



## Privacy notice for mediation services

You have a legal right to be informed about how the Together Trust uses any personal information that we hold about you. To comply with this, we provide a 'privacy notice'.

Personal information is any information that relates to you that can be used directly or indirectly to identify you. This includes information such as your name, date of birth and address. This may also include sensitive personal information, such as your religion or medical details.

This notice explains how we collect, store and use personal data about you.

### Who we are

**The Together Trust** is a charity that offers care, support and special education to children, adults and families.

The Together Trust provides a **SEND mediation and disagreement resolution service**, which is designed to help settle disagreements relating to Education, Health & Care Plan (EHCP) decisions about children or young people aged 0 to 25 years with special educational needs and disabilities (SEND).

The Together Trust has a Data Protection Officer who can be contacted;

By email: [dataprotection@togethertrust.org.uk](mailto:dataprotection@togethertrust.org.uk)

Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE

### The personal data we hold

We hold personal information about you to make sure we can support you when you need mediation or disagreement resolution advice. For the same reasons, we get information about you from some other places too including local authorities, support services and education providers. This information will not be passed to us without your permission.

Personal information that we may collect, use, store and share (when appropriate) about you includes, but is not restricted to:

- Name and address
- Date of birth and sex.
- Contact details
- Case histories

We may also collect, use, store and share (when appropriate) information about you that falls into "special categories" of personal data. This refers to information, which is more sensitive to you and therefore needs greater protection from us. This includes, but is not restricted to:

- Information about your characteristics, like your ethnic background or any special educational needs
- Information about any medical conditions you have

### Why we use this data

We use this data to:

- Provide mediation services to you
- Arrange meetings with you and relevant third parties
- Deliver the mediation service in line with statutory guidance and legislation
- Assess the quality of our service

### **Use of your personal data in automated decision making and profiling**

We do not currently put your personal information through any automated decision making or profiling process. This means we do not make decisions about you using only computers without any human involvement.

If this changes in the future, we will update this notice in order to explain how we do this to you, including your right to object to it.

### **Why are we allowed to use your data**

We only collect and use your personal data when the law allows us to. Most commonly, this is where:

- We have consent from you
- We have a legitimate interest to use your data. There will be a minimal impact on your privacy and we have a strong reason to use it ((i.e. to improve our service care)

### **Our basis for using special category data**

For 'special category' data (more sensitive personal information), we only collect and use it when we have both a lawful basis, as set out above, and one of the following conditions for processing as set out in data protection law:

- We have obtained your explicit consent to use your information in a certain way
- We need to protect an individual's vital interests (i.e. protect your life or someone else's life), in situations where you're physically or legally incapable of giving consent
- The information has already been made obviously public by you
- We need to use it to make or defend against legal claims
- We need to use it for public health reasons, and it's used by, or under the direction of, a professional obliged to confidentiality under law
- We need to use it for archiving purposes, scientific or historical research purposes, or for statistical purposes, and the use is in the public interest

### **Collecting this information**

Whilst the majority of information we collect about you is needed, there is some information that can be provided voluntarily.

Whenever we seek to collect information from you, we make it clear whether providing it is needed or optional. If it is needed, we will explain the possible consequences of not providing it to us.

### **How we store this data**

We keep personal information about you while you are accessing our service. We may also keep it after you leave if this is necessary, in order for us to comply with our legal responsibilities.

In general, we will try to keep data only for as long as we need it and will securely destroy it afterwards.

You can request our full retention schedule by contacting our [Data Protection Officer](#).

## Data sharing

We do not share information about individuals with any third party without consent unless the law and our policies allow us to do so.

We will only share your information with relevant parties who are involved in the mediation process. This may include your local authority and we will make you aware when we do this.

We sometimes use trusted data processors who are third parties who provide elements of services for us. We have contracts in place with our data processors. This means that they cannot do anything with your personal information unless we have instructed them to do it. These might include third party IT platforms (including cloud-based platforms) and suppliers of IT support or other specialist services.

## Transferring data internationally

If we ever have to transfer personal data about you to a country or territory outside the European Economic Area, we will do so in accordance with data protection law.

## The right to see your data

You have a right to make a request to see the personal information that the Together Trust holds about you. This is called a 'subject access request'.

If you make a subject access request, and if we do hold information about you, we will (unless there's a really good reason why we shouldn't):

- Give you a description of it
- Tell you why we are holding and using it, and how long we will keep it for
- Explain where we got it from, if not from you
- Tell you who it has been, or will be, shared with
- Let you know whether any automated decision-making is being applied to the data, and any consequences of this
- Give you a copy of the information

You also have the right for your personal information to be passed electronically to other organisations in certain circumstances.

To request access, or consent for someone to access this information on your behalf, please contact the [Data Protection Officer](#).

## Other rights

You also have other rights regarding how your personal data is used and kept safe. This includes the right to:

- Say that you don't want your personal information to be used
- Stop it being used to send you marketing materials
- Say that you don't want it to be used for automated decisions (decisions made by a computer or machine, rather than by a person)
- In certain circumstances, have inaccurate personal data corrected, deleted or destroyed, or restrict processing
- Make a complaint to the Information Commissioner's Office or claim compensation if the data protection rules are broken and this harms you in some way

The Together Trust has produced a guide ['Know your rights'](#) to explain these in

more detail. To exercise any of these rights please contact our [Data Protection Officer](#).

### Complaints

We take any complaints about our collection and use of your personal information very seriously.

If you think that our collection or use of your personal information is unfair, misleading or inappropriate, or have any other concern, please raise this with us in the first instance by contacting our Data Protection Officer.

You can also make a complaint to the Information Commissioner's Office:

- Report a concern online at <https://ico.org.uk/make-a-complaint/>
- Call 0303 123 1113
- Or write to: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF

### Contact us

If you have any questions or would like more information about anything mentioned in this privacy notice, please contact our Data Protection Officer:

- By email: [dataprotection@togethertrust.org.uk](mailto:dataprotection@togethertrust.org.uk)
- Or by writing: DPO, Together Trust Centre, Schools Hill, Cheadle, SK8 1JE