

Guidance on the General Data Protection Regulations (GDPR) and Teleos compliance



What is GDPR?

GDPR are new EU data protection regulations that will replace the current Data Protection Act of 1998. It comes into force on 25th May 2018. These regulations build on the Data Protection Act of 1998 and very much strengthen personal privacy rights. They also provide standardisation of data protection laws across all EU member states.

GDPR applies to 'natural persons', and not to animals. It is designed to give living people:-

- Right to be informed
- Right of access
- Right to rectification
- Right to erasure
- Right to restrict processing
- Right to data portability
- Right to object
- Rights related to automated decision making and portability

Your practice will probably already be looking at how GDPR will affect you. Be under no illusion, it will. You need to have written data protection and privacy policies in place, retain a data breach register, amend your employment contracts, train your staff and so on.

There are significant penalties should you be responsible for a data breach. For further information and guidance on what you need to do, have a look at the Information Commissioners Office website at <https://ico.org.uk>

Brexit will make no difference, as the UK will adopt GDPR into its own legislation, so compliance is compulsory.

Teleos Systems Limited and GDPR

Teleos is currently reviewing its own data protection policies and compliance, and will be issuing new Software Support Contracts and policy statements in due course. As a supplier to your practice you will need these for your own GDPR compliance. These contracts will have updated statements of responsibility for both parties to ensure GDPR compliance.

How GDPR affects the Teleos Program

Under GDPR, it is no longer appropriate to assume consent for sending communications to your clients. You will now need to gain explicit consent. There are a number of ways that you can gain such consent. After reviewing all options, Teleos decided that the most appropriate way to ensure full compliance in this area is by printing a form for clients to review, amend and sign as they come in.

You could, of course, adopt additional strategies such as emailing consent or using an on-line form. However, it should be noted that you need to be able to *prove* that your *actual* client consented. The only certain way to do this is to obtain their signature. They can, of course, print off a document you send them, complete and sign it and then drop it into the practice or scan it and return it electronically. Realistically that isn't going to yield a high rate of compliance. You also need to be mindful that GDPR requires you to obtain proof of ID before you change client name or contact details, which could prove difficult with online forms.

There will, inevitably, be some debate as to how detailed the form of consent needs to be. The regulations state that consent should be 'granular' and that specific consent should be provided for each aspect of your communications. It could be argued that you should have separate tick boxes for vaccination reminders, wormer reminders, flea

treatment reminders, dental reminders, health check reminders, medication check reminders, appointment reminders and so on. Then you may want to send practice newsletters, advice sheets and marketing promotions.

Adopting this approach might then require you to gain further consent for any new services that you might want to offer your clients. You will appreciate that this list and its management could be extremely tedious and, in practice, not actually help compliance at all. For this reason we have adopted a far more simple approach and split consent into 'Reminders', 'Information' and 'Marketing'. You will note that there are tick boxes to select SMS text and/or Emails. We have not included postal options as you could simply exclude the client name and send information to the clients' pet, as it has no status under GDPR. In reality you may well only want to send final treatment reminders through the post - and this would be considered a 'Legitimate Interest' as you are protecting the welfare of the animal. You do not need permission to send invoices, statements or follow up letters.

To this end, the Teleos program has been updated to add a GDPR compliance check button and print a client form for review and confirmation. Once completed, the scanned or photographed document can then easily be added and reviewed on the client record. This method also allows the client to discuss options with your staff should they be unclear to what they are being asked to consent to.

How the GDPR compliance features work in Teleos

The screenshot displays the 'Client form' window in the Teleos software. The form is titled '42961' and includes several sections:

- Client Information:** Surname (Teleos), H name/no (319 Fort Dunlop), Street (Fort Parkway), Locality, Town (Birmingham), County (West Midlands), Postcode (B24 9FD). A 'Link to map' button is present.
- Contact Information:** Title (Mr), First name / Initials (T), Support (0121 286 9990), Fax (0871 253 1993), Mobile (07700 900149), Email address (T.Teleos@teleosvet.com).
- GDPR Status:** A red box indicates 'GDPR status: Not verified'. Below it, 'Last checked: 30.01.2018' is shown.
- Consent Options:** Three columns labeled 'Reminders', 'Information', and 'Marketing'. Each column has checkboxes for 'SMS' and 'Email', all of which are currently unchecked.
- Financials:** A 'Curr. bal.' field shows '764.58'.
- Client Details Section:** A tabbed interface with 'Second' selected. It contains fields for Surname, Title, Initials, H name/no, Postcode, and Relation. Below these are two checkboxes: 'Send bills to second address instead' and 'Send recalls to second address instead', both unchecked.
- Navigation:** Buttons for 'Add Client', 'Edit', 'Delete', 'Shelve', and 'Close' are located at the bottom.

When you access a client record, you will notice some changes with new tick boxes along the top right hand side labelled 'Reminders', 'Information' and 'Marketing'.

You will also see a button that shows the current client GDPR status and the date it was last checked.

Previously, there was a single tick box alongside the client mobile and email addresses that were used to authorise consent. The previous settings of these tick boxes has been left unchanged and have become 'Reminders' authorisation. It is not actually a requirement to ask about treatment reminders as you have a duty of care to the animal's welfare, so they are classed as a 'Legitimate Interest'.

The two new options 'Information' and 'Marketing' will require consent and will always be un-ticked until set otherwise.

At first, the GDPR status button will be shown as 'Not Verified'. The default setting for this is that verification should take place every 12 months. GDPR does not state how often details need to be checked, so we've made this customisable to allow for future flexibility once the regulations settle down.

Clicking on the GDPR status button will provide options to **Print, Verify & Import, Verify** or **View** (depending on the clients actual status):-

Print will print a GDPR Consent Form which you can give to the client for checking and signature. It will contain a GDPR statement about why you need this consent, the purpose for which you process this data and who you might share it with. The statement can be customised so that you can detail any 3rd parties that your practice might share this information with.

Verify and Import allows you tick the appropriate options chosen by the client and then attach a pdf copy of the form, if you want to keep it on the client record. This can be done easily via a scanner or a device with a digital camera/scan document facility. It will also update the GDPR statement to 'Verified'. This obviously doesn't have to happen during a busy surgery, it can be done later.

Verify provides an alternative to the option above if you don't want to scan the pdf document back onto the card but note that it has been signed and filed. It should be noted that all paper documents with client details on should be stored in a locked filing cabinet.

Whilst this method of gaining GDPR consent from all of your clients is not instant, it will allow you to tidy up your records at a reasonable pace and get irrefutable evidence that your client has provided explicit consent. The process is made easier as, when a client is marked as 'Arrived' in the diary, the GDPR status is checked. The form can be immediately printed for the client to complete whilst they are waiting for their appointment.

Under GDPR you need to make it easy for the client to withdraw consent. You can actually use the same form, as the tick boxes will always be blank. So the client can simply sign the amended form and you can make manual adjustments to the tick boxes as required.

When will we get the update?

Providing our support team has free access to your system on **Saturday 17th February 2018**, we aim to get all practices upgraded that day. However, we reserve the right to withhold this update if your Teleos account is not in reasonable financial order.

What if I have any queries?

As you will appreciate, having 600+ servers upgraded at the same time could generate a massive number of queries and totally overwhelm our support hotline!

It would therefore be appreciated that, if you have any queries regarding GDPR, you avoid using the usual support lines and email enquiries to GDPR@teleosvet.com

Thank you for your cooperation.