

## CANTA MEDIATION PRIVACY STATEMENT

Canta Mediation and its mediators are committed to complying with the General Data Protection Regulation (GDPR) and the Data Protection Act 2018.

It is important to us to ensure that your personal information is kept safe and that we are clear with you about how we collect your data, how we store it and what we do with it.

Canta Mediation is registered with the Information Commissioners Office (ICO) as a “data controller”, Registration Number ZB141285. This means that Canta Mediation determines the purposes and ways in which any personal data is, or will be, processed.

Canta Mediation’s mediators are all “processors” of personal data for the purposes of the General Data Protection Regulation and are bound to act on the instructions of the “data controller.” These instructions include but are not limited to keeping information confidential, not using a sub-processor without authorisation, complying with any requests of the controller under GDPR, deleting/returning personal information at the end of a case and participating in data protection audits or inspections.

### What information we collect and why?

When we receive an enquiry from you we store the following information:

Data Collected	Why we need it
Name, contact number/s, email address	These are the minimum requirements for us to contact you to give you the information that you have requested and/or to confirm your appointment.
Address	We need to know what area clients are living in so as to understand which venue will be most convenient. In addition, we may need to send you information about your appointment.
Outline information about your case	You provide us this information so that we can begin to assess whether your case may be suitable for mediation and so that we can appoint a suitable mediator.

Once you contract with us to provide you with a service, either in the form of a Mediation Information and Assessment Meeting and/or for mediation itself, we will also need to collect other personal data that is relevant to your case. This can include, but is not limited to, information about your date of birth, your family, your work, your finances, any relevant legal proceeding and your health. We will only collect data that we believe is necessary for us to understand your personal circumstances, in order to facilitate a safe and productive mediation process.

### How do we use your information?

The data protection rules say that we are only allowed to use and share your personal data where we have a proper reason to do so. The law says we must have one or more lawful basis for this. The following are those that apply to mediation:

<b>Lawful Basis</b>	<b>Meaning</b>
Contract	your personal information is processed in order to fulfil a contractual arrangement e.g. when you have asked Canta Mediation to provide you with a service.
Consent	where you agree to us using your information.
Legitimate Interests	this means the interests of Canta Mediation in managing our business e.g. in running a mediation, keeping accounting records, etc.
Legal Obligation	where there is statutory or other legal requirement to share the information.
Public Task	where there is a need to process information “in the exercise of official authority”.

Here is a list of the ways that we may use your personal information, and which of the reasons described above we rely on to do so:

What we use your personal information for	Our reasons (Legal Basis)	Our explanation of our reasons
Responding to requests for mediation and/or information about mediation	Consent / Contract	You (or someone on your behalf) have asked us to contact you. This implies your consent for us to contact you for this purpose. Your request for information about mediation, or for mediation services, is also the start of a contract between us, a pre-requisite for which is that we store your contact information for as long as is needed.
Contacting another party to the mediation	Public task / Legal obligation / Legitimate interest	Although the other party may not have given their consent for us to contact them, we have a responsibility to that party to ensure that they have access to the mediation information and assessment process introduced by the Children and Families Act 2014, s10.
Organising and/or administering mediation, including giving information about mediation, organising meetings, sending summaries and court forms, dealing with payment/fees and requesting feedback	Contract	The act of agreeing to attend an appointment with Canta Mediation implies a contract between us, for us to supply you with a service. Once mediation is underway, you will have signed a formal contract.
Contacting a third party or other agency	Legal obligation	In exceptional circumstances we may have a legal obligation to break confidentiality in order to share information relating to a previously undisclosed

		safeguarding issue/s, unlawful act/s or criminal offence/s.
Financial submissions / auditing for Legal Aid Agency (LAA) work	Contract	We are required to share client information with the LAA, where clients are claiming LAA funding.
To write mediation summaries	Contract	To comply with our contract with you.
To deal with complaints	Contract / Consent	Once you have attended a first meeting you will have expressly given your consent for this in our Confidentiality Agreement and/or our Agreement to Mediate.
For research / statistical purposes	Consent	You give your consent in our Confidentiality Agreement and/or our Agreement to Mediate for us to retain data for research / statistical purposes, on the understanding that if used for this purpose all identifying details will have been removed.

### Who we share your information with and why?

We will only use your personal data for the purposes for which it was obtained in the first place. We won't share it with any third parties e.g. solicitor's / social services, unless with your express permission to do so.

We take confidentiality very seriously, however there are a number of exceptions where we would be compelled to share your personal data. These are clearly outlined in our Mediation Information and Assessment Agreement, our Confidentiality Agreement and our Agreement to Mediate.

In brief, they are as follow:

Where we are legally bound to disclose information - this may include in situations where there is a risk of serious harm or abuse to you or to a child, where there is a criminal investigation, or where a court order compels us to do so.

For the purpose of quality assurance - access for the monitoring of mediation files is strictly controlled and on a confidential basis with our one of our Professional Practice Consultants and/or the Legal Aid Agency, where relevant.

For the purpose of a dealing with a complaint - in this instance your file would be shared with the person, people or organisation that are conducting the investigation.

In addition to the exceptions listed above:

For the purpose of our business financial accounts - very limited aspects of your personal data will be shared, for example, with our bank and accountant, as your name may be seen against payments. However, both these organisations also have their own obligations to keep your data secure.

## **Keeping in touch with you**

We will only contact you in relation to organising or administering mediation. This includes but is not limited to giving information about mediation, organising meetings, sending summaries and court forms, dealing with payment/fees and requesting feedback.

## **Keeping your personal information safe**

All digital information is kept secure through password-enabled platforms. Paper files are likewise stored securely, in locked cabinets. Access to both digital and paper file information is reviewed on a regular basis and limited to those people who actually need to access it, and are assigned the permission to do so.

Canta Mediation web forms are protected by secure end-to-end encryption. All computers are protected with virus protection software.

## **How long will we keep your personal data?**

In line with the guidance from the Information Commissioners Office, Canta Mediation are committed to retaining data for no longer than necessary in relation to the purpose it was first collected for.

Mediation files will usually be retained for 6 years after the case closes, in case of query. However, documents pertaining to full financial disclosure will either be returned to clients or destroyed securely when the file closes. Any flip charts will also be destroyed at this time.

Financial information will be kept for as long as legally required in respect of tax and accounting purposes, which could currently be anything up to six years after a transaction has taken place.

## **Your rights to managing your own data**

You have the right to request access to the personal information that Canta Mediation stores and processes about you.

You can ask for corrections to be made to the information we hold or for your personal information to be deleted.

You can also ask us to restrict the processing of your personal information or object to the processing of it altogether.

We will not charge you for either considering or complying with a request unless it is deemed to be excessive in nature.

We will ask you for proof of identity and upon this being successfully verified, you are entitled to obtain the following information about your personal information:

- The purposes of the collection, processing, use and storage of your personal data.
- The source(s) of the personal information, if it was not obtained from you.
- The categories of personal data stored about you.
- The recipients (or categories of recipients) to whom your personal data has been or may be transmitted, along with the location of those recipients.
- The envisaged period of storage for your personal data or the rationale for determining the storage period.
- The use of any automated decision-making and/or profiling.

If you'd like to make a request relating to any of the rights above, please send a request by emailing [info@canta-mediation.co.uk](mailto:info@canta-mediation.co.uk) . If you prefer, you can make the request in writing to: Canta Mediation, Data Protection Request, 100 Station Road, Croston, Leyland, Lancashire, PR26 9RP.

### **How to make a complaint**

If you have any questions about this privacy policy or the way in which Canta Mediation handles your personal information, or if you wish to make a complaint, please follow our complaints procedure. This is available on request by emailing [complaints@canta-mediation.co.uk](mailto:complaints@canta-mediation.co.uk) . If you are unhappy with our response, you may then raise your concern directly with the Information Commissioner's Office at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF

Alternatively you can visit the ICO website. Canta Mediation is registered with the Information Commissioners Office (ICO) as a "data controller". Registration number ZB141285.