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

**Privacy Policy**

1. The Association of South West mediators (”ASWM”) is an informal Association of mediators based in the South West of England. It is run by a small committee drawn from its membership, some of whom are involved with or are part of other organisations.
2. 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, those who may potentially wish to enquire about mediation or use our services or attend our webinars and training sessions, those who attend our webinars and training sessions and those who use our website.
3. ASWM is registered with the Information Commissioner’s Office and we endeavour to follow all requirements of the Data Protection Act 1998 (DPA) and comply with the principles of the General Data Protection Regulation (GDPR) when dealing with all data.
4. We will only collect and process personal and 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 secure, and not retained for any longer than is necessary.
5. 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
	4. How it will be stored and by whom.
6. 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 when dealing with the activities of the Association 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?**

*Members*

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. Full name
	2. Business address
	3. Occupation
	4. Business telephone number
	5. Mobile telephone number
	6. Home telephone number
	7. Reasons for applying for membership
	8. Areas of expertise and professional interest
	9. Payments made
	10. Information sent in emails to or from the member
	11. Details of involvement in the Association’s activities e.g. attendance at training sessions or webinars, requests for observations or mentoring
	12. Recordings of your attendance at webinars.

*Panel members (and former panel members)*

1. For those who are also on one of the ASWM panels, we also require
	1. Photograph for the website
	2. Up-to-date C.V.
	3. Feedback from previous mediations
	4. Feedback from mediations done through ASWM.

*Those who have used, are using, or might use or be interested in using the Association’s services*

1. This includes those who enquire about appointing a mediator or use our services, those who supply services to us, those who attend our webinars and training sessions, those who may potentially wish to enquire about mediation or use our services or attend our webinars and training sessions, and those who use our website.
2. To enable us to provide a service that meets your needs we require certain information. As a matter of course this may include:
	1. Full name
	2. Business address
	3. Email Address
	4. Business telephone number
	5. Home telephone number
	6. Mobile telephone number
	7. Information about matters in dispute
	8. Payments made
	9. Information sent in emails to or from the Association
	10. Details of involvement in the Association’s activities e.g. attendance at training sessions or webinars
	11. Recordings of your attendance at webinars.

*Parties involved in a dispute in respect of whom a mediation enquiry has been submitted*

1. To enable us to provide a service that meets your needs we may require certain information about the matter in dispute. As a matter of course this may include:
	1. The nature of the dispute
	2. Names of all parties
	3. The value of the dispute
	4. other personal details which might be relevant to the manner in which the dispute would need to be conducted
	5. personal information that the parties believe to be relevant to the dispute
2. We may also require:
	1. other personal details
	2. family, lifestyle and social circumstances
	3. financial details
	4. employment and education details
3. We may 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

*Suppliers*

1. This might include speakers and trainers and those who provide other facilities and services.
2. To enable us to deal with your provision of these services we require certain information. As a matter of course this will be:
	1. Name
	2. Business address
	3. Email Address
	4. Phone no.
	5. Information about the services you provide and the occasions upon which you have provided these
	6. Recordings of webinars or other training sessions.
	7. Financial details

**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. We have a legitimate business in doing so.
2. Those registering directly for more information through Mailchimp will give consent for the communications they are content to receive and to the information that is stored there.
3. The information is used 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. Mailchimp and Eventbrite also use cookies for similar purposes on our behalf.
4. ASWM may use your personal information for a number of reasons. These include:
	1. In respect of members, including panel members
		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, feedback, oversight purposes and auditing;
		4. To publish your details on our website;
		5. 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.
		6. We will retain general feedback data about mediations in which you have been involved for up to six years.
	2. In respect of those who have used, are using, or might use or be interested in using the Association’s services
		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 inform you of our services and to provide you with a proper service.
		2. Our website, and those of Eventbrite and Mailchimp collect “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. Eventbrite and Mailchimp will also collect other data on our behalf relating to the use of our services and/or involvement with our activities and may process this to provide summary information for us.
		5. 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, together with details of their involvement or enquiry in order that ASWM can keep them informed of our members and the services that may be relevant to them.
	3. In respect of those what are parties involved in a dispute in respect of whom a mediation enquiry has been submitted
		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.
		5. We will retain information about any feedback you provide, or any complaints received and our manging of these.
	4. In respect of those who are suppliers
		1. ASWM only holds the data necessary to allow us to use your services and to contact you.
		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.
5. 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.
6. Any processing of your data is only done to provide or perform the services or products we provide.

**Sharing your data**

1. Some information about the organisation is kept on GoogleDrive. Some information about Panel members is published on our website, currently hosted by Wix.
2. Some data is processed through Mailchimp for the purposes of sending out information by email.
3. Information about speakers and training providers will also be provided to Eventbrite and will be published on our website, through Mailchimp and LinkedIn. Recordings of webinars may be published on YouTube.
4. We need to share the personal information we process about disputes with individual mediator members of ASWM.

**Data Security**

1. We will take steps to ensure that personal data is kept secure at all times against unauthorised or unlawful processing, loss or disclosure.
2. Since the Association does not have its own IT or other administrative systems, the management of this data is handled by individual committee members, usually through their own separate business [systems](https://hughesenterpriselaw-my.sharepoint.com/personal/adh_enterpriselaw_co_uk/Documents/Business/Business%20Development/Association%20of%20South%20West%20Mediators/2007%20Pro-forma%20ASWM%20Mediation%20Agreement.docx?web=1).
3. The following technical or organisational measures will be taken:
	1. Data will only be handled by those committee members who need to do so as part of their role on the committee
	2. Steps will be taken to prevent access to the data by third parties who are not members of the ASWM committee.
	3. Committee members use password protection on personal systems
	4. Regular back up data on computers
	5. Password protected attachments for sensitive personal information sent by email or stored on computers/laptops/phones

**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, including any feedback follow up 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. Payments for subscriptions, webinars and training are either made directly to the ASWM bank account or through an event manager such as Eventbrite.
2. All payments for mediations are made directly to the individual mediator you appoint who will advise you of his/her policy and arrangements.

**Your Rights**

1. Unless subject to an exemption under the GDPR, you have the following rights with respect to your personal data:
	1. The right to request a copy of the personal data which we hold about you;
	2. The right to request that we correct any personal data if it is found to be inaccurate or out of date;
	3. The right to request your personal data is erased where it is no longer necessary to retain such data;
	4. The right to withdraw your consent to the processing at any time, where consent was your lawful basis for processing the data;
	5. The right to request that we provide you with your personal data and where possible, to transmit that data directly to another data controller, (known as the right to data portability), (where applicable i.e. where the processing is based on consent);
	6. The right, where there is a dispute in relation to the accuracy or processing of your personal data, to request a restriction is placed on further processing;
	7. The right to object to the processing of personal data, (where applicable i.e. where processing is based on legitimate interests or direct marketing).

**Customer Requests**

1. You can at any time (and free of charge) request details of the data ASWM holds relating to you – although we reiterate that, subject to clause 30) personal and/or sensitive data in relation to mediations 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
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.

**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. Our website 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 January 2021