



## Data Protection Policy

To comply with the Data Protection Act (1998) our practice has notified the Information Commissioner that personal information relating to patients is stored within our practice

Team members must at all times comply with the principles of the Data Protection Act:

- Never name or discuss identifiable information about a patient outside the practice, including with friends or relatives of the patient
- Store patient records securely and confidentially where it is not possible for other patients or individuals to read them
- Store paper records in lockable cabinets
- Not give a school any information about whether a child attended for an appointment on a particular day. It should be suggested that the child is asked to obtain the Dentists signature on his or her appointment card to signify attendance
- Not provide information about a patients appointment record to their employer
- Ensure that when talking to a patient on the telephone or in person in a public area, other patients cannot overhear sensitive information
- Ensure that discussions about patients, do not take place in the practice's public areas
- Ensure that messages regarding a patients care are not left with third parties or left on answering machines. A message to call the practice is all that can be left.
- Ensure that password protected computer records are backed up every day, with backups stored away from the practice
- Ensure the appointment book and day list is not visible to patients or anyone not involved in patient care
- Never disclose patient information to a third party without consent. This includes confirming that someone is a patient at the practice or that they have an appointment. This also includes disclosure of appointment books, day sheets or computer screens to Police Officers or Inland Revenue officials, unless on the specific instruction of the Dentist
- Post all written communication, including recalls or reminders in an envelope
- If called upon to demonstrate the practice's administrative computer system, do not use actual patient information. An example file should be created and used

### Personal information

In a Dental context, personal information held by a Dentist about a patient may include:

- The patients name, current address and previous address, bank or debit/credit card details, telephone numbers, email address and any other means of personal identification such as his or her physical description
- Information that the individual is or has been a patient of the practice or attended, cancelled or failed to attend an appointment on a certain day
- Information concerning the patients physical, mental or oral health or condition
- Information about the treatment that is planned, is being undertaken or has been provided
- Information about family members and personal circumstances supplied by the patient or others
- The amount that was paid for treatment, the amount owing or in fact that the patient is a debtor to the practice



## **Disciplinary Action**

If, after investigation, a team member is found to have breached Data Protection, he or she shall be liable to summary dismissal in accordance with our practice disciplinary policy

## **Access to Records**

Patients have the right of access to their health records held electronically or on paper file

A request from a patient to see records or for a copy must be referred to the patient's Dentist. The patient should be given the opportunity of coming into the practice to discuss the records and will then be given a photocopy. Care should be taken to ensure that the individual seeking access is the patient in question and where necessary the practice will seek information from the patient to confirm identity. The copy of all records must be supplied within 40 days of payment and receipt of any identifying information

Access may be obtained by the patient following a request in writing and payment of the appropriate fee.

The fact that patients have the right of access to their records makes it essential that information is adequately recorded. Records must be:

- Contemporaneous and dated
- Accurate and comprehensive
- Signed by the dentist
- Strictly necessary to the purpose intended
- Not derogatory
- Such that disclosure to the patient would be unproblematic

## **Data protection code of practice**

Our Data Protection code of practice provides the required procedures to ensure that we comply with the 1998 Data Protection Act. Is it a condition of engagement that everyone at the practice complies with the code of practice.

## **Keeping your records**

This practice complies with Data Protection Act 1998. This policy describes our procedure for ensuring that personal patient information is processed fairly and lawfully.

## **What personal data do we hold?**

In order to provide you with a high standard of dental care and attention, we need to hold personal information about you. This personal data comprises:

- Your past and current medical and dental condition, personal details such as your age. National insurance number / NHS number, address, telephone number and your general medical practitioner
- Radiographs, clinical photographs and study models
- Information and the treatment that we have provided or propose to provide and its cost
- Notes of conversations or incidents that might occur for which a record needs to be kept
- Records of consent to treatment
- Any correspondence relating to you and other health care professionals, for example in the hospital or community services



## **Why do we hold information about you?**

We need to keep comprehensive and accurate personal data about patients in order to provide you with safe and appropriate dental care. We also need to process personal data about you in order to provide care under NHS arrangements and to ensure the proper management and administration of the NHS.

## **Retaining information**

We will retain your dental records and orthodontic study models while you are a practice patient and after you cease to be patient, for at least eleven years, or for children until age 25 (whichever is the longer)

## **Security of information**

Personal data about you is held in the practice's computer system and or in a manual filing system. The information is only accessible to authorised team members. Our computer system has secure audit trails and we back up information routinely.

## **Disclosure of information**

In order to provide proper and safe dental care we may need to disclose personal information about you to:

- Your general medical practitioner
- The hospital or community dental services
- Other health professionals caring for you
- NHS payment authorities
- The Inland Revenue
- The benefits agency, where you are claiming exemption or remission from NHS charges
- Private dental schemes of which you are a member

Disclosure will take place on a need to know basis so that only those individuals / organisations that require information in order to provide care to you and for the proper administration of government (whose personnel are covered by strict confidentiality rules) will be given these details. Only the information that the recipient needs to know will be disclosed.

In very limited circumstances or when required by law or court order, personal data may have to be disclosed to a third party not connected with your health care. In all other situations, disclosure that is not covered by this code of practice will only occur when we have your specific consent. Where possible you will be informed of these requests for disclosure.

## **Access to your records**

You have the right of access to the data we hold about you and to receive a copy, or you may authorise a third party, such as a lawyer to do so on your behalf. Parents may access their child's records if this is in the child's best interests and not contrary to a competent child's wishes. Formal applications for access must be in writing to the Practice Manager and accompanied by the appropriate fee

## **For inspection only:**

If information has been added within the last 40 days, inspection is free of charge#

In all other cases - £10



**For copies:**

Records held totally on computer - £10

Records held part on computer and part manually - £30

Records held manually - £50

We will provide a copy of the record within 40 days of receipt of the request and fee (where applicable) and an explanation of your record should you require it

**If you do not agree**

If you do not wish personal data that we hold about you to be disclosed or used in the way that is described in this code of practice, please discuss this matter with your dentist. You have the right to object, however this may affect our ability to provide you with dental care.

This Policy was implemented on **25<sup>th</sup> March 2014**

This Policy and relevant procedures will be reviewed annually and are due for review on: **24<sup>th</sup> March 2015** or prior to this date in accordance with any mandatory or legislative changes