, and response dates are stored to avoid repetition of contact.

Can you offer individuals an opt-out?	**Yes** / No

Can you rely on legitimate interests for this processing?	**Yes** / No
LIA completed by	Medicys Limited
Date	18.07.18