

// **CODE OF ETHICS FOR DENTISTS IN THE EUROPEAN UNION**

Adopted unanimously by the CED General Meeting on 26 May 2017, amending earlier versions of the CED Code of Ethics from 1965, 1982, 1998, 2002 and 2007

1. PREAMBLE

This document outlines a set of minimum general principles which reflect the standard of professional conduct and ethics which underpin high quality dental care and services throughout Europe.

These general principles have been developed and agreed upon by the Council of European Dentists - which represents National Dental Associations from the EU Member States and the European Economic Area Countries - against a background of cross-border mobility of both patients and health professionals. It is intended to underpin the specific professional and ethical frameworks which dentists must follow in the country in which they work, which reflect the different cultures, traditions and needs of each nation.

1.1 Purpose and guiding principles of the dental profession

The purpose and guiding principles of the dental profession reflect those of all liberal professions and are:

- to contribute to society's wellbeing by promoting the oral health of the community
- to ensure professional independence, impartiality, professional confidentiality, integrity, honesty, competence and professionalism
- to promote oral health as part of general health and contribute to ensuring equitable access to dental care
- to contribute to society with special and unique knowledge, professional skills, aptitudes and social values
- to respect the dignity, autonomy and choices of the patient
- to act always in the best interests of patients
- to apply current standards of practice and update professional knowledge and skills throughout their professional life
- to safeguard the best interest of patients from negative impact arising from commercial interest of third parties

2. COMMITMENT TO THE PATIENT

- 2.1 The dentist must put patients' interests first.
- 2.2 The dentist must safeguard the health of patients, and must not discriminate against any individual patient or group of patients.
- 2.3 The dentist must prescribe treatment that is appropriate to the individual patient's oral health and in accordance with the patient's needs.
- 2.4 The dentist, must advise the patient on treatment options on the basis of independent professional judgement. He/she must not depend on third parties' commercial interests.
- 2.5 The dentist must uphold the principle of free choice of practitioner by the patient.
- 2.6 Good communication is fundamental to the dentist-patient relationship. The dentist must enable the patient, or the legal representative of the patient, to give informed consent for the treatment that is to be carried out, and must provide information about the proposed treatment, other treatment options, relevant risks, as well as costs, so as to enable the patient to make an informed choice.
- 2.7 The dentist must inform the patient of any complications or of failed treatment and discuss the options for resolving them.
- 2.8 The dentist must facilitate continuity of care where treatment of a patient ceases.

- 2.9 The dentist must endeavour to ensure the continuity of care in the event of conflicts with moral or religious beliefs arising from the request for care, or where the practitioner-patient relationship breaks down and it is neither possible nor appropriate to continue care.
- 2.10 The dentist must undertake only those treatments that he/she is competent to perform, and must refer a patient if a recommended treatment is beyond their competence.
- 2.11 The dentist must at all times strive to justify the confidence of the patient and the public.
- 2.12 The dentist must do everything possible to enable the patient to have realistic expectations of the outcome of treatment.
- 2.13 The dentist must respect the right of the patient to complain, respond promptly, actively and openly and try to resolve the issue in the patient's best interests.
- 2.14 The dentist must comply and co-operate with the national procedures for protecting the public in relation to complaints and conduct.
- 2.15 The dentist must take out appropriate professional indemnity insurance cover.
- 2.16 The dentist must subscribe to the key principles of healthcare confidentiality, that is:
- that individuals have a fundamental right to privacy and confidentiality of their health information;
 - that individuals have the right to control access to, disclosure and rectification of their own health information by giving, withholding or withdrawing consent.
- 2.17 Patient consent should be given by a clear affirmative act establishing a freely given, specific, informed and unambiguous indication of the individual's agreement to the processing of their personal data such as by a written statement, including by electronic means or verbal statement.
- 2.18 The dentist must ensure that accurate and relevant medico-dental records are kept and that dental staff are aware of their obligation to maintain confidentiality of patient data. Data must be obtained and processed in a lawful, fair and transparent way for specific, explicit and legitimate purposes and according to data protection principles as laid down in the General Data Protection Regulation and national laws.
- 2.19 The dentist must keep all data relating to patients secure for the period of time specified by European and/or national laws. Where data is stored electronically, special security precautions must be taken to prevent access from outside the premises during electronic transfer procedures or remote maintenance of the system.
- 2.20 When sharing patient information with colleagues for the purpose of advice or second opinion, dentists must obtain the patient's consent.
- 2.21 When using patient data in scientific publications and presentations, the patient's anonymity must be respected and their consent obtain
- 2.22 The dentist must transmit patient data to third parties only when it is justified by the consent of the patient or where it is required by legal provisions. Records must be kept of all data passed on to third parties.
- 2.23 Provisions must be made to ensure the safety of patient data for the eventuality of the death of a dental practitioner or the closure of a dental clinic.
- 2.24 The dentist must raise any concerns he/she may have about the possible abuse or neglect of children or vulnerable adults, and refer such concerns to an appropriate authority in line with national procedures.

3. COMMITMENT TO THE PUBLIC

- 3.1 The dentist should be conscious of the social nature of his/her profession and must direct society's attention to public health issues and to the promotion of quality of care.
- 3.2 The dentist has a personal responsibility to contribute to the wellbeing of society by virtue of having special knowledge and skills.
- 3.3 The dentist must comply with national law and ethical custom governing the practice of the profession, the use of titles and establishment of dental practice.
- 3.4 The dentist must operate in compliance with EU and national legislation and the applicable professional code on the promotion and advertising of services, including the use of modern and social media. Advertisements must respect patient rights, be clearly identified, and must be clear, honest, truthful and non-misleading.
- 3.5 The dentist must ensure that patients are informed of the names and roles of those involved in their care.

4. PRACTICE OF THE PROFESSION

- 4.1 The dentist must practise according to sound scientific principles and professional experience and expertise.
- 4.2 The clinical decision must not be driven by economic interests.
- 4.3 When working in a managed environment, the dentist must be free to provide care in the best interest of patients, and to comply with the ethical principles of the profession and sound clinical practise.
- 4.4 The dentist must assure the quality of patient care by updating his or her professional knowledge and skills throughout his or her professional life.
- 4.5 In providing a second opinion on a patient's treatment, the dentist must do so with regard to available evidence and patient records.
- 4.6 The dentist must lead and support all members of the dental team, ensuring that they have the knowledge and skills necessary to undertake their tasks effectively and efficiently and that they work strictly within the national law governing their scope of practice.
- 4.7 The dentist must employ and work only with individuals who are practising legally.
- 4.8 The dentist must comply with ethical principles of the profession in his/her relationship with the industry.
- 4.9 In countries where advertising is permitted by law, it must not create unnecessary treatment needs, promise unrealistic results, or be misleading, unfair or disrespectful towards the profession and colleagues.
- 4.10 In all advertising, the dentist must comply with the principles established in this code and in the Conduct for Electronic Commerce attached.

5. ELECTRONIC COMMERCE

The principles of the CED Code of Conduct for Electronic Commerce, including across borders, are attached and are an integral part of this Code of Ethics.

Annex to main Code of Ethics

// CODE OF ETHICS FOR DENTISTS FOR ELECTRONIC COMMERCE IN THE EU

adopted in Helsinki in May 2002, and amended in Brussels in November 2007, against the background of Directive 2000/31/EC on electronic commerce

This code is an integral part of the Code of Ethics for Dentists in the European Union and concerns information services and commercial communications on the internet and other methods of electronic communication. The code provides a guide for dentists' communications with other dentists and consumers who are not members of the dental profession. Dentists are responsible for their conduct as information service providers and for the content of their commercial communication.

1. Mandatory provider information on a website

A dental website must display the following information about the information service provider:

- the name and geographic address at which the service provider is established
- details of the service provider, including e-mail address and telephone number (it may also provide a fax number)
- the professional title and the country from which that title is derived, where appropriate
- licence and registration information, with the address and other contact details of the competent authorities or a link to these authorities' websites, where appropriate

2. Requirements for the professional information (commercial communication)

When providing professional information through the internet, dentists must display truthfulness, fairness and dignity. When setting up a website, dentists must ensure that the contents do not contain unprofessional information, especially of an extolling, misleading or comparative nature. All the information on the website must be honest, objective, and easily identifiable and conform to any national legislation and code of conduct in the Member State where the dentist is established and temporarily or permanently practising.

a) The professional information (commercial communication) must include the following:

- the name of the practice, if it has a legal status in the Member State where the dentist is established
- for all dentists providing dental care mentioned on the site:
 - * the professional title and country from which their title is derived
 - * licence and registration information, with the address and other contact details of the competent authorities or a link to these authorities' websites, where appropriate
 - * the professional rules governing the practice of dentistry in the Member State where the dentist is established and temporarily practising, or the address and other contact details of the competent authorities governing these rules or have a link to these authorities' websites, where appropriate

A dentist **must** have regard to professional propriety and the dignity of the profession when establishing a name for the website or an e-mail address.

When the dentist or other person with responsibility for the information service changes, the name of this person **must** be removed from the website within one month of the cessation of responsibility.

The relevant pages must show the date of the latest modification of the page.

When a description of care is given, such information must not be comparative.

b) The following information must be shown on a website:

The admissions or acceptance policy to any sickness fund, National Health Service or insurance scheme,

when these are available at the practice.

c) The following discretionary information may be shown on a website:

- the hours during which the practice may be accessed by telephone or personal visit, if any
- details of urgent and emergency care available at the practice
- details of the provision of care by the responsible dentist or other dentists in the practice or at other locations
- a link to the professional association
- information that is permitted by the professional rules of the country in which the dentist is established

If links to other websites are provided, the dentist must ensure that they are relevant and reflect the principles of this code.

d) The following information must not be placed on websites:

- Comparison of skills or qualifications of any dentist providing any service with the skills and qualifications of other dentists.
- Ranking of the colleagues in webpages for their own commercial interest