

RMB Automotive

GDPR Lawful Basis for Processing Personal Data

Last updated 14/05/2018

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RMB Automotive has established that our lawful basis for processing personal information is either via contracts with Data Controllers and Processors, motor insurance companies and repair network management companies, via direct consent from individual customers and employees, and where there is a legitimate business reason. We have defined types of personal information and identified whether they are necessary for us to perform our management and service activities, and whether the legal basis for processing is via contract, consent or legitimate reasons.

Type	Necessary	Employee	Customer	Contract	Consent	Legitimate
Names and Titles	✓	✓	✓	✓	✓	✓
Home Address	✓	✓	✓	✓	✓	✓
Work Address	✓	✓	✓	✓	✓	✓
Location Information	✓	✓	✓	✓	✓	✓
Contact Phone Number	✓	✓	✓	✓	✓	✓
Contact Email Address	✓	✓	✓	✓	✓	✓
Voice Recordings	✓	✓	✓	✗	✓	✓
Health Mobility Condition	✓	✓	✓	✗	✓	✓
Vehicle Registration Number	✓	✓	✓	✓	✓	✓
Speeding Offences	✓	✓	✓	✓	✓	✓
Vehicle Make and Model	✓	✓	✓	✓	✓	✓
Vehicle Identification Number	✓	✗	✓	✓	✓	✓
Images of Vehicle / Background	✓	✗	✓	✗	✓	✓
Insurance Company	✓	✗	✓	✓	✓	✓
Insurance Policy Number	✓	✗	✓	✓	✓	✓
Insurance Claim Number	✓	✗	✓	✓	✓	✓
Claim Incident Circumstances	✓	✗	✓	✓	✓	✓
Driving Licence Number	✓	✓	✓	✗	✓	✓
Photograph Identifier	✓	✓	✓	✗	✓	✓
Date of Birth	✓	✓	✓	✗	✓	✓
Passport Number	✓	✓	✗	✗	✓	✓
Country of Birth	✓	✓	✗	✗	✓	✓
Card Details	✓	✗	✓	✗	✓	✓
Banking Details	✓	✓	✗	✗	✓	✓
Financial Transactions	✗	✗	✗	✗	✗	✗
Work Related Information	✓	✓	✗	✗	✓	✓
National Insurance Number	✓	✓	✗	✗	✓	✓
Government Issued Identifiers	✓	✓	✗	✗	✓	✓
Previous Employment History	✓	✓	✗	✗	✓	✓
Personal Profile / CV	✓	✓	✗	✗	✓	✓
Criminal History	✓	✓	✗	✗	✓	✓
Employee Number	✓	✓	✗	✓	✓	✓
Salary Details	✓	✓	✗	✗	✓	✓
Pension Details	✓	✓	✗	✓	✓	✓
Emergency Contact Information	✓	✓	✗	✗	✓	✓
Username / Password	✗	✗	✗	✗	✗	✗
Gender	✓	✓	✗	✗	✓	✗

Type	Necessary	Employee	Customer	Contract	Consent	Legitimate
Marital Status	x	x	x	x	x	x
Racial or Ethnic Origin	x	x	x	x	x	x
Political Opinions	x	x	x	x	x	x
Religious Beliefs	x	x	x	x	x	x
Sexual Orientation	x	x	x	x	x	x
Health Record	x	x	x	x	x	x
Residential Status	x	x	x	x	x	x
Employment Visa Details	✓	✓	x	x	x	x
Information about Family	x	x	x	x	x	x
Information about Household	x	x	x	x	x	x
Information about Dependents	x	x	x	x	x	x
Trade Union Membership	x	x	x	x	x	x
Address History	x	x	x	x	x	x
Asset Ownership	x	x	x	x	x	x
CCTV Images	✓	✓	✓	x	✓	✓
Biometric	x	x	x	x	x	x

Notes:

You must have a valid lawful basis in order to process Personal Data.

There are six available lawful bases for processing:

1. Consent
2. Contract
3. Legal Obligation
4. Vital Interests
5. Public Task
6. Legitimate Interests (See Definitions)

No single basis is 'better' or more important than the others – which basis is most appropriate to use will depend on your purpose and relationship with the individual.

Most lawful bases require that processing is 'necessary'. If you can reasonably achieve the same purpose without processing, you won't have a lawful basis.

You must determine your lawful basis before you begin processing, and you should document it. Take care to get it right first time – you should not swap to a different lawful basis at a later date without good reason.

Your privacy notice should include your lawful basis for processing as well as the purposes of the processing.

If your purposes change, you may be able to continue processing under the original lawful basis if your new purpose is compatible with your initial purpose (unless your original lawful basis was consent).

If you are processing special category data you need to identify both a lawful basis for general processing and an additional condition for processing this type of data.

If you are processing criminal conviction data or data about offences you need to identify both lawful basis for general processing and an additional condition for processing this type of data.

Checklist:

We have reviewed the purposed of our processing activities, and selected the most appropriate lawful basis (or bases) for each activity.	✓
We have checked that the processing is necessary for the relevant purpose, and are satisfied there is no other reasonable way to achieve that purpose.	✓
We have documented our decision on which lawful basis applies to help us demonstrate compliance.	✓
We have included information about both purposes of the processing and the lawful basis for the processing in our privacy notice.	✓
Where we process special category data, we have also identified a condition for processing special category data, and have documented this.	✓
Where we process criminal offence data, we have also identified a condition for processing this data, and have documented this.	N/A

Version History

01 – GDPR Lawful Basis for Processing Data 14/05/2018ss – initial document approved by Chris Jennings