



Confidentiality Policy

Purpose of Document

The purpose of this document is to ensure all staff members at the practice are aware of their legal duty to maintain confidentiality, to inform them of the processes in place to protect personal information; and to provide guidance on disclosure obligations.

Introduction

Everyone working for the practice, or elsewhere within the business, is under a legal duty to keep patients' personal information confidential. Patients who believe their confidence has been breached may make a complaint to the practice and they could take legal action. In the case of a registered dental professional the patient could also make a complaint to the General Dental Council.

This code is concerned with protecting personal information about patients, although its content would apply equally to staff personal information or business sensitive information. Personal information is data in any form (paper, electronic, tape, verbal, etc.) from which a living individual could be identified; including name, age, address, and personal circumstances, as well as sensitive personal information like race, health, sexuality, etc. Although the Data Protection Act 2018 is only relevant to the personal information of living individuals, this code also covers information about deceased patients. This code applies to all staff including permanent, temporary, and locum members of staff.

Confidentiality

Under the Data Protection Act 2018 and UK GDPR dental practices have a duty to keep personal data about their patients safe and secure and to ensure it is only accessed by persons who need to see it for the purposes of providing safe, effective care.

Registered dental professionals have an ethical and legal duty to keep all patient information confidential.

Dental practices are also required to ensure that they do not 'advertise' to other patients or the public that a certain person is a patient of the practice or that they have had appointments or have appointments due. This means that daylists, appointment cards that identify the patient and record cards must not be seen by other patients of the practice. It is also important that confidential telephone calls that name a particular patient are not held in earshot of other patients. Messages should not be left with a 3rd party confirming or cancelling appointments.

The Importance of Confidentiality

The relationship between clinician and patient is based on the understanding that any information revealed by the patient to the clinician will not be divulged without the patient's consent. Patients have the right to privacy and it is vital that they give the clinician full information on their state of health to ensure that treatment is carried out safely and effectively. The intensely personal nature of health information means that many patients would be reluctant to provide the clinician with information if they felt the information would be passed on.

If confidentiality is breached a dental professional may face investigation by the GDC with possible erasure from the dentists register or the dental auxiliaries roll. In addition, they may also face legal action by the patient for damages and, for dentists, prosecution for breach of the *Data Protection Act (2018)*.

In particular, care must be taken to ensure that confidentiality is never breached even to the most minor degree in the use of social media or websites.

Recognise Your Obligations

A duty of confidence arises out of the common law duty of confidence, employment contracts and for registered dental professionals, it is part of your professional obligations. Breaches of confidence and inappropriate use of records or computer systems are serious matters which could result in disciplinary proceedings, dismissal and possibly legal prosecution. So, make sure you do not:

- Put personal information at risk of unauthorised access.
- Knowingly misuse any personal information or allow others to do so.
- Access records or information that you have no legitimate reason to look at this includes records and information about your family, friends, neighbours and acquaintances.

GDC standards guidance

Dental care professionals have an ethical and legal duty to ensure they are familiar with, and comply with the GDC's standards guidance. All practice team members must also follow this guidance and ensure that they maintain patient confidentiality. Copies of this publication in full are available as PDF downloads from the GDC's website at www.gdc-uk.org

4.2 Protect the confidentiality of patients' information and only use it for the purpose for which it was given.

4.2.1 Confidentiality is central to the relationship and trust between you and your patients. You must keep patient information confidential. This applies to all the information about patients that you have learnt in your professional role including personal details, medical history, what treatment they are having and how much it costs.

4.2.3 You must not post any information or comments about patients on social networking or blogging sites. If you use professional social media to discuss anonymised cases for the purpose of discussing best practice you must be careful that the patient or patients cannot be identified.

Document Control

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0.1	Final	25.3.23	PG	Complete re-write of policy, updated guidance.

The latest approved version of this document supersedes all other versions, upon receipt of the latest approved version all other versions should be destroyed, unless specifically stated that previous version(s) are to remain extant. If in any doubt, please contact the document Author.

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