

Privacy Policy for Optimal Dental Health Ltd for Patient Data

Optimal Dental Health Ltd takes great care to protect the personal data we hold for our patients in line with the requirements of the Data Protection Act 2018, which is the UK's implementation of the General Data Protection Regulation (UK 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 the 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 including COVID screening questions, Dental care records, Photographs, Family group, Payment plan details, Financial information, Credit cards receipts, 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, which is given to all patients.

Data Protection by Design and by Default

Optimal Dental Health Ltd is committed to the principles of data protection by design and by default, in accordance with the UK GDPR.

Data Protection by Design

We ensure that privacy and data protection are embedded into all new projects and processes from the outset. Prior to initiating any new data processing activity, such as launching a new care record system, participating in data sharing initiatives like shared care records, or using personal data for research, we assess potential privacy risks and ensure appropriate safeguards are in place. This includes conducting Data Protection Impact Assessments (DPIAs) where applicable.

Data Protection by Default

Our systems and processes are designed to collect, use, and share only the minimum personal data necessary to achieve the intended purpose. Access to patient data is strictly limited to authorised individuals who require it to fulfil their duties. We ensure data is stored only for as long as necessary and securely deleted when no longer required. Patients are informed clearly and transparently about how their data is used through our privacy notices, and they retain full control over their information in line with their privacy rights.

These principles are central to maintaining patient trust and ensuring compliance with data protection law in all aspects of our work.

National Opt-out Policy

At Optimal Dental Health Ltd, sensitive personal information relating to our patients is only used to provide dental care for the individual. It is never shared for research purposes or any non-clinical need. The National Opt-out Policy introduced in March 2020 is therefore not operated at our practice on this basis. Should we change our policy to use information for a non-clinical purpose or a research project, we would then introduce the National Opt-out policy.

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 Care Quality Commission / Healthcare Inspectorate Wales.
- NHS Local Authorities
- Dental payment plan administrators
- Insurance companies
- Loss assessors
- Fraud prevention agencies
- 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.

Our Use of AI

We utilise a variety of AI tools within the practice to facilitate our communication and documentation. Alongside our patient use of AI tools such as Turboscribe, Chat GPT, Voicestack, Beautiful AI, Itero, along with voice notes, we may use tools for assessing team performance and patient documentation. These tools utilise AI in the cloud to process voice data to produce meeting transcripts and summaries.

Unless in specific circumstances (disciplinary, performance management or other legal processes) voice recordings used to generate transcripts or summaries are not saved and are deleted after the documents have been generated. We conduct due diligence on all our AI processing to ensure that any personal data is not shared or stored beyond our data processing agreements with our software providers.

Personal privacy rights

Under the UK GDPR and the Data Protection Act 2018, 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 UK 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, which 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 private patients is In a private dental practice in England, UK, processing private patient data must comply with the Data Protection Act 2018 and GDPR. The key legal bases include: 1. **Consent**: Patients must provide explicit, informed consent. 2. **Contractual Necessity**: Data processing is needed to fulfil dental service contracts. 3. **Legal Obligation**: Complying with legal requirements, such as health regulations. 4. **Vital Interests**: Protecting the patient's or another individual's vital interests in emergencies. 5. **Legitimate Interests**: Maintaining records, improving services, and ensuring data security without overriding patient rights. 6. **Healthcare Provision**: Specific provisions allow processing health data for healthcare services. **Compliance Measures** Private dental practices should: - Obtain and document patient consent. - Maintain transparent privacy policies. - Implement robust data security. - Limit data processing to necessary purposes. - Regularly review and update data practices. - Respect patient rights to access, correct, and delete data. These measures ensure lawful and secure processing of patient data..

The legal basis on which we process personal information for our payment plan patients is In a private dental practice in London, UK, processing payment plan information is legally based on contractual necessity (GDPR Article 6(1)(b)) for setting up payment plans, legal obligation (GDPR Article 6(1)(c)) for maintaining financial records, and legitimate interests (GDPR Article 6(1)(f)) for efficient payment processing and fraud prevention. The practice must inform patients about data use, collect only necessary information, and protect data with adequate security measures to ensure GDPR compliance..

The legal basis on which we process personal information for any NHS patients is that Private dental practices in London, UK, handling NHS patient data must comply with the Data Protection Act 2018 and GDPR, ensuring data is processed lawfully, fairly, and transparently. The legal basis for processing includes compliance with legal obligations, public interest, and the exercise of official authority, particularly in the provision of healthcare services. Explicit patient consent is often required for processing sensitive data, with patients informed of its use and their right to withdraw consent.

Data processing is crucial for healthcare provision, managing patient records, scheduling appointments, and sharing information with other healthcare providers. It also fulfils contractual obligations between the NHS and the dental practice and may be based on legitimate interests, provided these do not override patients' rights and freedoms. Robust data protection measures, such as secure storage, limited access, and regular audits, are essential to maintain patient trust and legal compliance..

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

Optimal Dental Health Ltd always obtains specific, unambiguous opt-in consent from all patients to whom we send direct marketing information. We obtain consent by This is completed at patient registration and can be changed at any point throughout the patient journey.

To obtain consent for direct marketing in a dental practice in London, the process must adhere to GDPR and PECR regulations. Consent must be explicit and obtained through a clear, affirmative action, such as an opt-in checkbox, rather than pre-ticked boxes or implied agreements.

The consent request should be separate from other terms and clearly explain the marketing purposes, the type of data collected, its use, and any third parties who may receive it. The practice must keep detailed records of how and when consent was obtained, provide an easy method for withdrawing consent, and ensure data is minimised and up-to-date.

Consent can be gathered through website forms, at the reception desk, or via email confirmations, ensuring transparency and compliance with data protection laws.

Where patients have not previously consented to or have withdrawn their consent for us to contact or share or process their data, we will assess whether the need for processing is proportionate and necessary in relation to the risk to the individual and/or the public if the information is not shared.

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.

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 Ange Thomson, Practice Manager. All complaints will be dealt with in line with the practice complaints policy and procedures.

If you are unhappy with the resolution of your complaint, you have the right to raise your complaint with the Information Commissioner's Office (ICO).

The ICO can be contacted at <https://ico.org.uk/make-a-complaint> or you can start a [live chat](#) or call the ICO helpline on 0303 123 1113.

Further information on making a complaint to the ICO can be found here: <https://ico.org.uk/make-a-complaint/data-protection-complaints/data-protection-complaints>

Transferring personal data outside the EU

Patients' personal data is not transferred outside the EU.

This Policy was reviewed and implemented on \${PrivacyPatientDataPolicyReviewedDate}.

This policy and relevant procedures will be reviewed annually and are due for review on 04/9/2025 or prior to this date in accordance with new guidance or legislative change

This information has been prepared exclusively for use in Apolline clients' practices and as such should not be shared with anyone else. It is not definitive guidance and Apolline Ltd accepts no responsibility for the validity or correctness of this document or any consequences arising as a result of its use by practices. Practices should obtain independent legal advice regarding their personal situation should they require definitive advice and guidance. This policy has been tailored specifically for this practice.

Document Change Record for Privacy Policy for Patient Data

The table below is used to register all changes to the policy:

Published Date	Document Version Number	Pages affected	Description of revision	Author
22.07.2020	V2.2	Page 1	Purpose for collecting data updated to reflect COVID-19 pandemic	LH
22.07.2020	V2.2	Page 5	Obtaining consent during the COVID-19 pandemic	LH
01.02.2021	V3.1	Page 1	Notes on obtaining evidence of opt-in consent.	PL
01.02.2021	V3.1	Page 3	Information on when the National Opt-out Policy would apply in dental practice	PL
24/01/2023	V3.2	All	Removal of pandemic references, update reflecting changes to GDPR within the UK	PP
14.08.2023	V3.3	Various	Updated the complaints section with contact details for the ICO. Updated retention period for patient records. Amalgamation of English & Welsh policy and renamed.	PL/IL
09.02.2024	v3.4	Whole document	Introduction updated to include options for 'opt-in' consent. Legal bases now included. The single policy applies to England, Wales, Scotland & Northern Ireland.	IL
14.4.25		Various	Update to use of AI tools	AT