# **Privacy Notice**

## **Introduction**

Darnall Dental Clinic is a Data Controller under the terms of the Data Protection Act 2017 and the requirements of the EU General Data Protection Regulation.

As part of the services we offer, we are required to process personal data about our staff and our patients. “Processing” can mean collecting, recording, organising, storing, sharing or destroying data.

We are committed to being transparent about why we need your personal data and what we do with it. This information is set out in this privacy notice. It also explains your rights when it comes to your data.

## **Patients**

### What data do we have?

So that we can provide a safe and professional service, we need to keep certain records about you. We may process the following types of data:

* Your basic details and contact information e.g. your name, address and date of birth
* Your financial details e.g. details of how you pay us for your care or your exemption certificates.
* Healthcare data about you, which includes information that is both clinical and social. Examples of clinical data held are;

- Clinical notes made by dentists and other dental professionals involved with your treatment

- Medical and dental histories

- Treatment plans and consent forms

- X-rays, clinical photographs, digital scans of your mouth and teeth, and study models

- Appointment history and future bookings

- Details of any complaints you have made and how these complaints were dealt with

- Correspondence with other health professionals

- Details of the fees we have charged, the amounts you have paid or your exemptions

### *Why do we have this data?*

We need this data so that we can provide high-quality care and support. By law, we need to have a lawful basis for processing your personal data.

*We process your data because:*

* We have a legal obligation to do so – generally under the Health and Social Care Act 2012 or Mental Capacity Act 2005.

*We process your special category data because:*

* It is necessary due to social security and social protection law (generally this would be in safeguarding instances);
* It is necessary for us to provide and manage dental services;
* We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent at any time.

### *Where do we process your data?*

So that we can provide you with high quality care and support we need specific data. We collect this data face to face, via phone, via email and via post.

Third parties are organisations we might lawfully share your data with. These include:

* Other parts of the health care system such as local hospitals, the GP, the pharmacy, social workers, clinical commissioning groups, and other healthcare professionals;
* The Local Authority;
* Your family or friends – with your permission;
* Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC;
* The police or other law enforcement agencies if we have to by law or court order.

## **Staff**

### *What data do we have?*

So that we can provide a safe and professional service, we need to keep certain records about you. We may record the following types of data:

* Your basic details and contact information e.g. your name, address, date of birth, National Insurance number and next of kin;
* Your financial details e.g. details so that we can pay you, insurance, pension and tax details;
* Your training records.
* Health and social care data about you, which might include both your physical and mental health data – we will only collect this if it is necessary for us to know as your employer, e.g. fit notes or in order for you to claim statutory maternity/paternity pay.

As part of your application you may – depending on your job role – be required to undergo a Disclosure and Barring Service (DBS) check (Criminal Record Check). We do not keep this data once we’ve seen it.

### *Why do we have this data?*

We require this data so that we can contact you, pay you and make sure you receive the training and support you need to perform your job. By law, we need to have a lawful basis for processing your personal data.

*We process your data because;*

* We have a legal obligation under UK employment law;
* We are required to do so in our performance of a public task;
* We have a legitimate interest in processing your data – for example, to update your training record and facilitate CPD
* We are required to provide data to our regulator, the Care Quality Commission (CQC), as part of our public interest obligations.

*We process your special category data because:*

* It is necessary for us to process requests for sick pay or maternity pay.

If we request your criminal records data it is because we have a legal obligation to do this due to the type of work you do. This is set out in the Data Protection Act 2018 and the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. We do not keep a record of your criminal records information (if any).

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

### *Where do we process your data?*

As your employer we need specific data. We do this face to face, via phone, via email, via post or via application forms.

Third parties are organisations we have a legal reason to share your data with. These include:

* Her Majesty’s Revenue and Customs (HMRC);
* Our pension scheme
* Our external payroll provider
* Organisations we have a legal obligation to share information with i.e. for safeguarding, the CQC;
* The police or other law enforcement agencies if we have to by law or court order.
* The DBS Service

## **Friends/Relatives**

### *What data do we have?*

As part of our work providing high-quality dental care, it might be necessary that we hold the following information on you:

* Your basic details and contact information e.g. your name and address.

### *Why do we have this data?*

By law, we need to have a lawful basis for processing your personal data.

We process your data becausewe have a legitimate business interest in holding next of kin and lasting power of attorney information about the individuals who use our service and keeping emergency contact details for our staff.

We may also process your data with your consent. If we need to ask for your permission, we will offer you a clear choice and ask that you confirm to us that you consent. We will also explain clearly to you what we need the data for and how you can withdraw your consent.

### *Where do we process your data?*

So that we can provide high quality dental care we need specific data.

We do this face to face, via phone, via email, via post, or via application forms

Third parties are organisations we have a legal reason to share your data with. These may include:

* Other parts of the health and care system such as local hospitals, the GP, the pharmacy, social workers, and other health and care professionals;
* The Local Authority;
* The police or other law enforcement agencies if we have to by law or court order.

## **Your rights**

The data that we keep about you is your data and we ensure that we keep it confidential and that it is used appropriately. You have the following rights when it comes to your data:

1. You have the right to request a **copy** of all of the data we keep about you. Generally, we will not charge for this service;
2. You have the right to ask us to **correct** any data we have which you believe to be inaccurate or incomplete. You can also request that we restrict all processing of your data while we consider your rectification request;
3. You have the right to ask that we **erase** any of your personal data which is no longer necessary for the purpose we originally collected it for. We retain our data in line with the Information Governance guidelines.
4. You may also request that we **restrict** processing if we no longer require your personal data for the purpose we originally collected it for, but you do not wish for it to be erased.
5. You can ask for your data to be **erased** if we have asked for your consent to process your data. You can withdraw consent at any time – please contact us to do so.
6. If we are processing your data as part of our legitimate interests as an organisation or in order to complete a task in the public interest, you have the right to **object** to that processing. We will restrict all processing of this data while we look into your objection.

You may need to provide adequate information for our staff to be able to identify you, for example, a passport or driver’s licence. This is to make sure that data is not shared with the wrong person inappropriately. We will always respond to your request as soon as possible and at the latest within one month.

**What to do if you’re not happy or wish to raise a concern about our data processing**

In the first instance you should contact the practice manager to raise an issue, who will attempt to resolve this at a local level.

If this fails you can register a complaint with the Information Commissioner at [www.ico.org.uk/concerns](http://www.ico.org.uk/concerns) or call the helpline on 0303 123 1113.