



The Garden Pathway – Participant Privacy Notice

Last Updated November 2023

‘The Garden Pathway’ is committed to protecting the privacy and security of your personal information. This privacy notice describes how we collect and use personal information after we receive your referral, in accordance with the General Data Protection Regulation (GDPR).

‘The Garden Pathway’ is required under data protection legislation to notify you of the information contained in this privacy notice. We are a "data controller" which means that we are responsible for deciding how we hold and use personal information about you. This notice provides information about how and why we collect personal information about you

It applies to everyone for whom we receive a referral, and anyone else participating in our programmes.

It is important that the personal information we hold about you is accurate and current. Please keep us informed if your personal information changes during your working relationship with us.

Data Collection Principles

Data protection law states that the personal information we hold about you must be:

1. Used lawfully, fairly and in a transparent way.
2. Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
3. Relevant to the purposes we have told you about and limited only to those purposes.
4. Accurate and kept up to date.
5. Kept only as long as necessary for the purposes we have told you about.
6. Kept securely.

‘The Garden Pathway’ is committed to complying with these principles.

How we collect data

We collect personal information about participants through the referral process which is provided by the person who referred you to ‘The Garden Pathway’. The referral form we use can be seen on our website. We may sometimes collect additional information from GPs if information is absent from the referral form.

We will also collect additional information directly from you at your initial assessment before starting on a Garden Pathway project and on completion of your time with ‘The Garden Pathway’. This data is collected through an interview process and the completion of structured questionnaires.

How we use your data

We will only use your personal information when the law allows us to. We will use your personal information in the following circumstances:

1. Where we need to perform the service we are providing for you.
2. Where we need to comply with a legal obligation.
3. Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests.

On rare occasions we may also use your personal information in the following situations:

1. Where we need to protect your interests (or someone else's interests).
2. Where it is needed in the public interest or for official purposes.

What information do we hold about you?

Personal data, or personal information, means any information about an individual from which that person can be identified. It does not include data where the identity has been removed (anonymous data).

There are "special categories" of more sensitive personal data which require a higher level of protection.

‘The Garden Pathway’ collects, stores, and uses the following categories of personal information about you:

- Personal contact details such as name, title, address, telephone numbers, and personal email addresses.
- Date of birth.
- Gender.
- Reason for referral
- Employment status
- NHS Number

We also collect, store and use the following "special categories" of more sensitive personal information:

- Information about your health, including any medical condition disclosed by you or your referrer.

Why do we collect this data?

We need all the categories of information in the list above to allow us to perform our role as a provider psychological and horticulture based therapeutic interventions.

In some cases we may use your personal information to pursue legitimate interests of our own or those of third parties, provided your interests and fundamental rights do not override those interests. The situations in which we will process your personal information are listed below.

- Contacting you via 'phone, email or letter upon receipt of your referral.
- Processing referrals in order to maintain accurate lists of participants who withdraw at first contact, or who cannot be contacted.
- Processing referrals in order to maintain accurate registers and waiting lists for each Garden Pathway course.
- Sharing relevant categories of personal information with your Garden Pathway therapy and volunteer team so that they may contact participants on their course and provide the best therapeutic experience for the participants on their course.
- Contacting you by 'phone, email or letter to invite you to attend future Garden Pathway events.
- Evaluating and reporting on the effectiveness of the services.
- Updating you with important administrative messages about your course or an event.

“Special Categories” of information

As outlined above, we collect limited amounts of particularly sensitive personal information known as “special categories” which require higher levels of protection. We have in place appropriate procedures in our Data Protection Policy document which we are required by law to adhere to when processing such data. The Data Protection Policy can be found on our website.

We will use information about your physical or mental health, or disability status in the following ways:

- To assess your suitability to attend Garden Pathway sessions
- To ensure your health and safety during Garden Pathway sessions
- To provide appropriate adjustments to sessions
- To inform our evaluation
- For equal opportunities monitoring.

Change of purpose

We will only use your personal information for the purposes for which we collected it, unless we reasonably consider that we need to use it for another reason and that reason is compatible with the original purpose. If we need to use your personal information for an unrelated purpose, we will notify you and we will explain the legal basis which allows us to do so.

We will never sell or share your personal information with organisations so that they can contact you for any marketing activities.

How long do we keep data for?

The Garden Pathway will only retain your personal information for as long as necessary to fulfil the purposes we collected it for. This includes satisfying any legal, accounting, or reporting requirements.

In some circumstances we may anonymise your personal information so that it can no longer be associated with you, in which case we may use such information without further notice to you.

Once we no longer require your personal information, we will securely destroy it in accordance with applicable laws and regulations. This will normally be after a period of seven years.

How we protect your information

‘The Garden Pathway’ takes very seriously the task of looking after your information. We've put in place appropriate physical, technical and organisational measures to protect the personal information we have under our control, both on and off-line, from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed.

In addition, we limit access to your personal information to those who have a strict need to know and these individuals are subject to a duty of confidentiality.

Despite the rigorous steps we take to protect your data ‘The Garden Pathway’ cannot guarantee that your information will not be accessed, disclosed, altered or destroyed by a breach of our processes. By using our service you therefore acknowledge that you understand and agree to assume these risks.

We will notify you and any applicable regulator of a suspected breach where we are legally required to do so.

Rights of access, correction, erasure, and restriction

In relation to your personal information under certain circumstances, by law you have the right to:

- Request access to your personal information (commonly known as a "data subject access request"). This enables you to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.
- Request correction of the personal information that we hold about you. This enables you to have any incomplete or inaccurate information we hold about you corrected.
- Request erasure of your personal information. This enables you to ask us to delete or remove personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have exercised your right to object to processing (see below).
- Object to processing of your personal information where we are relying on a legitimate interest and there is something about your particular situation which makes you want to object to processing on this ground. You also have the right to object where we are processing your personal information for direct marketing purposes.
- Request the restriction of processing of your personal information. This enables you to ask us to suspend the processing of personal information about you, for example if you want us to establish its accuracy or the reason for processing it.
- Request the transfer of your personal information to another party.
- Withdraw consent. Once you have provided your consent to the collection, processing and transfer of your personal information for a specific purpose, you have the right to withdraw your consent for that specific processing at any time. Once we have received notification that you have withdrawn your consent, we will no longer process your information for the purpose or purposes you originally agreed to, unless we have another legitimate basis for doing so in law.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, withdraw consent for the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact 'The Garden Pathway' in writing using the e-mail address provided on our website.

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

To access the personal information we hold about you we may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security

measure to ensure that personal information is not disclosed to any person who has no right to receive it.

How to make a Subject Access Request

Individuals can find out if we hold any personal information by making a ‘subject access request’ under the Data Protection Act 1998. If we do hold information about you we will:

- Give you a description of it
- Tell you why we are holding it
- Tell you who it could be disclosed to, and
- Give you a copy of the information

To make a request for any personal information we may hold about you please contact us by e-mail by using the e-mail address provided on our website.

Our cookies policy – what are cookies and how do we use them?

Cookies are small files saved to the user’s computer’s hard drive that track, save and store information about the user’s interactions and usage of the website. This allows the website, through its server, to provide the users with a tailored experience within this website. For more information about cookies please see the ICO website (<https://ico.org.uk/>).

There is a distinction between session cookies and persistent cookies and between first party and third party cookies.

Session cookies allow actions to be tracked during a single browser session. They are deleted from your device when you close the browser. Persistent cookies remain on your device between sessions and allow a website to “recognise” a user on their return and to remember their preferences, they will remain stored on your device until deleted or they reach a specified expiry date.

Session and persistent cookies can be either first or third-party cookies – a first-party cookie is set by the website being visited. A third-party cookie is issued by a party other than the website being visited.

We use session and persistent cookies for the following purposes:

- Strictly necessary cookies – These are essential cookies that are required for the operation of the website and to allow you to use its features. They include, for example, cookies that enable you to log into secure areas of our website and carry out specific tasks.
- Analytical/performance cookies – These cookies collect anonymous information about how visitors use our website. This aggregated information is used help us to improve the way our website works.
- Functionality cookies – These cookies are used to recognise you when you return to our website, record information about choices you have made and allow us to tailor the website to your needs. This enables us to personalise our content for you, greet

you by name and remember your preferences (for example, your choice of location preference).

- Targeting cookies – These cookies record your visit to our website, the pages you have visited and the links you have followed and information from IP addresses. These cookies may be used to make our website more relevant to you.

We may embed images, videos or other content from third party websites. As a result when you visit the page featuring this content you may be presented with cookies from these websites. We do not control these cookies and cannot prevent these sites or domains from collecting information on your use of this content. You should check the relevant party's website for more information.

On some pages we may feature embedded share buttons or widgets that allow you to share content with others through a number of social networking sites. These social networking sites may set cookies that can identify you as an individual when you are also logged into their services. We do not control these cookies and you should check with the relevant website to see how your information is used.

The following table includes the most frequently used cookies on <https://thegardenpathway.org>. We will keep our cookies list as up to date as possible:

Cookie Name	Description
G_ENABLED_IDPS _ssid _derived_epik _gcl_a ccpa_applies dcmsid eucookieidlaw landingpage_currency recognized_logins tk_ai tk_qs wordpress_eli wpndash	Functional cookies, used to recognise you when you return to our website, record information about choices you have made and allow us to tailor the website to your needs and to run and administer the website.
AMP_TOKEN	AMP stands for Accelerated Mobile Pages, a way of delivering faster loading pages on mobile. This token is used to retrieve a client site ID to help deliver these pages.
_fbp	This cookie is set by Facebook to deliver advertisement when they are on Facebook or a digital platform powered by Facebook advertising after visiting this website.
_ga	This cookie is installed by Google Analytics. The cookie is used to calculate visitor, session, campaign data and keep track of site usage for the site's analytics report. The cookies store information anonymously and assign a randomly generated number to identify unique visitors.
_gid	This cookie is installed by Google Analytics. The cookie is used to store information of how visitors use a website and helps in creating an analytics report of how the website is doing. The data collected including the number visitors, the source where they have come from, and the pages visited in an anonymous form.
_hjAbsoluteSessionInProgress	This cookie is used to detect the first pageview session of a user. This is a True/False flag set by the cookie.
_hjid	Hotjar cookie that is set when the customer first lands on a page with the Hotjar script. It is used to persist the Hotjar User ID, unique to that site on the browser. This ensures that behaviour in subsequent visits to the same site will be attributed to the same user ID.
_uetsid	This cookie is used by Bing to determine what ads should be shown that may be relevant to the end user perusing the site.
_uetvid	This cookie is used by Microsoft Bing Ads and is a tracking cookie. It allows us to engage with a user that has previously visited our website.
_pin_unauth	This cookie groups actions for users who cannot be identified by Pinterest.

If you have any questions about this Privacy Policy please contact us using the e-mail provided on our website.

Dr Clare Tangye, Lead Therapist