



Confidentiality Policy

Policy Details	
Practice Name :	AF Dental Dover
Practice Manager Name:	Alia Faki
Readership (Target Audience)	All Staff
Version	2.0
Update Date	01.01.24
Review Date	01.01.25
Author	Smart Dental Compliance & Training

Description	Related Key Line of Enquiry				
	Safe	Effective	Caring	Responsive	Well-Led
S1: What systems, processes and practices are in place to keep people safe and safeguard them from abuse?	✓	■	■		
C1: Are people treated with kindness, dignity, respect and compassion while they receive care and treatment?	■	■	✓		

Policy Created on 30.08.2020

Policy Version : 2.0

Policy Created By: Smart Dental Compliance & Training

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1. Purpose

To protect rights of Patients and staff to ensure that their confidential information is shared strictly within the bounds of this policy, and to ensure that the GDC Standards for the Dental Team are met.

To meet the legal requirements of the regulated activities that AF Dental Dover is registered to provide:

- Data Protection Act 1998
- Freedom of Information Act 2000
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
- Mental Capacity Act 2005

2. Scope

The following roles may be affected by this policy:

- All staff

The following people may be affected by this policy:

- Patients

The following stakeholders may be affected by this policy:

- Family
- Advocates
- Representatives

3. Objectives

To protect Patients personal information and respect their right to privacy.

4. Policy

- This practice will ensure data is kept secured from unauthorized access.
- There is no discussion of confidential, person identifiable information with, or disclosure to, a third party without explicit agreement of the Registered Manager.
- Transfer of data between cooperating service providers is timely for Patient care purposes, sufficient for service provision, restricted to relevant material, and safely transferred.
- AF Dental Dover is compliant with the General Dental Council's publication, 'Standards of the Dental Team (2013)' and 'Principles of Confidentiality'. All team members are trained to know and follow these requirements.
- There is advice on assessing a Patients mental capacity in the Mental Capacity Act 2005 - Codes of Practice.
- The team is aware of their responsibilities regarding confidential data and will sign a written

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statement (contained in their contract of employment) about their responsibilities to maintain data protection at all times.

- Information Governance Lead (may also be known as a Caldicott Guardian) will manage, audit and record observation of current practices and procedures when dealing with confidential information.

5. Procedure

- Treat information about Patients as confidential and only use it for the purposes for which it is given.
- Prevent information from being accidentally revealed and prevent unauthorised access by keeping information secure at all times.
- In exceptional circumstances, it may be justified to make confidential Patient information known without consent if it is in the public interest, for example if requested by police.
- Any breach of confidence will be reported to the relevant professional bodies to be investigated.
- Limited Reasons for disclosure are:
 - With the written agreement of the Patient, for insurance purposes or when involved in a complaint
 - On referral to another Provider
 - In the wider Public Interest, involving serious risk to the public or serious crime
 - By Court Order, but only the minimum required to comply
- No records will be left, or used in a manner, where other Patients or visitors can access or read them.
- Suitable arrangements will be consistently in place for the safe destruction of confidential data.
- Information must remain confidential, detailed below are some specific examples of when NOT to disclose:
 - Request from a school about the attendance of a child
 - Request from a parent (unless sure of being Legal Guardian) about the attendance of a child
 - Request from a solicitor for information, or someone acting on behalf of a third party
 - Request from a family member, even a spouse, about the attendance of a Patient, or to discuss treatment

The following procedures must be followed to ensure a confidential and secure environment is maintained:

- There is a safe and private place for confidential discussions with a Patient
- Telephone conversations with, or about, a Patient cannot be overheard in the public areas
- All computers are password protected, and staff must `log out` when not sitting at a computer
- No unencrypted portable device is used to transfer or store data
- All postal contacts with Patients are in a plain sealed envelope

Patients have a right of access to their records. When requested copies must be produced within 40 days of receipt of a written request. A fee for this service may be charged, in line with Data Protection advice.

All staff should participate in 1 hour of training each year in the protection of Patient confidentiality, as per the CPD requirements set out in the GDC's Guidance to the profession on 'Continuing Professional Development for Dental Professionals'.

6. The Practice Protocol

- All staff must sign below confidentiality agreement

7. Definitions

Words	Definition
GDC	The General Dental Council. The GDC are the organisation which regulates dentists and dental care professionals in the United Kingdom
CPD	Continuous Professional Development is the term used to describe the learning activities professionals engage in to develop and enhance their abilities
Caldicott Guardian	A Caldicott Guardian is a senior person responsible for protecting the confidentiality of patient and service- user information and enabling appropriate information-sharing

8. Related Regulations

The related regulation to this policy are the following:

- a) The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 - Regulation 9 and 17
- b) The Data Protection Act 1998
- c) The GDC Standards for the Dental Team the Mental Capacity Act (2005)

9. Appendix

- a) Staff Confidentiality Agreement

Staff Confidentiality Agreement

Declaration

I understand that all information about patients held by AF Dental Dover is strictly confidential, including the fact of a particular patient having visited the AF Dental Dover.

I have read the Staff Confidentiality Policy above and fully understand my obligations and the consequences of any breach of confidentiality. I understand that a breach of these obligations may result in dismissal.

I understand that any breach, or suspected breach, of confidentiality by me after I have left the Practice's employment will be passed to the Practice's lawyers for action.

If I hold a professional qualification and my right to Practice depends on that qualification being registered with a governing body, it is my responsibility to have read and understood their advice on confidentiality.

Name	
Signature	
Date	

Policy Created on 30.08.2020 Policy Version : 2.0