**Association of South West Mediators (“ASWM”)**

**Privacy Policy**

1. ASWM has adopted this policy. The core requirements relate to the collection, storage, processing, records, confidentiality, security, incident management, retention and deletion, management, availability, integrity, and secure disposal of personal and sensitive data relating to our members, those who enquire about appointing a mediator or use our services, those who supply services to us, employees and those who use our website.
2. ASWM is registered with the Information Commissioner’s Office and we endeavour to follow all requirements of the Data Protection Act 1998 (DPA) complies with the principles of the General Data Protection Regulation (GDPR) when dealing with all data.
3. We will only collect and process personal any sensitive data that has been obtained fairly and lawfully and for a specific set of purposes connected with ASWM’s activities or where we have a legitimate purpose under law to do so. Data will be adequate and relevant and only used for the purposes collected. It will be maintained, kept accurate, and not retained for any longer than is necessary.
4. Before collecting any information, we will consider:
   1. What details are necessary for our purposes
   2. How long we are likely to need to retain this information
   3. What the information will be used for
5. We will not disclose it to third parties unless it is necessary to do so. On those occasions when we do need to disclose personal information, such as proceeding with your instructions or obtaining compliance or regulatory advice, we will do so on a confidential basis and in accordance with GDPR.

**What types of Personal Data do we collect?**

1. To enable us to provide a service that meets your needs we require certain information. As a matter of course this will be:
   1. Name
   2. Address
   3. Date of Birth
   4. Email Address
   5. Phone no.
   6. Information about the matter in dispute.
2. We may also require:
   1. other personal details
   2. family, lifestyle and social circumstances
   3. financial details
   4. employment and education details
   5. details of services provided
3. We also process sensitive classes of information that may include:
   1. physical or mental health details
   2. racial or ethnic origin
   3. religious or other beliefs of a similar nature
   4. trade union membership

**Reasons/purposes for processing information**

1. We process personal information to enable us to promote and facilitate our services, and those of our members, to maintain our accounts and records, to support and manage our members and for the purposes of statistical analysis.
2. The information is used in practice and for system administration purposes and to form personalised profiles and demographics that we may use to improve the content of our communications to you. In order to collect customer use profiles, we may use "cookies" to store and track information about your use of the ASWM website.
3. ASWM may use your personal information for a number of reasons. These include:
   1. In respect of mediators
      1. to keep you informed of ASWM’s activities including meetings, training, membership, services etc.;
      2. to disseminate and publish such information as is provided by you to us in respect of potential mediations, presentations and other services provided by ASWM;
      3. Administrative purposes – to include all internal record keeping and auditing
      4. Unless you inform us to the contrary, we will retain your membership data for three years after you have ceased to be a member, in order to keep you informed about ASWM activities.
      5. We will retain general feedback data about mediations in which you have been involved for up to six years.
   2. In respect of all users, including potential users, complainants and enquirers
      1. ASWM only holds the data necessary to offer services provided on our website. We do not ask for or use more data than necessary to provide you with a proper service. This means we only process and hold data related to the service you have enquired about.
      2. Our website collects “cookies” – see below.
      3. Data collection providing such data does not disclose the personal details of the users but gives a broad idea of users so we can adapt our services to suit our users.
      4. The registrar will hold data in relation to all enquiries until they are either allocated to a lead mediator or until it is clear a mediation from our panel is unlikely to be purchased.
   3. In respect of professional users (e.g. solicitors and accountants)
      1. We have a legitimate business interest in retaining contact details, including name and email address of any professional user who may have enquired into the use of our services in order that ASWM can keep them informed of our members and the services that may be relevant to them.
4. For all data subjects, we will endeavour to contact you insofar as you are happy for us to do so, and in the event you change your preferences we shall act swiftly to ensure that our contact information is adjusted as appropriate.
5. Any processing of your data is only done to provide or perform the services or products you have purchased.

**Data Security**

1. We will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful loss or disclosure. The following measures will be taken:
   1. Password protection on personal systems
   2. Daily back up data on computers
   3. Password protected attachments for sensitive personal information sent by email or stored on computers/laptops/phones
   4. Laptops taken out of the office or used by home-based staff are always secured

**Data Protection Register**

1. Data is only used by ASWM for the purposes described in our entry on the Data Protection Register.

**Required Period**

1. We only hold personal data for as long as necessary for the delivery and marketing of our services. Once mediations are completed, we will delete all information relating to them save contact details for professional representatives and that given by way of feedback which we are required to retain.

**Card & Payment Processing Data**

1. ASWM does not use a card payment system. All payments are made directly to the individual mediator you appoint who will advise you of his/her policy and arrangements.

**Customer Requests**

1. As a customer, you can at any time (and free of charge) request details of the data ASWM holds relating to you – although we reiterate that personal and/or sensitive data will be deleted by ASWM at the completion of a mediation.

**Access Requirements**

1. We will ensure that anyone whose personal information we process has the right to know:
   1. What information we hold and process on them
   2. How to gain access to this information
   3. How to keep in up to date
   4. What we are doing to comply with the regulations
2. They also have the right to prevent processing of their personal data in some circumstances and the right to correct, rectify, block, or erase information regarded as wrong or if consent is withdrawn.
3. Individuals have the right under the DPA and the GDPR to access certain personal data being kept about them on computer and certain files. Any person wishing to exercise this right should apply in writing to the Data Compliance Officer by email at [enquiries@aswm.org.uk](mailto:enquiries@aswm.org.uk)
4. The following information will be required before access is granted:
   1. Full name and contact details of the person making the request
   2. Their relationship with ASWM
   3. Any other relevant information e.g. timescales
5. We may also require proof of identity before access is granted
6. Queries about handling personal information will be dealt with swiftly and politely. ASWM aim to comply with requests for access to personal information as soon as possible, but will ensure it is provided within the 40 days required by the DPA and the GDPR.
7. For further current information see <https://ico.org.uk/for-organisations/data-protection-reform/overview-of-the-gdpr/>

**Our Promise**

1. Save as set out in this paragraph, we never sell rent or exchange or pass on any of your personal data except
   1. when required to do so by law
   2. in response to a valid legal request by a law enforcement officer or government agency
   3. when you have explicitly or implicitly given your consent.
2. We need to share the personal information we process with individual mediator members of ASWM and also with other organisations. Where this is necessary we are required to =
3. comply with all aspects of the Data Protection Act (DPA). What follows is a description of the types of organisations we may need to share some of the personal information we process with for one or more reasons.
4. Where necessary or required we share information with:
   1. family, associates and representatives of the person whose personal data we are processing
   2. employment and recruitment agencies
   3. prospective employers
   4. suppliers and service providers

**Spam**

1. In accordance with the Privacy and Electronic Communications (EC Directive) Regulations 2003, we never send bulk unsolicited emails, (popularly known as Spam) to email addresses without appropriate consent.

**Cookies**

1. Our website uses "cookies" to track use of our website. Please note that these cookies do not contain or pass any personal, confidential or financial information or any other information that could be used to identify individual visitors or customers purchasing from our website. Please note that you are free to refuse cookies.
2. Cookies are small pieces of information which may be sent from our website to your computer or mobile phone and which are stored on your device's hard drive. They are designed to enable users to access our site more effectively and help us assess how our site is used.
3. Many internet browsers (such as Internet Explorer, Firefox Mozilla or Google Chrome) give users options about cookies. Most browsers default setting allow cookies; our system will issue cookies when you log on to and use our site.
4. There are more details about cookies and how to remove them from your browser at www.allaboutcookies.org.
5. We will use this personalised information to keep you informed of areas you may have an interest. If you would prefer not to receive communications from us, please tell us by email to enquiries@aswm.org.uk.

**Google Analytics**

1. This website uses Google Analytics to help analyse how users use the site. The tool uses "cookies," which are text files placed on your computer, to collect standard Internet log information and visitor behaviour information in an anonymous form. The information generated by the cookie about your use of the website (including your IP address) is transmitted to Google. This information is then used to evaluate visitors' use of the website and to compile statistical reports on website activity for ASWM.
2. We will never (and will not allow any third party to) use the statistical analytics tool to track or to collect any Personally Identifiable Information of visitors to our site. Google will not associate your IP address with any other data held by Google. Neither we nor Google will link, or seek to link, an IP address with the identity of a computer user. We will not associate any data gathered from this site with any Personally Identifiable Information from any source, unless you explicitly submit that information via a fill-in form on our website.

**Jurisdiction for use**

1. This site is intended for use only by those who can access it from within the UK.

**Governing Law**

1. This site is governed by and construed in accordance with English law. Disputes arising in connection with this site shall be subject to the exclusive jurisdiction of the English Courts.

**Contacts**

1. If you believe any information on this site is inaccurate or have any suggestions on how the content of this site could be improved, or if you have any comments or concerns regarding our services, please contact us at enquiries@aswm.org.uk.

**Changes**

1. We will update the content of this notice from time to time. Please ensure that you visit this page regularly and refresh your browser to ensure your information is up to date.

**Customer responsibility**

1. It is your responsibility to ensure that your computer is virus protected. ASWM accepts no responsibility for any loss you may suffer as a result of accessing or downloading information from this site.

**Accuracy and validity of information**

1. Whilst we take all reasonable steps to ensure that the information contained within these pages is accurate and up-to-date, it is nonetheless supplied on an "as is" basis and accordingly we do not accept any liability for any errors or omissions. If you are in any doubt as to the validity of information made available within these pages, we recommend you seek verification by contacting us.

**Availability**

1. Whilst we take all reasonable steps to ensure this website is always accessible we will not be held liable if, for any reason, the website is unavailable for any period. We may also have to suspend access to the website for routine or emergency updates and maintenance but we will endeavour to keep any disruption to a minimum. In addition, we cannot warrant that this website will be free of viruses or defects of any description and we will not be held responsible for any technical problems you may suffer as a result of your use of this website.

**Third Party websites**

1. This website may also contain hypertext links to websites operated by third parties. The responsibility for the operation and content of those websites shall rest solely with the organisation identified as controlling the third-party website and will be governed by separate terms and conditions. Links are provided for convenience and inclusion of any link does not imply endorsement in any way of the site to which it links. We accept no responsibility or liability for the contents of any linked website.

This policy was last updated in December 2019