



Mediation Helps **Privacy Policy**

1.0 Policy Statement

This Policy defines the arrangements in place within Mediation Helps and assures compliance to the requirements of the Data Protection Act 1998 and General Data Protection Regulation (“GDPR”) and , as relevant to the Organisation’s business interests.

2.0 Policy Details

Data is classified into 2 categories for the purposes of this Policy; *Personal Data* and *Sensitive Personal Data*:

- a. *Personal Data* – this is defined as any information relating to an individual who is identified or otherwise identifiable, whether directly or indirectly. Examples here would be:

- date of birth
- current drivers’ licence
- photograph
- mobile phone number

- b. *Sensitive Personal Data* – certain types of information have been assessed as requiring additional protection under the *GDPR*. This will include an individual’s:

- ethnicity / racial origin
- political affiliations
- religious belief
- physical/mental health
- gender identity / sexual orientation
- genetic/biometric data

3.0 Introduction

Mediation Helps works within the requirements of the Data Protection Act 1998 and the General Data Protection Regulation 2018 (GDPR).

The *General Data Protection Regulation* (henceforth abbreviated to “*GDPR*”) addresses certain requirements for all Organisations that collect and process personal data as part of their ongoing business operations. Personal data is defined

as any information relating to an “identifiable living individual” and will therefore apply to the Organisation’s clients, employees and suppliers.

This privacy notice summarises the reasons we require your personal data, how we process/manage and look after the data you give to us and your rights under GDPR. Mediation Helps is committed to ensuring the lawful and careful collection of your personal information, the suitable use and secure storage of your personal information and that we meet our other commitments under the regulations. We assure you that your information will not be shared with any third parties or any organisation for marketing purposes.

Mediation Helps is committed to keeping your data as safe and secure as possible and to protecting your data against unauthorised access. However, as transmission of electronic information can never be completely secure, we cannot guarantee complete security. Please be advised that your information is provided to us electronically (via the internet/by online means) is at your own risk. When requesting information from us by electronic means or sending information to us by electronic/online means, it is important that you ensure you do so via a channel which you trust to be safe and ensure extra security.

4.0. Why we need your personal information

Mediation Helps provides mediation services. We request your personal information as we require it to enable us to provide those services to you. We may collect personal data and/or sensitive personal data. This includes but is not limited to:

- Entering a contract of service with you;
- Giving you access to the mediation information and assessment (MIAM) process introduced under the Children and Families Act 2014, s10;
- Providing mediation services;
- Contacting relevant third party organisations for the purpose of exploring whether your case is mediatable; and
- For our own records

5.0 Information we may request

Mediation Helps may request the following information in order to provide a service to you/make a contract with you/provide access to MIAM:

- Personal information including your name, email address, mailing address, phone numbers, date of birth, national insurance number.
- Details of your children and/or details of your finances* dependent on the type of services we are being asked to provide to you.
- From time to time and as permitted by applicable law(s), we may collect other personal/sensitive personal Data about you and update any existing personal/sensitive personal Data that we currently hold from other third-party sources.

6.0 Where we collect your information from

- The referral forms on our website – referral forms may be completed and sent to us by you or a representative making a referral on your behalf
- Referrals from other referring third party agencies which may include Cafcass, Family Law Solicitors, HM Courts Services
- Emails, telephone conversations, face to face written or verbal communications with you, your representative or a third party
- Our appointment/session records

7.0 How Mediation Helps will use your information

- In order to comply with court orders/legal requirements;
- In order to carry out our services under our contract with you;
- In order to respond to your requests and enquiries;
- In order to give you access to a MIAM and/or Joint Meetings; and
- In order to improve our services and/or carry out investigations. We are always exploring ways to improve our services and will on occasion request feedback.

8.0 How long will we keep your information?

In accordance with data protection legislation, we keep a record of your files for a maximum of 6 years.

9.0 Lawful Processing of data

We collect and process data in line with our legitimate interests, which include processing such Personal Data for the purposes of:

- Providing access to a MIAM and Joint Mediation Sessions;
- Providing a service to you at your request under contract, and enhancing the provision of our services; and
- Carrying out administration and service delivery

10.0 Sharing your information and making disclosure to third parties

In accordance with our regulatory bodies guidelines and legal obligations, we will only share your personal data with any third parties in the following circumstances:

- Where there is a risk to children or vulnerable individuals when we have a duty to alert the relevant authorities (usually local authority social workers) as part of our overall responsibility to safeguard children and vulnerable individuals;
- Where there are safeguarding issues;
- Where there is evidence of Money Laundering;
- Where you are provided with publicly funded (legally aided) family mediation and the Legal Aid Agency seeks to audit your files;

- Where you make a request or authorise the disclosure of your personal details to a third party;
- Where we refer your case to a sister Mediation Service;
- In circumstances where we are requested to do so by any law enforcement agency, regulator, government authority;
- In instances where we believe this is necessary to comply with a legal or regulatory obligation

11.0 Instances where your information is provided to service providers who perform functions on our behalf

- Service providers who assist in the development and management of our website;
- Service providers for the secure storage and transmission of your data; and/or
- To comply with legal and compliance consultants, such as external auditors.

12.0 Data in relation to Parents and Children

In circumstances where the individual whom we are holding information for is below the age of 16, we will need to seek consent from the parent/carer or legal guardian to provide a direct service (where consent is required). Once a person reaches age 16, we will seek consent direct from them to provide services.

13.0. Subject Access/User Rights

Outlining your rights pertaining to the data we hold on you.

You have the right to:

- Be informed of how we use your Personal Data (as enclosed in this policy);
- Have access to and/or to request the correction or erasure of your Personal Data;
- Be able to block and/or object to the processing of your Personal Data;
- Not be subject to any decision based solely on automated processing of your Personal Data; and
- Only in certain circumstances, to receive Personal Data in a format which may be transmitted to another entity.

14.0 Complaints

If you are dissatisfied with how we have used your data or you have a complaint pertaining to the processing of your data carried out under this Privacy Policy, you have the right to lodge a complaint with the Information Commissioner's Office.

You may seek to exercise any of these rights by emailing:

Serena@mediationhelps.co.uk

Please also refer to our Complaints Policy (located on our website or request via email).

15.0 Information security

Mediation Helps is committed to protecting the personal information that we hold on you. The actions we take to ensure your personal information is secure are:

- We handle your personal information with care;
- We have secure systems in place to ensure your personal and sensitive data is secure;
- We regularly review our information collection, storage and processing practices, including physical security measures, to guard against unauthorised access to systems;
- We limit access to personal and sensitive data information to Staff and Volunteers subject to strict contractual confidentiality obligations which results in disciplinary action if they fail to meet these obligations.
- We ensure we have a Privacy Policy and Complaints Policy in place and accessible to all of our clients. The Privacy Policy outlines your rights, defines the measures we take to provide your personal and sensitive data.
- We ensure that we have robust systems in place to protect your personal and sensitive data which is monitored and protected.
- Our third party service providers are trusted and we expect them to have adequate security measures in place for your personal and sensitive data.
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16.0 Compliance and cooperation with the Information Commissioners Office (ICO)

Our compliance with our Privacy Policy is regularly reviewed to ensure that we are up to date with our policy.

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

17.0 Amendments/Updates

It is likely that our Privacy Policy will change from time to time. Please be assured that this will not reduce your rights under this Privacy Policy and if we need to do so we will seek your explicit consent.

18.0 Monitoring and Review of this Procedure

This procedure is part of Mediation Helps quality standards. Compliance with the policy and procedures laid down in this document will be monitored by the Managing Director on a periodic basis.

The Managing Director is responsible for the monitoring, revision, and updating of this document.

This policy will be kept under review in light of operational experience and national guidance. The first review will take place one year from adoption, and positive action will be taken to resolve any issues.

19.0 After reading this Policy, you should be able to

- Understand what the Privacy Policy is and how it operates;
- Understand how Privacy Policy operates at Mediation Helps and have an awareness of the actions we take in preventing, identifying and reporting concerns;

20.0 Policy Review

A Director will review this policy at least once a year to make any updates needed.

21.0 Authorisation

This Policy is the authorised version agreed by the Directors Mediation Helps.

All employees and volunteers are expected to follow this policy and failure to do so could result in disciplinary action.