

Mediation Resolution

Privacy Policy

Who are we?

We are Mediation Resolution. Our postal address and registered office address is 11 South Street, Ditchling, East Sussex, BN6 8UQ.

For the purposes of relevant data protection legislation, we are the “data controller” in relation to personal data that we hold about you. This means that we are responsible for the safekeeping of that data and we decide how that data is to be obtained, handled, retained and destroyed.

This Policy will inform you as to how we look after your personal data when you visit our website (regardless of where you visit it from) and tell you about your privacy rights and how the law protects you. If you have any queries about this Policy, how your data is handled or if you wish to obtain a copy of your personal data, please contact Kevin Smyth by email kevinsmyth48@gmail.com

What is Mediation Resolution?

We provide mediation services through trained and accredited mediators in connection with civil/commercial disputes. Some are referred to us by mediation providers such as CEDR, others through solicitors and some direct from the parties to the dispute in question.

Purpose of this privacy policy

This privacy policy aims to give you information on how we collect and process your personal data through your use of this website or if received through some other medium.

It is important that you read this Policy together with any other privacy notice or fair processing notice we may provide on specific occasions when we are collecting or processing personal data about you so that you are fully aware of how and why we are using your data. This privacy policy supplements any other notices and is not intended to override them.

What information do we collect about you?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

We may collect, use, store and transfer different kinds of personal data about you which we have grouped together follows:

- a. Identity Data includes first name, maiden name, last name, username or similar identifier, marital status, title, date of birth and gender.

- b. Contact Data includes billing address, delivery address, email address and telephone numbers.
- c. Financial Data includes bank account and payment card details.
- d. Transaction Data includes details about payments to and from you and other details of services you have asked us to provide.
- e. Technical Data includes internet protocol (IP) address, your login data, browser type and version, time zone setting and location, browser plug-in types and versions, operating system and platform and other technology on the devices you use to access this website.
- f. Profile Data includes your username and password (if provided), instructions given by you, your interests, preferences, feedback and survey responses.
- g. Usage Data includes information about how you use our website and services.
- h. Marketing and Communications Data includes your preferences in receiving marketing from us and your communication preferences.

If you apply for a job with us, we will collect the Identity Data contained in our application form: that form details the purposes for which we will use this information and for the length of time that we will retain it.

If you are a business contact of ours (including a contact at a law firm), we will collect your Identity Data (name, email address and telephone number) and Contact Data.

If you are a potential delegate at one of our events, we will collect your Identity Data (name, email address and telephone number).

If you are a booked delegate at one of our events or an attendee, we will collect your Identity Data (name, email address and telephone number).

If you are an advertiser or we identify you as a potential advertiser, we will collect your Identity Data (name, email address and telephone number) and Contact Data

If you are a referrer to us, we will collect your Identity Data (name, email address and telephone number) and Contact Data.

If you contact us for any other purpose, we may retain your contact details as provided to us by you.

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your professional or any other relationship with us.

If you fail to provide personal data

Where we need to collect personal data by law, or under the terms of a contract we have with you, and you fail to provide that data when requested, we may not be able to perform the contract we have with you; or that we are endeavouring to finalise (i.e. to provide you with our services). In these circumstances, we may decline to undertake the service you have ask us to give you in which case we will notify you accordingly.

How is personal data collected?

We use different methods to collect data from and about you including through:

1. Online enquiries;
2. The provision of written instructions to provide our services;
3. Conversations with you either by telephone or face to face;
4. Via e-mails or other written communications which you send to us.

What will we do with your personal data?

We will only use your personal data when the law allows us to do so. Most commonly, we will use your personal data in the following circumstances:

1. Where we need to perform the contract of services that we have, or are about to have, with you.
2. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.
3. Where we need to comply with a legal or regulatory obligation.

We set out below, in a table format, a description of all the ways we plan to use your personal data, and which of the legal bases we rely on to do so. We have also identified what our legitimate interests are where appropriate.

Note that we may process your personal data for more than one lawful ground depending on the specific purpose for which we are using your data. Please contact us if you need details about the specific legal ground we are relying on to process your personal data where more than one ground has been set out in the table below.

| <u>Purpose/Activity</u> | <u>Type of data</u> | <u>Lawful basis for processing including basis of legitimate interest</u> |
|---------------------------------|--|--|
| If you apply for a job with us. | Identity data and contact data, as listed in the application form. | <ol style="list-style-type: none">1. Necessary for our legitimate interests (to assess your application and ensure we are properly informed when we interview you);2. Performance of a contract with you (if you are successful in your application). |
| Conducting business with you. | Identity data (such as name, email address and telephone number). | <ol style="list-style-type: none">1. Performance of a contract with you;2. Necessary for our legitimate interests (particularly when maintaining confidentiality |

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| | | when providing our mediation services). |
| If you are a potential delegate at one of our events | Identity data (such as name, email address and telephone number). | 1. Performance of a contract with you; 2. Necessary for our legitimate interests. |
| If you are a booked delegate at one of our events or an attended of one of these events. | Identity data (such as name, email address and telephone number), dietary requirements and potential health issues (such as hearing disability). | 1. Performance of a contract with you; 2. Necessary for our legitimate interests (particularly keeping the cost of hosting events within reasonable bounds for the benefit of delegates and sponsors). |
| If you are an advertiser, mediation referrer or we identify you as a potential advertiser or provider. | Identity data (such as name, email address and telephone number). | 1. Performance of a contract with you; 2. Necessary for our legitimate interests. |
| To administer and protect our business and our website (including troubleshooting, data analysis, testing, system maintenance, support, reporting and hosting of data). | 1. Identity; 2. Contact; 3. Technical Data. | 1. Necessary for our legitimate interests (for running our business, provision of administration and IT services, network security, to prevent fraud and in the context of a business reorganisation or any group restructuring exercise); 2. Necessary to comply with a legal obligation. |
| To deliver relevant website content and advertisements to you and measure or understand the effectiveness of the advertising we provide to you. | 1. Identity; 2. Contact; 3. Profile; 4. Usage; 5. Marketing and communications; 6. Technical. | Necessary for our legitimate interests (to study how customers use our services, to develop them, to grow our business and to inform our marketing strategy). |
| To use data analytics to improve our website, products/services, marketing, customer relationships and experiences. | 1. Technical; 2. Usage. | Necessary for our legitimate interests (to define types of customers for our products and services, to keep our website updated and relevant, to develop our business and to inform our marketing strategy). |
| To make suggestions and recommendations to you services that may be of interest to you. | 1. Identity; 2. Contact; 3. Technical; | Necessary for our legitimate interests (to develop our services and grow our business). |

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| | 4. Usage; 5. Profile. | |
| To manage our relationship with you which will include: 1. Notifying you about changes to our terms or privacy policy; 2. Asking you to provide feedback, partake in a review or in a survey. | 1. Identity; 2. Contact; 3. Profile; 4. Marketing and communications. | 1. Performance of a contract with you; 2. Necessary to comply with a legal obligation; 3. Necessary for our legitimate interests (to keep our records updated and to study how clients use our services). |

In particular (but without limitation) we will, or may, contact you in the following ways:

- If you are a client, professional referrer or another mediation provider, by e-mail, direct mail and telephone as required;
- If you are a potential client, professional referrer or another mediation provider, by e-mail, direct mail and telephone as required;
- If you are a delegate at one of our events, we will send you emails regarding the event that you have booked and other events, products and services that may be of interest to you: and also contact you with communications such as your booking confirmations, joining instructions, a pre-event email from sponsors, a post event email and feedback, review and survey forms.

The information that we process and that you pass on to us will only ever be information that you have provided to us or which is otherwise freely and publicly available (via your website, The Law Society or other similar professional or trade organisations which publishes such information publicly whether by website, in some other electronic medium or in paper form).

If you contact us in any other way, we will process your data only for the purposes of dealing with your enquiry/concern.

How long will we keep your personal data?

We will only retain your personal data for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

When determining the appropriate retention period for personal data, we shall have regard to the nature, extent, and sensitivity of your personal data, the potential risk of harm from unauthorised use or disclosure of it, the purposes for which we stored and/or processed it and whether we can achieve those purposes through other means as well as the applicable legal requirements.

Where we keep your data on our marketing database, we shall retain this indefinitely so that we can make sure that we have a record of your marketing preferences.

Who do we share your data with?

Other than as detailed above, we may also share your personal data with any authority with whom, as a matter of law, we are obliged to supply personal data including, but not limited to, HMRC and NCA.

Additionally, and only with your authority, we will share information that needs to be so shared for the purposes of enabling us to act on your instructions or otherwise provide our mediation services.

Where do we store your data?

All your personal data, whether in electronic or paper form, of which we are the controller, is stored at 11 South Street, Ditchling, East Sussex, BN6 8UQ.

How do you obtain a copy of your personal data?

If you require a copy of your personal data, please write to Kevin Smyth at 11 South Street, Ditchling, East Sussex, BN6 8UQ or by email to kevinsmyth48@gmail.com

Kindly note that we will do our best to comply with any request for a copy of your personal data and will always comply with such request in accordance with the relevant data protection law. However, when complying with such a request, we shall need to take into account the interests of third parties: hence some of the information that we provide may be redacted (with the identity of third parties obscured) and/or some information may not be released to you as to do so would or might be a breach of confidence or be unlawful.

What if I no longer want to be contacted or want to change my preferences?

You can ask us to stop sending you marketing messages at any time. Each email that we send to you will allow you to unsubscribe from it and to determine your preferences. Once unsubscribed, you will no longer receive any marketing emails from us. If you don't wish us to contact you by post or by telephone, please write to us at the postal or email addresses detailed above.

Change or purpose

We will only use your personal data for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If you wish to obtain an explanation as to how the processing for the new purpose is compatible with the original purpose, please contact us.

If we need to use your personal data for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

Please note that we may process your personal data without your knowledge or consent, in compliance with the above rules, where this is required or permitted by law.

Data security

We have put in place appropriate security measures to prevent your personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. In addition, we limit access to your personal data to only those employees, agents and third parties who need to know for the purposes of enabling us to provide our services and/or manage or administer data internally. They will only process your personal data on our instructions and they are bound by us to a duty of confidentiality.

We have put in place procedures to deal with any suspected personal data breach and will notify you and any applicable regulator of a breach where we are legally required to do so.

Your rights

You have a right to:

- Request access to any personal data that we hold about you (commonly known as a “data subject access request”). This will enable you to acquire a copy of the personal data that we hold about you and to check that we are lawfully processing it;
- Request correction of the personal data that we hold about you. This will enable you to have any incomplete or inaccurate data we hold about you corrected, though we may need to verify the accuracy of the new data you provide to us;
- Request erasure of your personal data. This will enable you to ask us to delete or remove personal data where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal data where you have successfully exercised your right to object to processing (see below), where we may have processed your information unlawfully or where we are required to erase your personal data to comply with the law. Note, however, that we may not always be able to comply with your erasure request for specific legal reasons which will be notified to you, if applicable, at the time of your request or within a reasonable period thereafter;
- Object to the processing of your personal data where we are relying on a legitimate interest (or that of a third party) in circumstances when for reasons that are personal to you, you want to object to processing on this ground as you feel it impacts on your fundamental rights and freedoms. You also have the right to object where we are processing your personal data for direct marketing purposes. In some cases, we may feel obliged to demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms in which case you will be informed accordingly;
- Request restriction of processing of your personal data. This will enable you to ask us to suspend the processing of your personal data in the following situations: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it;
- Request that your personal data is transferred to you or another person. We will provide to you, or a third party you have chosen, your personal data in a structured, commonly used, machine-readable format. Note that this right only applies to

automated information which you initially provided consent for us to use or where we used the information to perform a contract for you.

- Withdraw consent at any time where we are relying on consent to process your personal data. However, this will not affect the lawfulness of any processing carried out before you withdraw your consent. If you withdraw your consent, we may not be able to provide our services to you. We will advise you if this is the case at the time you withdraw your consent or within a reasonable period thereafter;
- Make a complaint to the Information Commissioner's Office (which is the UK supervisory authority for data protection issues) if you feel that we have breached this Policy or your rights under data protection legislation. The Information Commissioner's Office can be contacted via their website www.ico.org.uk or by telephone on 0303 123 1113. Beforehand though we ask that you give us the opportunity of considering and satisfactorily addressing your concerns before you refer them to the Information Commissioner's Office.

All or any of the requests referred to above should be sent by post to Kevin Smyth at 11 South Street, Ditchling, East Sussex, BN6 8UQ or by email to kevinsmyth48@gmail.com

You will not have to pay a fee to access your personal data (or to exercise any of the other rights). However, we may charge a reasonable fee if your request is clearly unfounded, repetitive or excessive. Alternatively, in such circumstances we may refuse to comply with your request.

We may need to request specific information from you to help us confirm your identity and ensure your right to access your personal data (or to exercise any of your other rights). This is a security measure to ensure that personal data is not disclosed to any person who has no right to receive it. We may also contact you to ask you for further information in relation to your request to in order to help expedite our response.

Time limit to respond

We shall try to respond to all legitimate requests within one month. It may take us longer than a month to do so if your request is complex or if you have made several or numerous requests. If we believe that this will be so, we will notify you accordingly.

Glossary

“Legitimate Interest” means the interest of our business in conducting and managing it in a way that will enable us to give you good service. We shall consider and balance any potential impact on you (both positive and negative) and your rights before we process your personal data for our legitimate interests. We do not use your personal data for activities where our interests are overridden by the any actual adverse impact on you (unless we have your consent or are otherwise required or permitted to by law). You can obtain further information about how we assess our legitimate interests against any potential impact on you in respect of specific activities by contacting Kevin Smyth by email (kevinsmyth48@gmail.com).

“Performance of Contract” means processing your data where it is necessary for the performance of a contract to which you are a party or to take steps at your request before entering into such a contract.

“Comply with a legal or regulatory obligation” means processing your personal data where it is necessary for compliance with a legal or regulatory obligation with which we are required to comply.

Changes to this Policy

This Policy may be updated at any time to reflect either our current practice or changes in the relevant law. The new policy will be effective as soon as it is posted on Mediation Resolution’s website.

JUNE 2018