

The Wellbeing Garden

Privacy Policy 2024



The Wellbeing Garden:	Spring Meadow, 131, Field End, London Road West, Batheaston Bath BA1 7JF
Telephone:	07480 174498
E-mail	hello@thewellbeinggardenbath.co.uk
Website:	www.counselling-directory.org.uk
Mission:	The Wellbeing Garden is committed to promoting the physical, emotional, mental and spiritual health and wellbeing of people in the context of a Person-Centred, Integrative, Christian ethos.

Privacy Policy

Date of Policy:	1st May 2024
Initial Review:	1st January 2026
Subsequent Reviews:	1st January (Annually)

Established in 2022, The Wellbeing Garden UK [Ltd] is a Christian Organisation based in Bath and also operating online. A Registered Organisation (Number: 14115019), we are supported by other charities and organisations, including churches. Our Senior Management Team comprises: Helen Marton (Founding Director), Simon Marton (Founding Director).

Privacy Statement

This **Privacy Statement** describes how our organisation collects and uses personal information. Service users should be aware that by contacting us, by using our services, and even by visiting our website, they are agreeing to be bound by this statement. Additionally: we may amend this statement from time to time by updating its contents. Service users are therefore advised to check this page from time to time to ensure that they are happy with any changes that have been made. Any queries about this Privacy Statement, or queries relating to the collection and management of personal data, may be directed to us via email: hello@thewellbeinggardenbath.co.uk

The Wellbeing Garden [WBG] was established in 2022 and is now Bath's first private placement provider and professional person-centred, integrative counselling agency in an outdoor setting and with a special interest in eco-therapy offering individual, couple [including psychosexual therapy] and group therapy - company number 14115019. Founded in Bath, we opened in 2022 and along side in person therapy we also offer Teams and telephone counselling.

The Wellbeing Garden is a Limited Company (number 14115019).

Our registered address is:

Richardson Swift

Laura Place

Bath BA2 4BL

The WBG is committed to promoting the physical, emotional, mental and spiritual health and wellbeing of our clients in Bath and beyond. We aim to transform people's lives by providing a professional service that is trustworthy because it is confidential. We also want as many people as possible to have access to our services, regardless of their financial situation. This is why we employ trainee counsellors to work with those clients who have a limited capacity to pay for the full cost of counselling.

At The WBG, we are committed to protecting personal information so as to protect people's privacy. We do this in accordance with the current legislation, that being the [Data Protection Act 2018](#), which is the UK's implementation of the **General Data Protection Regulation**, known as **GDPR**. This regulation controls how personal

information, known as *personal data*, is used by organisations within the European Union, and how it provides greater protection for all persons. We uphold this legislation not only to ensure that everyone within our organisation is acting lawfully, but to protect the interests of those we serve, particularly our clients. Based on the criteria set out in the GDPR, we do not need a [Data Protection Officer](#), but we have appointed a **Data Compliance Officer: Simon Marton**, to aid us in the task of ensuring that we protect the interests of all data subjects and comply with regulations.

The Data Protection Act requires those responsible for using personal data to do so according to *six data protection principles*. Briefly, these ensure that information is:

- Used transparently;
- Used for specified, explicit purposes;
- Limited to only what is necessary;
- Accurate and up to date;
- Kept no longer than is necessary;
- Handled in a way that ensures appropriate security.

According to these principles, as the *data controller*, The WBG, is required to be open, honest and clear with all service users, known as *data subjects* - right from the start - in respect of:

- *Why* information is collected,
- *What* information is collected,
- *How* information will be collected, and
- *How* information will be used

- in relation to the services we offer.

Why information is collected - its [specified, explicit purposes](#) - and how it is used:

The WBG asks for information in order to deliver the service that is requested of us. Such services include: counselling, supervision, volunteering or working with us, and donating to us. Our organisation does not use your details for marketing or fundraising, unless you have given us consent to do so, neither does it use cookies on its website, nor cloud servers. More specifically, the reasons why we hold personal data are as follows:

- **Identity data** is collected so that we know how to refer to you, and also for communication purposes, as below

- **Contact/communication data** is collected so that we are able to contact you. This is necessary for the service we provide; however, we are happy to liaise with you as to your chosen means of communication, whether that be email, or text, for example.
- **Sensitive data** is collected in order to aid us in the task of providing counselling services, including allocating the most appropriate counsellor, as well as providing an aide memoire for counsellors from one session to the next.

What information is collected?

- **Identity data**, such as first and last names;
- **Contact/communication data**, including: postal address, email address and telephone numbers, together with the preferred method of communication;
- **Sensitive data** in respect of the client's reason for seeking counselling, as well as other relevant details regarding their general and mental health; this includes medication, existing health conditions and any other factors deemed relevant to the service we provide;

NB: The principle regarding data collection and usage being *limited to only what is necessary*, means that data that does not enable delivery of the service our organisation provides is neither collected, nor subsequently used and/or retained. Additionally, with regard to the principle that *data should be kept for no longer than is necessary*, this means that The WBG does not retain personal data for clients who have completed their counselling/supervision, though if they express an intention to return to counselling/supervision at a later stage, or think they may return, this provides legitimate grounds for data retention. In the absence of such grounds, personal data is archived once counselling/supervision has ended.

How information will be collected:

Personal data is usually recorded on paper during initial contact with the client or service user, and stored in our locked filing cabinets. Such information, together with sensitive data, may be acquired by telephone or during the initial face-to-face session.

It is usual practice for counsellors to keep notes in respect of counselling sessions, to assist them with the service they provide. The notes are stored in locked filing cabinets and archived after counselling has ended. Archived notes are shredded after one year. The notes do not include the client's name, or other identifiers. Clients have the right to see these notes and accordingly, counsellors are obliged to provide them upon request; this is achieved via a [Subject Access Request](#), as explained below.

Confidentiality:

We may need to share information about clients who we feel are at risk of harm. This is explained in our Counselling / Supervision Agreement which is covered during the initial counselling / supervision session, known as the 'assessment.' Briefly, it is considered defensible (and therefore good practice) to breach confidence, in good faith, in order to assist the prevention or detection of a serious crime. This is because a counsellor / supervisor cannot be legally bound to confidentiality about a crime.¹ In addition, in some situations, clients' needs and/or the public interest may potentially outweigh the general duty of confidentiality - that need being a need to prevent serious harm to the client (or to others), for example.² Accordingly, in a medical emergency, breaching confidentiality may be considered necessary to protect a person's vital interests, as detailed in Article 9 (2) (c) of the [Regulation \(EU\) 2016/679 of the European Parliament and of the Council](#). Other valid reasons for breaching confidentiality include: issues pertaining to national security, acts of terrorism, drug trafficking, and safeguarding in relation to children and vulnerable adults. NB: More information on the issue of confidentiality can be found on the BACP (British Association for Counselling and Psychotherapy) website, and specifically, their publication: '[Good Practice in Action 014 \(Legal Resource\): Managing confidentiality within the counselling professions](#),' Section 4: Exceptions to the duty of confidentiality, pages 11 - 18.

Security:

At The WBG, personal data management adheres to the principle of [appropriate](#)

¹ '[Good Practice in Action 014 \(Legal Resource\): Managing confidentiality within the counselling professions](#),' Section 4: Exceptions to the duty of confidentiality (p. 11), BACP, available from: <https://www.bacp.co.uk/media/6305/bacp-managing-confidentiality-legal-resource-gpia014-july2019.pdf>.

² Ibid, Section 4: Balance of public interest (a) (p. 11).

[security, so as to prevent unlawful access](#). Accordingly, our organisation adheres to the following procedures:

- Our offices are locked when unattended/closed and accessible only via a key which is available solely to members of our organisation.
- Office hardware, including PCs and laptops, is password protected and taken away from the main office each night.
- As stated [above](#), personal data is stored in locked cabinets access to which is restricted to relevant personnel.

What rights do you have over your data?

All data subjects have the right:

- To be informed about how their data is being used;
- To access and receive a copy of their personal data and other supplementary information. This is achieved via a [Subject Access Request \(SAR\)](#). SARs may be made verbally or in writing, including via social media and also by a third party. Organisations must respond without delay and within one month of receipt of the request, or within three months if the request is complex. The information should be disclosed securely and provided in an accessible, concise and intelligible format. Requests may be refused only if an exemption or restriction applies. In most circumstances, organisations are not permitted to charge a fee for responding to a Subject Access Request, however, there may be a charge if a lot of information is requested, or the request takes a lot of time and effort to process. Subject Access Requests should be made to The WBG's Data Compliance Officer: Simon Marton.
- To request that inaccurate information is corrected, either because it is wrong, or because it needs updating due to changed circumstances. Correction of inaccurate data requested by a data subject is actioned at the earliest opportunity and the subject informed once this has been achieved;
- To request the deletion of personal data;
- To stop or restrict the processing of their data;
- To [data portability](#), which enables data subjects to obtain any personal data held by one organisation and reuse it, hence copying and transferring it from one service or environment to another;

- To object to how personal data is processed in certain circumstances;
- To lodge a [complaint](#) with the Data Protection Commissioner.

In respect of the above, service users should be aware that some of the above requests may result in us being unable to deliver the service being requested. However, if this is the case, our Data Compliance Office, Simon Marton, will explain it at the earliest opportunity.

Complaints:

If you are not happy with any aspect of the way we collect and use your data, we very much hope you will talk to us first. You can do this in writing, by telephone and by email, as below. We will always do everything we can to address your concerns.

However, if, having discussed the matter with us, you are still unhappy, or if you do not feel you can raise the matter with us, you have the right to complain to the Information Commissioner's Office and you can do this via their website: <https://ico.org.uk/make-a-complaint/>, or by telephoning them on 0303 123 1113.

To contact us:

Write to: The Wellbeing Garden
 131 Spring Cottage
 Batheaston
 Bath
 BA1 7JF

Telephone: 07480 174498

Email: hello@thewellbeinggardenbath.co.uk