

## **Just Talk Mediation Client and Third Parties Privacy Notice (Version 1)**

### **A summary of what this notice explains**

Just Talk Mediation is committed to protecting the privacy and security of personal data on behalf of all clients of the firm and associated third parties involved in cases relating to our clients.

This notice explains what personal data the firm holds about clients and third parties involved in cases relating to our clients (“you”), how we use it internally, how we share it, how long we keep it and what your legal rights are in relation to it.

### **What information does Just Talk Mediation process?**

#### **For Mediation work**

If you attend a Mediation Initial Assessment Meeting (MIAM) or become a mediation client of the firm, we will need information to confirm your identity e.g. your date of birth, about your matter and circumstances as well as contact information for you, your personnel and other parties to the matter. The information that we need will be explained to you by our mediators or set out in our client care letter which provides information regarding our terms of business depending on the nature of your case but may include both personal data and special categories of data. You may also provide us with additional information that you consider relevant as part of your instructions to us.

#### **Information from third parties and about third parties**

We may also receive information about you from third parties such as estate agents, accountants, banks, surveyors, medical professionals, courts, regulatory bodies and other advisors and specialists related to your matter. Our clients and matter contacts may also provide us information about third parties who are involved in a transaction or dispute with one of our clients or have a connection with them such as being a spouse, partner or child of the family. Alternatively, you may provide us with information about you directly at our request or otherwise.

### **How does Just Talk Mediation use this information?**

We will use your information for the specific purpose(s) for which it has been provided to or collected by us e.g.:

- to provide information that you may request regarding the services that we offer e.g. whether mediation is an appropriate process for you and the issues you wish to mediate
- to contact you to introduce you to our mediators
- to provide our clients with mediation services including referring them to other specialist advisers both in the UK and overseas
- to comply with our statutory and regulatory obligations
- to verify your identity and check any relevant background circumstances for anti-money laundering purposes and authentication purposes
- to deal with your feedback, query or complaint
- to contact you for your views on our services

We also use your information to administer, support, improve and develop the practice generally and to enforce our legal rights and obligations.

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Occasionally we may also use the information that we collect about you for marketing and hospitality purposes to invite you for a meal or drinks or to a hospitality event or to invite you to an event that may assist you in your understanding of mediation services.

## **Processing grounds**

We must have a lawful basis for processing your information; this will vary on the circumstances of how and why we have your information, but typical examples include:

- the activities are within our legitimate interests as a mediation firm seeking to engage with and provide services to prospective and current clients and personnel e.g. to make our systems and procedures more efficient
- you have given consent for us to process your information e.g. in relation to the management of your case and the provision of mediation services
- we are carrying out necessary steps in relation to a contract to which you are party or prior to you entering into a contract e.g. because you wish to instruct us to carry out mediation services for you
- the processing is necessary for compliance with a legal obligation to which we are subject e.g. for us to certify your identity under our anti-money laundering requirements which may include carrying out electronic ID checks
- to protect your vital interests e.g. if you were unfortunate enough to fall ill or suffer an injury on our premises.

If we process any special categories of information i.e. information revealing racial or ethnic origin, political opinions, religious or philosophical beliefs or trade union membership, genetic data, processing of biometric data for the purpose of uniquely identifying individuals, health data, or data concerning your sex life or sexual orientation, we must have a further lawful basis for the processing. This may include:

- where you have given us your explicit consent to do so e.g. to cater for your medical needs whilst on the premises
- where the processing is necessary to protect your vital interests or someone else's vital interests
- you have made the information public
- the processing being necessary for the establishment, exercise or defence of legal claims
- the processing being necessary for reasons of substantial public interest e.g. to undertake activities in relation to the prevention or detection of fraud or other unlawful or dishonest activities

If we process any information relating to your criminal convictions or offences, we will typically rely on one of the following lawful bases:

- preventing or detecting unlawful acts
- complying with our regulatory requirements in relation to unlawful acts or dishonesty
- dealing with suspicions of terrorist financing or money laundering
- where it is necessary for us to obtain legal advice or establish, exercise or defend legal rights

## **Marketing**

If you become a client of the firm, we may use your personal information to invite you to hospitality events or other selected events for clients and/or to send you information that we think may be of interest to you or your business. This is within our legitimate interests as a mediation firm to use your information in this way.

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We may also use or supply your personal information when instructing other professionals/third party service providers during your case e.g. instructing an estate agent in relation to obtaining a valuation for mediation purposes. This is also within our legitimate interests.

You are entitled to require us to remove your details from any marketing lists. If you do not wish to receive any direct marketing material or communications after you submit or provide your details, please contact our Data Privacy Officer using the details below (stating UNSUBSCRIBE in the heading of any email message or postal communication) indicating if you do not wish to be contacted for one or more of these marketing purposes and/or via particular forms of communication e.g. email or telephone. Please note that the preferences that you state will override any registrations you or your organisation may have with the relevant preference organisations (such as the telephone preference services).

If you change your mind about being contacted by us in the future, or change address, or if any information that we hold about you is inaccurate or out-of-date, please let us know by: emailing: [enquiries@justtalkmediation.co.uk](mailto:enquiries@justtalkmediation.co.uk) or writing to our Data Privacy Officer at: Just Talk Mediation, First Floor, Oakminster House, Northgate, Baildon, Shipley BD17 6LR.

### **CCTV Surveillance**

An external CCTV entry system is installed in our premises. All external CCTV cameras are clearly visible to all staff and visitors. The camera is positioned outside the entrance to the office and the reception area but may be repositioned from time to time to ensure their effective use. This is primarily to assist with security and safety of our staff and visitors to our site.

### **Disclosure of your information**

Some of the information you provide to Just Talk Mediation will be held on our computers in the UK and will only be accessed by or given to our staff (or staff of Just Talk Mediation related entities) working in the UK. Some of the information you provide to Just Talk Mediation may be transferred to, stored and processed by third party organisations which process data for us and on our behalf. These third parties are based (or store or process information) in the UK or elsewhere within the EEA. As with many firms, these third parties may include third party IT platforms (including cloud-based platforms), suppliers of administrative and support services and suppliers of other specialist products.

We may also transfer your information to other organisations or professional advisers with whom we are working on client matters or to whom we are referring you for additional or separate advice. We may also be obliged to disclose data under certain laws or by order of court or other competent regulatory body or may be permitted to disclose it under applicable data protection laws.

Finally, if Just Talk Mediation merges with another business entity or divests a part of its business or carries out internal corporate restructuring, your information may be disclosed to Just Talk Mediation's new business partners or owners or the new corporate entities.

We will take all steps reasonably necessary to ensure that your data is treated securely and in accordance with this privacy policy; please see section "Protection of your information" below.

### **Protection of your information**

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We have in place administrative, technical and physical measures internally specifically designed to guard against and minimise the risk of loss, misuse or unauthorised processing or disclosure of the personal information that we hold.

Where we transfer information to third parties to enable them to process it on our behalf, we ensure that the providers meet or exceed the relevant legal or regulatory requirements for transferring data to them and keeping it secure. All third parties are subject to confidentiality obligations.

We will also ensure that where information is transferred to a country or international organisation outside of the UK / EEA, we will comply with the relevant legal rules governing such transfers.

We keep your personal information no longer than is necessary for the purpose for which it was collected. Information on our destruction dates policy summary is available from our Data Protection Officer and will be dependent on the nature of your case or your relationship with the firm. Information for clients is provided in our client care letter and terms of business including details on how we keep secure personal data received from clients about their family members, third parties or similar individuals. Our file and data retention information is also contained within our file closure information which is provided to all clients at the end of their case or the termination of our relationship with them. Names and dates of birth of all clients will be retained indefinitely to ensure that appropriate conflict of interest checks can be undertaken prior to advising or assisting new clients to the firm. These details are not disclosed to others and are kept purely to ensure that we do not act against existing or former clients.

## **Your rights**

You have certain rights in relation to your personal information, although those rights will not apply in all cases or to all information that we hold about you. For example, we may need to continue to hold and process information to establish, exercise or defend our legal rights. You have the right to request that we:

- Provide you with a copy of your personal information that we hold
- Update your personal information where it is out-of-date or incorrect
- Delete personal information that we hold
- Restrict the way in which we process your information
- Consider any valid objections to our processing of your personal information
- Provide information you have given to us to a third party provider of services (where our lawful basis for processing is consent or contract and where processing is automated)

We will respond to your request (including providing information on whether the rights apply in the particular circumstances) within the applicable statutory time period. If we are not sure of your identity, we may require you to provide further information in order for us to confirm who you are. A request for information can be made by submitting a Subject Access Request. The Subject Access Request Form can be found on our website together with details of the process you need to undertake and the timescales of dealing with your request. The SAR form can be accessed at: <http://www.justtalkmediation.co.uk/GDPR/>

## **Changes to this policy**

We may make changes to this policy from time to time as our business and internal practices and/or applicable laws change. We will not make any use of your personal information that is inconsistent with the original purpose(s) for which it was collected or obtained or otherwise than is permitted by applicable law.

## **How to contact us**

If you would like to get in touch to discuss this policy, how we use your personal information, to exercise your rights or to provide feedback or make a complaint about use of your information, please contact us as follows:

Juliette Kinsey – Accredited Mediator [enquiries@justtalkmediation.co.uk](mailto:enquiries@justtalkmediation.co.uk) or 01274 581100

Just Talk Mediation, First Floor, Oakminster House, Northgate, Baildon, Shipley, BD17 6LR,

You can also contact the Information Commissioner's Office via <https://ico.org.uk/> for information, advice or to make a complaint.