

How can dental professionals be expected to negotiate their way out of the jungle without a compass?



# Compliant websites

Nigel Knott reviews the new regulatory environment.

In my last article I drew attention to the fact that dentistry is suffering from a life-threatening overdose of regulation and bureaucracy. Matters are made worse by the fact that the world of information and communications

technology (ICT) is subject to a professional regulatory network with a large number of practice principals of senior years being threatened most – early retirement is high on their agenda.

Innocent looking websites and email services are no longer a matter of stress free personal choice but a matter of professional regulation.

For example, the EU Directives on electronic commerce (websites) and electronic communications (email) have a particular impact upon the regulated professions and the General Dental Council is the devolved authority that has to implement them.

I am not sure that the GDC

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has any clear idea of what the implications are and how they should implement these EU Directives or the corresponding Statutory Instruments (SIs).

How can dental professionals be expected to negotiate their way out of the jungle without a compass or travel up the creek in a canoe without a paddle? I suspect this is the reason why the GDC has adopted a *laissez faire* attitude towards regulating the use of ICT, leaving the poor old dentists themselves to find out the consequences afterwards. Now ➔



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☛ the profession has to face the consequences of this inactivity with the appearance of the Care Quality Commission whose approach to the internet seems to be to rely on Outcome 21!

### Internet and ICT

Until recently the focus of GDC regulation has centred upon the dentist and professional staff whilst practice principals have been left to devolve risk and responsibility for running their practices. Not any more as a strict practice policy must be in place that includes ICT services. Data storage and security together with practice web sites, email services and the use of computers will all need to pass muster.

The CQC has brought the task of regulating **all** dental practices (even those with no NHS contract) within the scope of its empire and with it the task of ensuring that statutory laws are fulfilled and properly implemented. In those practices with only a smattering of computer knowledge and experience (or none at all) the implications will be profound and many practice principals will head for the exit.

Who could have foreseen the disability discrimination and data protection Acts would have such an impact on dental website designs and email use? Whilst agencies building websites for small businesses have little or no knowledge of such matters the impact upon dental practices is of no little consequence and can be ignored no longer. By a strange quirk of fate those practices without a website or email services may well be in a more favourable situation than those

**Those practices without a website or email services may well be in a more favourable situation than those who have spent a small fortune with an agency that has engaged in a flashy technical frolic.**

who have spent a small fortune with an agency that has engaged in a flashy technical frolic. The CQC requirements will emphasise the importance of simplicity and easy navigation together with the GDC need to observe professional standards.

### Website regulation

Less than half of dental practices in the UK have an internet presence with their own website and of these only a handful today will pass the GDC/CQC compliance regulations. The truly awful websites are far worse than none at all.

In the last decade or so the technology itself has moved on at lightening speed. The introduction of digital photography, radiography and computer assisted design and manufacturing (Cadcaml) has changed the dental horizon in dramatic fashion. Practice personnel can edit and control their website content management suite without any need to make expensive phone calls to a software geek. Gone are the days when businesses were under the control of a small group of very bright software engineers.

As ICT use has spread like wildfire and social websites changed daily lifestyles, so has the need for the dental authorities to take stock. We are at an ICT watershed where the dental market itself will not be allowed to go unrestrained any longer as professional standards are being seriously compromised. A polarisation is noticeable.

In a recent survey I looked at more than 1,500 dental websites that ranged from the truly awful to a very few that oozed professionalism and class. I was left with a strong image of commercial emphasis. Is this the new face of private dentistry? I sincerely hope not as I doubt whether patients will respond too favourably and will vote with their feet. Here lies the rub – it is the patients themselves that are the judge and jury, not the geeky website agencies who are responsible for marketing the practice services on the internet.

Practice principals have to be prepared to exercise their authority and recognize the new regulations place an ethical responsibility firmly on their shoulders - there is nowhere to hide. I can foresee the NHS biting back where dentistry is concerned.

### Compliant websites

That only a handful of UK dental websites are compliant with all the professional regulations tells me that the agency website providers do not know what they are doing or are blissfully unaware of the special regulatory requirements. Now that the CQC has come into the ring, vast numbers of dental practice websites will require review and some expensive changes will need to be made.

The latest buzzword in the website industry is 'accessibility' for the partially-sighted that embraces not just the standard keyboard adjustments but added software functionality as well. I have come across two websites out of a total of 117 that I reviewed which attempted to introduce accessibility, neither of which worked!

### Email

A study of the latest copy of the *BDJ* classifieds revealed one quarter of dental practices use Hotmail. This is not to say that patient data is necessarily being carried via the same service but it highlights the fact that insecure services are being used for dental purposes.

The NHS has a secure service NHSNet (N3) that is used by all professional personnel and is accredited by the British Medical Association as being fit for the purposes of transmitting patient data within a secure environment.

The benchmark that provides an industry standard for electronic communication is ISO 27001 and CQC will require evidence that practice email services using the internet are fully compliant. Obviously NHSNet ticks the boxes but does the service you use comply?