

# Symonds Yat

## Dental Care



### **CONFIDENTIALITY POLICY**

Confidentiality is a fundamental principle of the delivery of health services. We hold confidential information about patients and staff members. Our Practice and its employees have an obligation not to disclose confidential information, be it personal or otherwise, as a result of various Acts of Parliament and NHS guidance. These are;

Data Protection Act 2018  
Common Law Duty of Confidence  
Human Rights Act 1998  
Terms and Conditions of employment  
The Caldicott Committee Report on the Review of Patient Identifiable Information (1997)  
Regulation of Investigatory Powers Act  
Freedom of Information Act 2000  
Public Information Disclosure Act 1998  
Computer Misuse Act 1990  
GDPR Compliance

Patients have a right to expect that any information about them will be held in confidence by their Dentists. Confidentiality is central to trust between Dentists and patients. Without assurances about confidentiality, patients may be reluctant to give Dentists the information they need in order to provide good care. There must be a commitment to use records in ways that respect patient's rights and promote their health and well being.

All employees are bound by a legal duty of confidence to protect personal information that they may come into contact with during the course of their work. This policy has been produced to protect staff by making them aware of the correct procedures for maintaining confidentiality of patient information so that they do not inadvertently breach any requirements of law or good practice.

This policy applies to all patient-identifiable health information, whether written, computerised, visually or audio recorded. Patient-identifiable information includes;

Patients Name, Address, Postcode, Date of Birth  
Pictures, Photographs, Radiographs  
NHS Number and any local patient-identifiable codes

The policy applies to all staff that record, handle, store or otherwise come across patient based information. This applies equally to students, trainees and volunteers. Staff must not access and confidential information held in any form when they have no proper reason to do so in the course of their duties. When dealing with information of any nature, staff must be aware of their personal responsibility and undertake to abide by the policies.

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### STATEMENT

No employee shall breach their legal duty of confidentiality or allow others to do so.

All information about patients must be treated as confidential and be used only for the purposes for which it was given. For example, to provide care or for a local clinical audit of that care. The duty of confidentiality is owed to all patients and endures beyond the individual's death.

Information necessary to provide care or treatment for an individual patient should be shared on a need to know basis, i.e. with others in the healthcare team for that episode of care.

As it is impractical to obtain consent every time information needs to be shared, patients must be informed and understand that some information may need to be made available to other members of the team involved in the delivery of care.

Disclosure of information outside the team that will have personal consequences for patients must be with the consent of the patient. If the patient withholds consent, or if consent cannot be obtained for whatever reason, disclosures may be made, only where;

1. They can be justified in the public interest (usually where disclosure is essential to protect the patient or someone else from the risk of significant harm).
2. They are required by law or order by court
3. Where there is an issue of child protection

Unauthorised disclosure of information by members of staff is a serious matter. Disciplinary action will be actively considered, legal action may result and health professionals may be subject to action by their regulatory bodies.