



The Berkshire and Oxfordshire Mediation Service

Privacy Notice for users

This privacy policy describes:

What information we collect and how we collect it

How we use your information.

How we may share your information

Your rights on the information we hold about you

How long we keep your information

How we keep your information safe

Compliance and cooperation with regulatory authorities

Changes to this Privacy Policy

Information we collect and how we collect it

In order to provide our services and for the other restricted purposes set out in 'Use of Information', we may collect and process Personal Data from you.

We may collect the following information:

- Personal information (for example, your name, email address, mailing address, and phone numbers)
- Sensitive Personal Data such as information about the reasons why you are involved in our services and information which is relevant to the concerns and interests you or others have raised.
- Safeguarding records
- Feedback from service users to enable us to monitor and improve our services

From time to time and as permitted by applicable law(s), we may collect Personal Data about you and update any existing Personal Data that we currently hold from other third-party sources.

We collect your information from:

- Our customer referrers who have consent or other legitimate authority to contact us for the purposes of trying to arrange mediation
- Referrals from individuals requesting mediation or training, or their authorised representative
- Telephone conversations, emails and written and verbal communications and from records of any sessions

In order for us to comply with our duty to maintain up to date and accurate records, please keep us informed of any changes to your personal data.

How we use Information

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data to:

- Perform our obligations under an agreement (either verbal or written) to provide you with services
- Comply with a legal obligation
- Where necessary to carry out our legitimate interests or those of a third party and your interests, although your fundamental rights do not override these interests.

We may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your information.

Our legitimate interests may include processing Personal Data for the purposes of:

- Providing our services to you
- Responding to your requests and enquiries
- Complying with our contract with you or another person
- Improving our services, for example, requesting your participation in surveys, or other initiatives which help us to gather information used to develop and enhance our services
- Compliance with applicable law(s) (for example, to comply with child or adult safeguarding requirements)
- Enabling us to provide analyses and to maintain our own accounts and records

We will never sell or give your information to others for commercial purposes

How we may share your information

We may disclose your Personal Data to third parties from time to time under the following circumstances:

- You request or authorise the disclosure of your personal details to a third party.
- The information is disclosed as permitted by applicable law(s) and/or in order to comply with applicable law(s).
- The information is provided to service providers who perform functions on our behalf. These may include;
 - a) Professional advisors acting as processors or joint controllers
 - b) Legal and compliance regulators acting as processors or joint controllers based in the United Kingdom who require reporting of processing activities in certain circumstances such as HM Revenue & Customs
 - c) Technology providers who assist in the development and management of our information systems

We do not discuss what takes place in mediation with third parties without your consent. We only provide information to referrers about whether it has been possible to meet with or mediate with referred clients and whether an agreement has been reached; we do not provide further information without your consent.

Parents and Children

If the person about whom we are holding information is below 14 years then our referrers will have gained consent from the parent or legal guardian if consent is required. Once the person reaches 14, we may also need to seek consent from them.

Your rights on the information we hold about you

You have the following legal rights in relation to your personal data:

- You can ask for access to and a copy of your personal data and can check we are lawfully processing it.
- You can ask us to correct any incomplete or inaccurate personal data we hold about you.
- You can ask us to delete or remove your personal data where:
 - a) There is no reason for us to continue to hold it
 - b) You have successfully exercised your right to object
 - c) We may have processed your information unlawfully
 - d) We are required to erase your personal data by law

Note that we may not always be able to comply with your request for specific legal reasons, which will be notified to you at the time of your request.

You can object to the processing of your personal data where we are relying on our legitimate interest (or those of a third party) as the basis for processing your personal data, if you feel it impacts on your fundamental rights and freedoms. However in some cases we may demonstrate that we have compelling legitimate grounds to process your information which overrides your rights and freedoms and in such circumstances we can continue to process your personal data for such purposes.

You can ask us to suspend or restrict the processing of your personal data, if:

- (a) You want us to establish the accuracy of your personal data
- (b) Our use of your personal data is unlawful, but you do not want us to erase it
- (c) You need us to hold your personal data (where we no longer require it) as you need it to establish, exercise or defend legal claims

You can request a transfer of your personal data to you or a third party which is held in an automated manner and which you provided your consent for us to process or which we needed to legitimately process to carry out our service. We will provide your personal data in a structured, commonly used, machine-readable format.

You may seek to exercise any of these rights by updating your information through a written request to: The Data Controller, Berkshire and Oxfordshire Mediation Service, Room F8, TOB1, University of Reading, Earley Gate, Whiteknights Road, Reading, RG6 6AT.

You have the right to make a complaint at any time to the Information Commissioners Office (ICO) (ico.org.uk/make-a-complaint) about how we have dealt with your data. We would, however, appreciate the chance to deal with your concerns before you approach the ICO so please contact us in the first instance.

How long we keep your information

Upon closing a case, our files are reviewed and we will keep only as much information as it reasonably required for us to discharge our professional, contractual and legal obligations. We do not retain copies of documents provided by clients but may keep correspondence with clients in case of later queries.

Data about persons referred to us but not engaging with the service

Contact details and referral forms for persons referred to the service but unable to contact – 1 year after the last contact

Contact details, referral and visit report forms for persons referred to the service but declined services – 1 year after the last contact

Data about persons engaging with the service

Neighbour, young persons and workplace mediation, assessments and training – 2 years after the case/training is closed.

Records of complaints – 6 years.

Invoicing and accounting information – 6 years.

How we keep your information safe

We aim to protect your personal information that we hold, its confidentiality, integrity and availability.

- We have reviewed our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems.
- Access to personal information is restricted to Staff and is subject to strict contractual confidentiality obligations that may result in individuals being disciplined or terminated if they fail to meet the obligations.
- We use a combination of technology and procedures to ensure that our paper and computer systems are protected, monitored and are recoverable.
- We only use third party service providers where we are satisfied that they provide adequate security for your personal data.

Compliance and cooperation with regulatory authorities

We regularly review our compliance with our Privacy Policy.

If we receive formal written complaints, we will contact the person who made the complaint to follow up. We will work with the ICO to resolve any complaints regarding the transfer of personal data that we cannot resolve with our users directly.

Changes

Our Privacy Policy may change from time to time.

Our data collection and destruction policy is subject to ongoing review and may be amended to comply with future amendments to regulations and guidance.

We will not reduce your rights under this Privacy Policy without your explicit consent.

John Pass – 28th August 2018