



Privacy Policy for Monkstown Dental for Patient Data

Monkstown Dental takes great care to protect the personal data we hold for our patients in line with the requirements of the General Data Protection Regulation (GDPR).

The purpose of collecting and storing personal data about our patients is to ensure we can:

- Provide, appropriate, safe and effective dental care, treatment and advice for all our patients
- Fulfil any contracts we hold in relation to their care
- For business administration of their care.

Personal data held for our patients

The personal data we process (processing includes obtaining the information, using it, storing it, securing it, disclosing it, and destroying it) for our patients includes:

- Name, address, date of birth
- Unique identification number
- Next of kin
- Email address
- Phone numbers
- GP contact details
- Occupation
- Medical history
- Dental care records
- Photographs
- Family group
- Payment plan details
- Financial information
- Correspondence
- Details of any complaints received

We keep an inventory of personal data we hold on our patients and this is available for patients on request. A list of personal information held is also included in our Privacy Notice that is given to all patients on request.



Disclosure to third parties

The information we collect, and store will not be disclosed to anyone who does not need to see it.

We will share our patients' personal information with third parties when required by law or to enable us to deliver a service to them or where we have another legitimate reason for doing so. Third parties we may share patients' personal information with may include:

- Regulatory authorities such as the General Dental Council or the RQIA
- NHS Local Authorities
- Dental payment plan administrators
- Insurance companies (on patients request)
- Loss assessors
- Fraud prevention agencies
- Dental laboratories
- For referrals for specialist treatment or opinion
- In the event of a possible sale of the practice at some time in the future.

We may also share personal information where we consider it to be in a patient's best interest or if we have reason to believe an individual may be at risk of harm or abuse.

Personal privacy rights

Under the GDPR all individuals who have personal information held about them have the following personal privacy rights:

- Right to subject access.
- Right to have inaccuracies deleted.
- Right to have information erased.
- Right to object to direct marketing.
- Right to restrict the processing of their information, including automated decision-making.
- Right to data portability.

Patients who wish to have inaccuracies deleted or to have information erased must speak to the dentist who provided or provides their care.

Legal basis for processing data held about patients

The GDPR requires us to state the legal basis upon which we process all personal data for our patients and it requires us to inform our patients of the legal basis on which we process their personal data. This is clearly stated in our privacy notice that is given to all patients.

The legal bases for recording individual types of data are recorded in our patient personal data inventory. This is available for all patients to see on request.



-The legal basis on which we process personal information for our patients is:

1. Art. 6(1) lit. a GDPR serves as the legal basis for processing operations for which we obtain consent for a specific processing purpose. If the processing of personal data is necessary for the performance of a contract to which the data subject is party, as is the case, for example, when processing operations are necessary for the supply of goods or to provide any other service, the processing is based on Article 6(1) lit. b GDPR. The same applies to such processing operations which are necessary for carrying out pre-contractual measures, for example in the case of inquiries concerning our products or services. Is our company subject to a legal obligation by which processing of personal data is required, such as for the fulfilment of tax obligations, the processing is based on Art. 6(1) lit. c GDPR. In rare cases, the processing of personal data may be necessary to protect the vital interests of the data subject or of another natural person. This would be the case, for example, if a visitor were injured in our company and his name, age, health insurance data or other vital information would have to be passed on to a doctor, hospital or other third party. Then the processing would be based on Art. 6(1) lit. d GDPR. Finally, processing operations could be based on Article 6(1) lit. f GDPR. This legal basis is used for processing operations which are not covered by any of the abovementioned legal grounds, if processing is necessary for the purposes of the legitimate interests pursued by our company or by a third party, except where such interests are overridden by the interests or fundamental rights and freedoms of the data subject which require protection of personal data. Such processing operations are particularly permissible because they have been specifically mentioned by the European legislator. He considered that a legitimate interest could be assumed if the data subject is a client of the controller (Recital 47 Sentence 2 GDPR).
2. NHSBSA (Establishment and Constitution) Amendment) Order 2005 SI 2414 Regulation 3
3. NHS Commissioning Board & NHSBSA (Primary Dental Services) (England) Regulations 2013
4. National Health Service (Personal Dental Services Agreements) Regulations 2005
5. National Health Service (General Dental Services Contracts) Regulations 2005
6. Social Security (Information-sharing) (NHS Payments and Remission of Charges etc.) (England)) Regulations 2015 SI 2015/124 – Regulation 3(1) (c), 6 and 9

7. The legal basis on which we process special data is "9(2)(h) – Processing is necessary for the purposes of preventative or occupational medicine, for assessing the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or management of health or social care systems and services on the basis of Union or Member State law or a contract with a health professional."

Automated decision making

All individuals who have personal data held about them have a right to object to their personal data being subjected to automated decision making.

Patients will always be asked to give specific, informed, verifiable, opt in consent for any processes involving automated decision making.



Consent

Monkstown Dental always obtains specific, unambiguous opt in consent from all patients to whom we send direct marketing information. We do this by asking all patients to sign a consent form when they attend for appointments.

We also obtain specific, unambiguous, opt in consent from our patients for:

- finance applications
- sending lab to dental laboratories
- Sending referrals for specialist treatment or opinion

For a new patient, we obtain consent for these things when the patient first attends the practice. For an existing patient, we ask the patient for consent when they attend for their recall appointment or for a treatment appointment.

Withdrawal of consent

Patients who have given their opt in consent have a right to withdraw their consent at any time. Patients are advised of their right to withdraw their consent for anything they wish to withdraw from in our privacy notice.

Patients are aware that if they would like to opt out of consent at any time they can do so in writing.

Retention period

This practice retains dental records and orthodontic study models while the patient is a patient of the practice and after they cease to be a patient, for at least eleven years, or for children until age 25, whichever is the longer.

Complaints

All individuals who have personal data held about them have a right to complain. All complaints concerning personal data should be made in person or in writing to Jessica Larmour. All complaints will be dealt with in line with the practice complaints policy and procedures.

Transferring personal data outside the EU

Patients' personal data is not transferred outside the EU.

This Policy was reviewed and implemented on: **[20/03/19]**

This policy and relevant procedures will be reviewed annually and are due for review on: **[21/03/20]** or prior to this date in accordance with new guidance or legislative changes.