

## ALTERNATIVE DISPUTE RESOLUTION

### Refer a dispute to us

You must contact the business you are in dispute with and get their agreement to participate in the Alternative Dispute Resolution scheme (ADR). **The business will also need to pay a fee and you cannot continue with ADR if the business doesn't agree to participate.**

Contact Citizens Advice consumer service on **03454 04 05 06 (Monday to Friday 9am to 5pm)** to find out what options are available to you.

I can confirm the business understands they will have to pay a fee

#### Your contact details

Title:	First name:	Last name:
--------	-------------	------------

Email address:
----------------

Address:
----------

--

Telephone number:
-------------------

Brief details about the dispute:
----------------------------------

--

--

--

--

Company name:
---------------

Company address:
------------------

--

--

Company email address:
------------------------

**A copy of your application and evidence will be sent to the business for their comments.**

Trade Association reference number (if applicable):
---

Amount of claim:
------------------

**We cannot consider claims of less than £100 or more than £40,000**

## Evidence

It is your responsibility to prove the case that you are making. You must submit evidence in support of your claim. The evidence pages on our website explain how to do this.

**I confirm that I have read and understood all the information on the KCC ADR webpages and followed the guidance on submitting evidence**

If you want to mention another person or business in your application or supporting evidence, whether submitted now or subsequently, you must tell them, so they understand their information will be shared with the ADR scheme and the business you are in dispute with. This includes names, addresses, and telephone numbers of your neighbour, friends, or relatives, uploading a quote from another business or surveyor, and including a photo of other people in the background of an image. If the person or business does not want their information included in your dispute, then you must delete their details from your application and/or supporting documents before you submit them.

**I confirm that I have consent from everyone I include in my application**

## Payment

You will need to pay a non-refundable fee before we can continue with your application.

- £15 for claims up to £1000
- £35 for claims over £1001

**We will call you between 9am to 5pm, Monday to Friday to take payment by credit or debit card.**

You can pay by cheque, but it will delay your application

- Make the cheque payable to 'Kent County Council'
- Write your name and the name of the company you are in dispute with on the reverse of the cheque
- Enclose the cheque with this form

## Cost to business

The fee the business pays depends on the value of your claim.

<b>Claim value</b>	<b>Fee (plus VAT)</b>
£100 to £1999	£200
£2000 to £2999	£300
£3000 to £4999	£400
£5000 to £40,000	£500

## Privacy notice

Please read our privacy notice enclosed and only tick the box if you accept it. **I accept the privacy notice**

**Please return this form to:**

KCC, ADR, 8 Abbey Wood Road, Kings Hill, West Malling, ME19 4YT



# Alternative Dispute Resolution Privacy Notice

Last Updated: 30<sup>th</sup> April 2018

This notice explains what personal data (information) we hold about you, how we collect, how we use and may share information about you. We are required to give you this information under data protection law.

## Who are we?

Kent County Council (KCC) collects, uses and is responsible for certain personal information about you. When we do so we are regulated under the General Data Protection Regulation which applies across the European Union (including in the United Kingdom) and we are responsible as 'controller' of that personal information for the purposes of those laws.

## The personal information we collect and use

### Information collected by us

In the course of delivering an alternative dispute resolution scheme to you, we collect the following personal information when you provide it to us:

- Name
- Contact details (address, email address and telephone numbers)

### How we use your personal information

KCC is a registered Alternative Dispute Resolution (ADR) Entity with the Chartered Trading Standards Institute, and we use your personal information to deliver our ADR scheme to resolve disputes between consumers and traders/businesses in relation to goods or services you have bought.

### How long your personal data will be kept

We will hold your personal information for six years following the resolution of the case, after which time, the entire file will be securely destroyed.

Where the fee for providing the service is not paid, the application and all personal information will be destroyed once a period of reasonable notice is given.

### Reasons we can collect and use your personal information

The lawful basis on which we collect and use your personal data is that 'processing is necessary for compliance with a legal obligation'. The legal basis for this is The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015.

As we have a statutory basis for collecting your personal data if you do not provide all of the personal data requested, we may be unable to process your application and deliver dispute resolution.

### Who we share your personal information with

Your personal data is shared only for the purposes of providing a dispute resolution service, and only with those delivering this service (namely Kent Scientific Services, Trading Standards and

any appointed approved contractor). As per the process, personal details will be shared between the two parties who are in dispute.

The results of the dispute resolution will be shared with both parties to the dispute and any subscribing organisation through whom you have accessed the scheme.

Due to the regulatory nature of the ADR scheme, the information provided may be shared with bodies who audit the scheme for purposes of accreditation.

We will share personal information with law enforcement or other authorities if required by applicable law.

## Your Rights

Under the GDPR you have a number of rights which you can access free of charge which allow you to:

- Know what we are doing with your information and why we are doing it
- Ask to see what information we hold about you
- Ask us to correct any mistakes in the information we hold about you
- Object to direct marketing
- Make a complaint to the Information Commissioners Office

Depending on our reason for using your information you may also be entitled to:

- Ask us to delete information we hold about you
- Have your information transferred electronically to yourself or to another organisation
- Object to decisions being made that significantly affect you
- Object to how we are using your information
- Stop us using your information in certain ways

We will always seek to comply with your request however we may be required to hold or use your information to comply with legal duties. Please note: your request may delay or prevent us delivering a service to you.

For further information about your rights, including the circumstances in which they apply, see the guidance from the UK Information Commissioners Office (ICO) on individuals' rights under the General Data Protection Regulation.

## Keeping your personal information secure

We have appropriate security measures in place to prevent personal information from being accidentally lost or used or accessed in an unauthorised way. We limit access to your personal information to those who have a genuine business need to know it. Those processing your information will do so only in an authorised manner and are subject to a duty of confidentiality.

We also have procedures in place to deal with any suspected data security breach. We will notify you and any applicable regulator of a suspected data security breach where we are legally required to do so.

## Who to Contact

Please contact the Information Resilience and Transparency Team at [data.protection@kent.gov.uk](mailto:data.protection@kent.gov.uk) to exercise any of your rights, or if you have a complaint about why your information has been collected, how it has been used or how long we have kept it for.

You can contact our Data Protection Officer, Benjamin Watts, directly at [dpo@kent.gov.uk](mailto:dpo@kent.gov.uk) or you can write to the Data Protection Officer, Sessions House, Maidstone, Kent ME14 1XQ.

The General Data Protection Regulation also gives you right to lodge a complaint with a supervisory authority. The supervisory authority in the UK is the Information Commissioner who may be contacted at <https://ico.org.uk/concerns> or telephone 0303 123 1113.

For further information visit <https://www.kent.gov.uk/about-the-council/about-the-website/privacy-statement>