

Model privacy statement for the MfN Registered Mediator

Privacy statement Remediate Mediation

This is the privacy statement of Remediate Mediation, based at Prins Mauritslaan 54, 2582 LT in The Hague (further herein: “**Remediate Mediation**”, the '**mediator**' or '**she**'). This privacy statement applies to the processing of personal data of clients, potential clients and other persons visiting the website of Remediate Mediation or being in contact with the mediator.

In this privacy statement you will find information about the way in which the mediator treats personal data. If after having read this privacy statement you still have questions about the way in which the mediator deals with personal data, if you want to exercise your rights pursuant to the General Data Protection Regulation ('**GDPR**') set out in this privacy statement or other legislation and regulations about personal data, or if you want to lodge a complaint about the use of your personal data, you can contact Remediate Mediation by phone: 0031-(0)6-49985282 or via e-mail: Carola@RemediateMediation.nl. If you are not satisfied with the way in which your complaint has been dealt with or if you prefer not to lodge your complaint with Remediate Mediation, you can also lodge them with the Dutch Authority of Personal Data via the website autoriteitpersoonsgegevens.nl.

The mediator is responsible for processing your personal data and in doing so will do it with the greatest possible care and obviously comply with the rules arising from the GDPR.

Which personal data do we process?

Mediation file

If you give instructions to the mediator, the mediator will process personal data which you and the other party(ies) in your case provide to the mediator. These are in any event your contact details such as your name, address, e-mail address and telephone number. Moreover, there are personal details which are relevant to the file. Depending on the subject of the mediation, this might also be sensitive and/or special personal data.

Invoicing

If you give the mediator instructions, she also processes data which are necessary for sending invoices and processing payments for the services which the mediator performs. Apart from your contact details, this relates to your bank account and any other payment details.

Contact

If you contact Remediate Mediation via the contact form on the website, via e-mail or by phone, the mediator processes the data you provide. This then relates to the contact details you give us (name, e-mail address, telephone number) and the reason why you contact the mediator (for instance because you have a question).

For which purposes and on what basis do is personal data processed?

Mediation file

The mediator uses the personal data which you have provided in connection with mediation instructions to handle the mediation file. Because it may be the case that sensitive and/or special personal data are processed during the mediation process (and this is not always clear in advance), we ask your consent to process your personal data. You give this consent by signing the mediation agreement. If you do not give this consent, unfortunately you cannot use the services of the mediator because the mediator cannot carry out the service without processing personal data which are relevant to the file.

You have the right to withdraw your consent. In that case the mediator can no longer process any of your data. From the moment consent has been withdrawn the mediator can no longer perform any services for you, and will then have to close the mediation file immediately.

Invoicing

Remediate Mediation uses the payment details you have provided in order to invoice the activities. This processing is necessary in order to carry out the agreement which you have formed with the mediator.

Contact

Remediate Mediation uses the contact details you provide to contact you when necessary, for instance to answer a question. Remediate Mediation processes these personal data because it is necessary for representing our justified interest, namely the interest of being able to carry out mediation activities and to secure new assignments.

Newsletter/maintaining customer relations

Furthermore, Remediate Mediation uses your e-mail address to send you an occasional update about our services. If you have given us instructions there is a so-called 'existing client relationship' and we will be sending newsletters or an e-mail on the basis of our justified interest. If you have not used our services before but you have come into contact with Remediate Mediation in another way (such as by completion of the contact form or sending an e-mail with a question), your consent will be requested to send newsletters to you and this will only be done this if you have given your consent to this.

For how long is your personal data stored?

Mediation file

In principle Remediate Mediation stores the mediation file and the personal data included in it for twenty years after the file has been closed, in connection with the maximum period of limitation. In exceptional cases Remediate Mediation stores a file for more than twenty years, for instance if the period of limitation has been interrupted or if the mediator is of the opinion that there is another justified interest to store the file for a longer period.

Administration

Remediate Mediation retains her administration including the invoices and other records on which the personal data of the parties are stated, for a period of seven years after the close of the financial year in order to be able to comply with the fiscal retention obligation.

Other contact details

Remediate Mediation stores other contact details for one year after the most recent contact, unless you submit a request to remove the data sooner.

Who do we share your data with?

Your data are stored in a digital file and may appear in e-mails which the mediator sends or receives, and are stored with them (and therefore processed) by the ICT provider. Moreover, the payment details which you gave to the mediator for invoicing, are passed on to the party who keeps the financial and/or fiscal accounts for the mediator, as well as to the party engaged on behalf of the mediator in collecting outstanding invoices and all related activities. The mediator has entered into a processor agreement with these parties in which at least the same level of security and confidentiality has been stipulated as you may expect from us.

If you or another party, who has been involved in a mediation, lodges a complaint against the mediator which relates to the treatment of a mediation file which includes your personal data, your personal data can be provided to the Quality Foundation for Mediators “Stichting Mediatorsfederatie Nederland (MfN)” and/or the foundation “Stichting Tuchtrechtspraak Mediation” (STM). Your data will be dealt with confidentially by both bodies.

We will not provide your data to any further third parties, unless we are obliged to provide certain data pursuant to applicable legislation and regulations, for instance to the police in connection with preliminary investigation proceedings.

How are your data secured?

We have taken suitable technical and organisational security measures to protect your personal data against loss, abuse and unauthorised access by third parties. In addition, we also oblige our ICT provider to take such suitable technical and organisational security measures.

What are your rights?

You have the following rights:

- a. The right to inspect your personal data and to receive a copy of them.
- b. The right to rectification of your personal data if they are inaccurate or incomplete.
- c. The right to object to the processing and/or - in certain cases - the right to restrict the processing of your personal data.

- d. In certain cases: the right to have your personal data deleted ('right to be forgotten').
- e. The right to obtain your personal data in a structured, common and machine readable form and to transfer those data to another.

For more information about these rights and when you can exercise them: see Articles 15 up to and including 20 of the General Data Protection Regulation.

You can exercise your rights by contacting us via the e-mail address or telephone number stated at the beginning of the privacy statement,

Amendments

Sometimes there might be a change in the personal data which we process or the applicable regulations. In that case we may adjust this privacy statement. In the event of major changes, we will place a notification on the website and inform you of the amendment via e-mail.

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