

Data Protection Code of Practice – Chesterfield Orthodontics (GDPR)

This practice complies with the **General Data Protection Regulations 2018** and this policy describes our procedures for ensuring that personal information about patients is processed fairly and lawfully.

Patients – keeping your records.

What personal data do we hold?

In order to provide you with a high standard of orthodontic 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, address, telephone number and your general dental and medical practitioner.
- radiographs, clinical photographs and study models
- information about the treatment that we have provided or propose to provide and its cost
- notes of conversations/incidents that might occur for which a record needs to be kept
- records of consent to treatment
- any correspondence relating to you with other health care professionals, for example in the hospital or community services or with referring dental practitioner.

Why do we hold information about you?

We need to keep comprehensive and accurate personal data about our patients in order to provide them with safe and appropriate orthodontic 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.

How we process the data

We will process personal data that we hold about you in the following way:

Retaining information

We will retain your orthodontic records while you are a practice patient and after you cease to be a 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. The information is not accessible to the public; only authorised members of staff have access to it. Staff are trained in their legal responsibilities under the General Data Protection Regulations and practical procedures for maintaining confidentiality. This training is revisited on a yearly basis.

We take precautions to keep the practice premises, filing systems and computers physically secure. Our computer system has secure audit trails and we back-up information routinely.

Disclosure of information

In order to provide proper and safe orthodontic care, we may need to disclose personal

information about you to:

- your general medical/dental practitioner
- the hospital or community dental services
- other health professionals caring for you
- NHS/PCT 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.
- Social services in cases of raising a concern

Disclosure will take place on a 'need-to-know' basis, so that only those individuals/organisations who need to know 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 the information. Only that information that the recipient needs to know will be disclosed. We will aim to advise you of disclosure of information and gain consent specifically in the cases of referring onto other health services.

In very limited circumstances or when required by law or a 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

You have the right of access to the data that we hold about you and to receive a copy. Access may be obtained by making a request in writing. To release the information we will require two forms of proof of identity, one of which must include a photograph and the other your current address (dated within 3 months). We will provide a copy of the record within one calendar month of receipt of the request and proofs of identification, 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 the matter with your orthodontist. You have the right to object, but this may affect our ability to provide you with orthodontic care.

Under GDPR you have the right to be deleted however this is not the case regarding medical or dental records. We have a legal obligation to hold your records for at least 11 years or until you turn 25 whichever is the longer. The practice can however, archive your records so they are only available to restricted members of staff.

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