



## Privacy Notice for Butterfly Dental Practice

This privacy notice lets you know what happens to any personal data that you give to us, or any that we may collect from or about you. This Notice describes how we collect, use and process your personal data, and how, in doing so, we comply with our legal obligations to you. Your privacy is important to us, and we are committed to protecting and safeguarding your data privacy rights

**ZETESMED Ltd t/a Butterfly Dental Practice** will be what's known as the 'Controller' of the personal data you provide to us.

### Types of Personal Data we have:

- Patient personal details such as name, surname, address and correspondence details
- "special category personal data", in the form of health information, religious belief (if required in a healthcare setting) ethnicity, and sex during the services we provide to you and or linked to your healthcare through other health providers or third parties.
- Details about your career, legal representative, emergency contact details
- Any contact the surgery has had with you, such as appointments, clinic visits, emergency appointments, etc.
- Notes and reports about your health
- Details about your treatment and care
- Results of investigations such as laboratory tests, x-rays etc
- Relevant information from other health professionals, relatives or those who care for you

### What is the purpose of processing those data:

- Provide our patients with high quality of service by care maintain records about your health and any treatment or care you have received from our health care professionals
- Provide patients with safe and effective care and treatment. Our health records may be electronic, on paper or a mixture of both, and we use a combination of working practices and technology to ensure that your information is kept confidential and secure.
- To ensure you receive the best possible care, your records are used to facilitate the care you receive. Information held about you may be used to help protect the health of the public. Information may be used within the practice for clinical audit to monitor the quality of the service provided.

### Lawful Basis for processing Personal Data:

*Article 6, e) processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller;"*



*Article 9, (h) processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems*

### **How do we maintain the confidentiality of your records?**

We are committed to protecting your privacy and will only use information collected lawfully in accordance with:

- Data Protection Act 2018
- The General Data Protection Regulations 2016
- Human Rights Act 1998
- Common Law Duty of Confidentiality
- Health and Social Care Act 2012
- NHS Codes of Confidentiality, Information Security and Records Management
- Information: To Share or Not to Share Review

Every member of staff has a legal obligation to keep information about you confidential.

We will only ever use or pass on information about you if others involved in your care have a genuine need for it. We will not disclose your information to any third party without your permission unless there are exceptional circumstances (i.e. life or death situations), where the law requires information to be passed on and / or in accordance with the information sharing principle following Dame Fiona Caldicott's information sharing review (Information to share or not to share) where "The duty to share information can be as important as the duty to protect patient confidentiality." This means that health and social care professionals should have the confidence to share information in the best interests of their patients within the framework set out by the Caldicott principles.

Our practice policy is to respect the privacy of our patients, their families and our staff and to maintain compliance with the General Data Protection Regulations (GDPR) and all UK specific Data Protection Requirements. Our policy is to ensure all personal data related to our patients will be protected.

All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. The practice will, if required, sign a separate confidentiality agreement if the client deems it necessary. If a sub-contractor acts as a data processor for Butterfly Dental Practice an appropriate contract (art 24-28) will be established for the processing of your information.

In Certain circumstances you may have the right to withdraw your consent to the processing of data. Please contact the Data Protection Lead Magdalena Milosz in writing if you wish to withdraw your consent. In some circumstances we may need to store your data after your consent has been withdrawn to comply with a legislative requirement.

Some of this information will be held centrally and used for statistical purposes. Where we do this, we take strict measures to ensure that individual patients cannot be identified. Sometimes your information may be requested to be used for research purposes – the surgery will always gain your consent before releasing the information for this purpose in an identifiable format. In some circumstances you can Opt-out of the surgery sharing any of your information for research purposes.



### **Sharing information:**

- We can share data with other healthcare professional who can be involved in your care such as NHS Trusts / Foundation Trusts, GP's, Independent Contractors such as other dentists, pharmacists, Private Sector Providers, Ambulance Trusts, Social Care Services, Local Authorities, Education Services, Fire and Rescue Services, Police & Judicial Services and other 'data processors' which you will be informed of
- We may also use external companies to process personal information, such as for archiving purposes. These companies are bound by contractual agreements to ensure information is kept confidential and secure. All employees and sub-contractors engaged by our practice are asked to sign a confidentiality agreement. If a sub-contractor acts as a data processor for Butterfly Dental Practice an appropriate contract (art 24-28) will be established for the processing of your information.

### **Why we share information:**

- We can only share information about our patients in safe and secure way only with authorised people
- To help us protect the health of the public in general
- To manage and plan our service for the future, including measure our performance to ensure that we remain effective
- To help our staff review the care that is provided, to ensure that it is of the highest standard
- To enable the continual improvement of the competency of staff and service providers

### **How long will we store your information?**

- We are required under UK law to keep your information and data for the full retention periods as specified by the NHS Records management code of practice for health and social care and national archives requirements.

### **Your Rights:**

Even if we already hold your personal data, you still have various rights in relation to it. To get in touch about these, please contact us. We will seek to deal with your request without undue delay, and in any event in accordance with the requirements of any applicable laws. Please note that we may keep a record of your communications to help us resolve any issues which you raise.

- **Right to object:** If we are using your data because we deem it necessary for our legitimate interests to do so, and you do not agree, you have the right to object. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases). Generally, we will only disagree with you if certain limited conditions apply.
- **Right to withdraw consent:** Where we have obtained your consent to process your personal data for certain activities, or consent to market to you, you may withdraw your consent at any time.
- **Right to erasure:** In certain situations, you have the right to request us to "erase" your personal data. We will respond to your request within 30 days (although we may be allowed to extend this period in certain cases) and will only disagree with you if certain limited



conditions apply. If we do agree to your request, we will Delete your data but will generally assume that you would prefer us to keep a note of your name on our register of individuals who would prefer not to be contacted. That way, we will minimise the chances of you being contacted in the future where your data are collected in unconnected circumstances. If you would prefer us not to do this, you are free to say so.

- Right of data portability: If you wish, you have the right to transfer your data from us to another data controller. We will help with this with a Practice to Practice data transfer and transfer of your hard copy notes
- Access to your personal information- Data Subject Access Requests (DSAR): You have a right under the Data Protection legislation to request access to view or to obtain copies of what information the surgery holds about you and to have it amended should it be inaccurate. To request this, you need to do the following:
  - Your request should be made to the Practice – in writing
  - There is no charge to have a copy of the information held about you
  - We are required to respond to you within one month
  - You will need to give adequate information (for example full name, address, date of birth, details of your request) so that your identity can be verified, and your records located information we hold about you at any time.
- Check the information we hold about you is correct and make corrections- You should tell us so that we can update our records please contact the Practice Manager as soon as any of your details change, this is especially important for changes of address or contact details (such as your mobile phone number), the practice will from time to time ask you to confirm that the information we currently hold is accurate and up-to-date.

### **Objections / Complaints**

- Should you have any concerns about how your information is managed at the Butterfly Dental Practice, please contact the **Practice Manager/ Data Protection Lead**. If you are still unhappy following a review by the practice, you have a right to lodge a complaint with a supervisory authority: You have a right to complain to the UK supervisory Authority as below.

Information Commissioner:  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745  
[www.informationcommissioner.gov.uk](http://www.informationcommissioner.gov.uk)



If you are happy for your data to be extracted and used for the purposes described in this privacy notice, then you do not need to do anything. If you have any concerns about how your data is shared, then please contact the Practice Manager.

If you would like to know more about your rights in respect of the personal data we hold about you, please contact the Data Protection Lead/ Practice Manager as below.

Practice Manager: **Mr Wojciech Zielinski**

Data Protection Lead: **Miss Magdalena Milosz**

Address: **ZETESMED Ltd t/a Butterfly Dental Practice**  
**Unit 22a Mile Oak Industrial Estate**  
**Maesbury Road**  
**Oswestry, Shropshire**  
**SY10 8GA**

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