

Osborne Mediation

Working with conflict



Confidentiality Policy

Workplace mediation is a confidential, informal and voluntary process in which an impartial Mediator facilitates communication between Parties in dispute to assist them in developing mutually acceptable agreements to improve their future working relationship. The Mediator does not make decisions or impose a settlement.

This Confidentiality Policy applies to all Mediators working on behalf of Osborne Mediation.

- 1: Mediation is a confidential process: anything discussed during the mediation cannot be disclosed to anyone outside the process, unless all Parties expressly agree to do so.
- 2: During the first communication with any Party, the Mediator will assure them that anything they say from that point on will be strictly confidential, as outlined above, and therefore protected under Common Law and the Data Protection Act 1998.
- 3: However, the Mediator has a duty to disclose to the relevant authority any information regarding risk of harm or abuse to self or others, and information relating to any serious criminal offence.
- 4: At the start of the mediation the Mediator will ask Parties for contact details such as email address or phone numbers. Parties do not have to supply this information, which will be used solely by the Mediator to maintain contact during the process (including any agreed follow-up). The information will be stored on a secure database, in accordance with the Data Protection Act 1998.
- 5: At any time during the mediation (including any agreed follow-up) any of the Parties is entitled to see the information held about them, in accordance with the Data Protection Act 1998.
- 6: Once the mediation (including any agreed follow-up) is closed all information concerning the Parties will be erased from the secure database, in accordance with the Data Protection Act 1998.
- 7: All notes taken by the Mediator during the mediation will be destroyed at the end of the process.
- 8: Details of the person or organisation employing Osborne Mediation will be required for financial records: these include (but are not limited to) the name,

address and other contact information, and copies of invoices, receipts and bank payment details. These will be retained as necessary to comply with HM Revenue and Customs requirements.

9: If anyone involved with the mediation has questions about confidentiality they are encouraged to raise them with their Mediator, or to contact Clive Osborne at Osborne Mediation (email clive@osbornemediation.co.uk, phone 07710 440492, or write to Clive Osborne, Osborne Mediation, 1 Valley Cottages, Herberts Way, Oldcroft, Gloucestershire GL15 4NS).

10: Any complaints about confidentiality will be subject to the Osborne Mediation Complaints Procedure.

11: This policy will be reviewed at least annually and updated as necessary. The next review is due by April 13 2018.

Signed

Clive Osborne

April 14 2017

Appendix 1: The Data Protection Act 1998

You can find the Act here:

<http://www.legislation.gov.uk/ukpga/1998/29/contents>

The Act contains eight “Data Protection Principles”. These specify that personal data must be:

1. Processed fairly and lawfully
2. Obtained for specified and lawful purposes
3. Adequate, relevant and not excessive
4. Accurate and up to date
5. Not kept any longer than necessary
6. Processed in accordance with the “data subject’s” (the individual’s) rights
7. Securely kept
8. Not transferred to any other country without adequate protection