



## Chatha Smiles Ltd

10 The Minorities, Temple Court, Birmingham B4 6AG. Tel: 0121 236 8681  
enquiries@chathasmiles.com

# DATA PROTECTION POLICY

## Data Protection Policy & Procedures

To comply with the **Data Protection Act (1998)**, we have 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 (1998), and:**

- 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 with password protected access to R4.
- Do 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 dentist's signature on his or her appointment card to signify attendance
- Not provide information about a patient's appointment record to a patient's 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 password-protected computer records are backed-up every day, with backups stored away from the practice
- Ensure that records, the appointment book and day list are not visible to patients or anyone not involved in patient care
- Never disclose patient information to a third party without consent, including confirming that someone is a patient at the practice or that they have an appointment. This includes disclosure of appointment books, day sheets or computer screens to police officers or Inland Revenue officials, unless on the specific instructions of the dentist
- If called upon to demonstrate the practice's administrative/computer systems not allow actual patient information to be used

The person responsible for ensuring the team complies with Data Protection Principles is Gee Chatha.



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### Personal information

**In a dental context personal information held by a dentist about a patient includes:**

- The patient's name, current address, telephone number/e-mail address
- 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 patient's physical, mental or oral health
- 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 the 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. 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 copy. 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 the record must be supplied within forty days of payment and receipt of identifying information.

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

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



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### 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. It is a condition of engagement that all employees comply with the code of practice.

This policy describes our procedure for ensuring that personal patient information is processed fairly and lawfully.

#### **In order to provide a high standard of dental care and attention, we need to hold certain personal information about patients:**

- Past and current medical and dental condition; personal details such as age, address, telephone number and general medical practitioner
- Radiographs, clinical photographs and study models
- Information about the treatment that we have provided or propose 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 with other health care professionals, for example in the hospital or community services.

We will retain dental records and orthodontic study models for at least eleven years after an individual ceases to be a patient of the practice.

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

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

- A general medical practitioner
- The hospital or community dental services
- Other health professionals
- The Inland Revenue
- Private dental schemes of which the patient is a member



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Disclosure will take place on a need-to-know and entitled-to-know basis.

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 an individual's health care. In all other situations, disclosure will occur only with the patient's specific written consent. Where possible the patient will be informed of these requests for disclosure.

Patients have the right of access to the data that we hold about them and to receive a copy. Parents may access their child's records unless we deem it not to be in the child's best interests.

We will provide a copy of the record within 40 days of receipt of the request and an explanation of that record should the patient require it.