

PRIVACY NOTICE
Practice Communication for all Patient Data
Version 1.1.1 July 2019

1. PURPOSE OF THIS DOCUMENT

This privacy notice explains how Portwall Dental Surgery as a data controller protects and manages your personal and sensitive medical data in accordance with data protection laws and the General Data Protection Regulation (GDPR) which comes into effect May 2018. It details the information we hold about you and how we collect and process that data. This document applies to current and former patients of Portwall Dental Surgery. It is important that you read this notice.

2. DATA PROTECTION PRINCIPLES

Data protection laws state that use of personal information must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.
- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept securely.

Portwall Dental Surgery is committed to protecting the privacy and security of your personal and sensitive medical information and complies with the data protection law.

3. HOW WE OBTAIN YOUR DATA

3.1 Information Provided By You

You provide Portwall Dental Surgery with personal data either on our registration form, via email, or over the telephone. This includes: name, address, date of birth, gender, phone number(s), email address, occupation, registration date, name of GP practice. You also provide us with very sensitive medical information on our medical questionnaire form. This special category data includes: current medical treatments and conditions, medication, allergies, history of illness and disease (e.g. asthma, diabetes, epilepsy etc.), information about family members or personal circumstances, and if you smoke or drink alcohol etc.

3.2 Information Created By Us About You

As part of your ongoing dental care and treatment Portwall Dental Surgery may create and store additional personal and sensitive information about you. This may include radiographs, details of treatments received or planned, prescribed medications, dental charts, history of attendance and failed appointments etc.

3.3 Information Received From 3rd Parties

Portwall Dental Surgery offers a maintenance care plan for patients who wish to attend the practice on a regular basis and have the peace of mind that fees for their preventative dental care is covered. This plan is managed and administered by Dpas Ltd. If you join our care plan you provide direct to Dpas Ltd your personal information (name, address, date of birth and email), your bank account details and the name of our dental practice. Dpas Ltd share your personal data with us, which we use to identify plan members. Note, we do store or have access to bank account details. In joining our care plan you would have already granted Dpas Ltd authority to share this information with us. Dpas Ltd is a reputable company that operate in accordance with the General Data Protection Regulation (GDPR).

3.4 Information Shared with 3rd Parties

We DO NOT transfer your data outside the European Economic Area (EEA). We will not share your personal information with any other 3rd parties without a legitimate interest or your express consent with the exception of:

- Specialist medical practitioner directly involved in your care, e.g. a referral to a specialist orthodontist.
- Regulatory authorities, e.g. Health Inspectorate Wales (HIW)
- Fraud prevention agencies

If data is shared with a 3rd party they shall be required to take appropriate security measures to protect your personal information in line with our policies and will not be allowed to process the information for their own purposes. We will only permit them to process your personal data for specified purposes in accordance with our instructions.

4. HOW AND WHY WE USE YOUR DATA

The provision of your personal and sensitive medical data is essential for Portwall Dental Surgery to provide you with a high standard of professional dental care and service and perform dental procedures and treatments safely. This means the legal basis for Portwall Dental Surgery holding and processing your data is primarily for the performance of a contract and for purposes of preventive or occupational medicine, medical diagnosis, and the provision of health care and treatment.

In some cases we may use your personal information to enable us to comply with legal obligations or to pursue legitimate interests of our own provided your interests and fundamental rights do not override those interests. With your express consent Portwall Dental Surgery may from time to time use your personal information for marketing purposes, e.g. to identify patients who wish to receive our practice newsletter. Note, we do not use or envisage using automated decision-making software or tools.

5. HOW WE PROTECT YOUR DATA

Portwall Dental Surgery takes very seriously and is absolutely committed to protecting your data. We undertake at all times to protect your data in a manner that is consistent with our duty of professional confidence and requirements of the General Data Protection Regulation and as such have in place a number of security measures to prevent your personal and sensitive data from being lost, used or accessed in an unauthorised way, altered or disclosed. We also limit 3rd parties access to your data and have procedures in place to notify you (and the regulator if required) and to deal with any suspected security breaches.

6. HOW LONG DO WE KEEP YOUR DATA

In line with professional guidelines we hold and keep secure your personal and medical data for a minimum of 11 years post last attendance or for children until age 25, whichever is longer. We retain your information for as long as necessary to fulfil the purposes we collected it for, including for the purposes of satisfying any legal, accounting, or reporting requirements.

7. HOW TO ACCESS YOUR DATA AND YOUR RIGHTS

If you would like to invoke any of the the rights listed below please write, email or phone the Practice and identify your query for the attention of the Data Protection Manager.

7.1 Right To Access

The General Data Protection Regulation (GDPR) grants you the “data subject” the right to access data held about you within one month and free of charge. This enables you to check the information we hold about you is correct and that we are lawfully processing it. The GDPR refers to this as a Subject Access Request.

7.2 Right To Data Portability

The General Data Protection Regulation (GDPR) grants you the “data subject” the right to receive your personal and sensitive data in a structured, commonly used and machine readable form.

7.3 Right To Rectification

The General Data Protection Regulation (GDPR) grants you the “data subject” the right to correct inaccurate data within 1 month and free of charge. If you have concerns or believe information we hold about you is incorrect or incomplete please let us know and we shall investigate and where necessary correct without undue delay. Please help us keep our records up to date by notifying us of name or address changes etc.

7.4 Right To Object, Restrict or Erase.

The General Data Protection Regulation (GDPR) grants you the “data subject”, in certain circumstances, the right to erase your personal data or object or restrict processing. This may apply, for example, if data is no longer needed or processed for purposes other than those it was originally collected; if processing of data relies on consent that has been revoked or if processing is unlawful. Please note these rights DO NOT apply to data collected for the performance of a contract to provide dental services.

8. IMPORTANT INFORMATION

8.1 Policy Changes

In order to make sure we meet the highest standards and to protect your privacy this notice is reviewed regularly. We reserve the right, at all times, to update, modify or amend this document.

8.2 Complaints

If you have a complaint regarding the use of your data please contact our complaints manager who will do their best to help. If your complaint is not resolved to your satisfaction and you wish to make a formal complaint to the Information Commissioner's Office (ICO) you can contact them on 0162554745 or 0303 123 1113. The ICO can be contacted online at www.ico.org.uk/concerns.