

## Mediation Service Privacy Notice

When you are entering into Mediation Services delivered by South Ayrshire Council you will need to provide us with some personal data or information.

South Ayrshire Council may recommend mediation when dealing with enquires and complaints received about antisocial behaviour and neighbour disputes, if appropriate. The purpose of this service is to facilitate the parties involved to find resolution.

As the ‘data controller’ for the personal information – or data – we hold about you, **South Ayrshire Council** decides how your personal information is used/processed, and what it is used for.

This statement provides more details about how Mediation Services use your personal data and provides information on how to get in touch with us if you need to know more.

### Your personal data – what is it?

Personal data is information relating to a living person who can be identified from that data. Identification can be based on the information alone, or in conjunction with any other information. The processing of personal data is governed by the General Data Protection Regulation 2016 (GDPR) and supplemented by the Data Protection Act 2018.

### What Personal Data will we collect from you?

We will only collect the personal information we need to provide you with relevant information, services and support, depending on the type and level of service being provided. The personal data we will collect will include:

Service Provided	Personal Data we will collect
Initial provision of mediation	Name Address Landline/Mobile telephone number Email Address
Facilitating ongoing mediation, to find a resolution (only if relevant to your mediation case)	Gender Ethnicity Disability Health Conditions Sexual Orientation Criminal Convictions

### How will we use your information?

The information will be used to facilitate mediation related matters. We will collect personal data in order to oversee the provision of mediation advice and services.

### What is the legal basis for using/sharing your information?

We need to process your personal data to provide you with our mediation service, this is known as our “public task”, i.e. the processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the data controller as per Article 6(1) (e) of the GDPR. The

legislation underpinning the provision of this service is within Part 1 of the Antisocial Behaviour etc. (Scotland) Act 2004.

### **Special category data and criminal convictions**

For some activities, we may also need to process more sensitive personal information about you known as special category data, for example health information data. For this type of personal data, the processing is necessary for the purposes of carrying out obligations and exercising specific rights of the controller or of the data subject in the field of social protection law as set out in Article 9(2) (b) of the GDPR and meets a condition in Part 1 of Schedule 1 of the Data Protection Act 2018.

### **Who will we share your information with?**

To assist with resolving your mediation case, it may be necessary for us to share your personal data with other parties. This will be subject to the specific issues of your case, and only where necessary. Parties that we may have to share your data with are:

- Police Scotland
- Registered Social Landlords
- Housing Services (Antisocial Behaviour Team)
- Social Work
- Other Council Services, e.g. Environmental Health, Community Safety
- The other party involved in the mediation process, e.g. neighbour(s)

### **How long do we keep hold of your information?**

We keep your personal data for no longer than reasonably necessary. Your information will be retained in line with the Council's Corporate Records Retention Schedule. Personal information held relating to a mediation case would, on closure of the case, be held for a 3 month period.

### **What are your rights?**

The lawful basis for processing/using your personal data directly impacts which rights are available to you. For example, some rights will not apply, in this case we are not required to:

- erase your personal information.
- enable the right to data portability

However, you do have the following rights and can ask us to:

- correct your personal information if it is inaccurate;
- complete your personal information if it is incomplete;
- restrict the processing of your personal information in certain circumstances

You also have the right to object to the processing of your personal information.

### **What about Automated Decision- Making?**

The mediation service does not use automatic decision making.

### **What are the consequences of failing to provide personal information?**

Failure to provide this personal information will result in the Council being unable to facilitate the mediation process.

**Do you require this statement in a different format?**

Please contact us if you require this information in an alternative format.

**How can you get in touch with us?**

If you wish to obtain any records held by the Council relating to you, or if you have any general data protection queries, please contact the Council's Data Protection Service at:

Data Protection Officer  
South County Buildings  
Ayrshire Council  
Wellington Square  
Ayr  
KA7 1DR

**Email:** [DataProtection@south-ayrshire.gov.uk](mailto:DataProtection@south-ayrshire.gov.uk)

**Telephone:** 01292 612 223

**Are you dissatisfied with the way your Personal Information has been handled?**

If you are unhappy with the way we have dealt with your personal information, you can complain to the Council's Data Protection Officer using the contact details noted above.

If you remain dissatisfied after contacting us, you have the right to complain to the Information Commissioner (<https://ico.org.uk/for-the-public/>):

Information Commissioner's Office – Scotland  
45 Melville Street  
Edinburgh  
EH3 7HL

**Email:** [Scotland@ico.org.uk](mailto:Scotland@ico.org.uk)

**Telephone:** 0303 123 1115