

**Minutes of the Meeting of the
General Dental Council
held at 13:20pm on Friday 5 April 2024
in Closed Session at 37 Wimpole Street, London**

Council Members present:

Lord Harris	Chair
Terry Babbs	
Ilona Blue	
Donald Burden	
Anne Heal	
Angie Heilmann MBE	
Serbjit Kaur MBE	
Sheila Kumar	
Mike Lewis	
Timea Milovecz	
Simon Morrow	
Laura Simons	

Executive Team Members in attendance:

Gurvinder Soomal	Interim Chief Executive and Registrar
Samantha Bache	Interim Chief Operating Officer
Clare Paget	Interim Executive Director, Legal & Governance
Theresa Thorp	Executive Director, Regulation

Staff and Others in attendance:

Lee Avery	Associate Director, People and Organisational Development
Rebecca Cooper	Associate Director, Policy & Research
David Criddle	Head of Business Intelligence, Delivery & PMO
Rebecca Ledwidge	Deputy Head of Governance
Colin MacKenzie	Head of Nations & Engagement
John Middleton	Head of People Services
Joanne Rewcastle	Associate Director, Communications and Engagement
Michelle Roach	Associate Director, Finance & Procurement
Ross Scales	Head of Upstream Regulation
Katie Spears	Head of Governance (Secretary)

Apologies

Stefan Czerniawski Executive Director, Strategy

1. Welcome and apologies for absence

- 1.1 The Chair welcomed everyone to the meeting. Apologies had been received from Stefan Czerniawski. Rebecca Cooper attended in his stead.
- 1.2 As Terry Babbs was approaching the end of his term of office, the Chair invited expressions of interest in respect of the roles of Chair of the Finance and Performance Committee and Senior Independent Council Member.

2. Declaration of interests

- 2.1 The following declarations of interest were received:
 - a. In respect of Item 9 – CCP Guardrails – registrant Members declared an interest in respect of Annual Retention Fee (ARF) assumptions.
 - b. In respect of Item 10 – Professionalism: Scope of Practice – registrant Members declared an interest.
 - c. In respect of Item 11 – Total Reward – all staff present declared an interest.
 - d. In respect of correspondence Item 2 – Defined Benefit Pensions Scheme – Gurvinder Soomal and Katie Spears declared an interest.

3. Approval of Minutes of Previous Meeting

- 3.1 The full minutes of the closed meeting held on 8 December 2023 had been **approved via correspondence**.

4. Matters Arising and Rolling Actions List

- 4.1 The Council **agreed** that both actions that were 'suggested complete' should be marked as completed.

5. Decisions Log

- 5.1 The Council **noted** that decisions had been taken by correspondence since the last Council meeting in respect of the use of free reserves and costed risk provision to address resourcing in the In-House Legal Advisory Service, Registration and Case Examiner teams. The Council also noted the following papers:
 - a. Annual Report on Significant Litigation – was noted on 3 April 2024.
 - b. Defined Benefit Pensions Scheme Update – was noted on 3 April 2024.
- 5.2 The Council discussed the increased volume of appeals against Registrar decisions to erase people for not completing the required Continuing Professional Development (CPD). It was noted that the usual volume of these appeals was between 20-40 each year. In 2023, approximately 350 appeals had been received. This was likely to have been as a result of a larger cohort of DCPs coming to the end of their five-year CPD cycle and the impact of the pandemic.
- 5.3 This influx had put significant pressure on resource in the In-House Legal Advisory Services team and had necessitated the additional resource to meet the workload. In Quarter 1 of 2024, levels of appeals had remained high – with around 100 appeals received. Although the Registration team spent considerable amounts of time alerting registrants to the need to complete and submit their CPD declarations, there was no

disincentive to appeal a decision to erase an individual. The CPD Rules provided that it was free for applicants to appeal, and - contrary to the position if an individual was erased and applied for restoration - they could continue to work whilst their appeals were processed.

6. Minutes of the meetings of the Non-Statutory Committees

6.1 The minutes of the following non-statutory Committees were **noted** by the Council:

- a. The Audit and Risk Committee (ARC) meetings on 24 January and 27 February 2024.
- b. The FPC meetings on 16 January and 28 February 2024. There was also a closed assurance report tabled for issues that were not suitable for discussion in the public session.
- c. The Remuneration and Nomination Committee (RemNom) meetings on 1 February and 7 March 2024.

6.2 Due to the tight turnaround between the Committee meetings and the Council papers upload date, the following minutes would be circulated to the Council once approved by the Committees:

- a. The ARC meeting of 21 March 2024.
- b. The Statutory Panellists Assurance Committee (SPC) meeting of 20 March 2024.

6.3 The Council **noted** the updates.

7. Interim Chief Executive's Report

7.1 The Interim Chief Executive provided an update to the Council in respect of recruitment of the Chief Executive & Registrar, cultural change and the change programme, operational performance, significant litigation, and the data access issues (which were being gradually resolved).

7.2 The Council **noted** the updates.

8. Annual Report and Accounts (ARA) 2023

8.1 The Head of Nations and Engagement presented the paper setting out the alternative pathway for approval for the ARA and updated dates for laying and publication. The timetable had moved by six weeks because of necessary action following feedback from the ARC, and auditor and staff availability over the relevant time period for work to be completed.

8.2 The Council discussed the need to provide clarification as to the purpose and use of this document. It needed to be considered afresh whether it was solely the statement of record about the organisation or whether it should also be considered a key communications product. This should be planned, in advance of the work commencing for the 2024 ARA, as it would impact the resource allocated to it.

8.3 In respect of the 2023 ARA, it would be beneficial for the Council to have key messages and lines to take if questions were asked about key areas in the report.

8.4 The Council **noted** the update.

The Head of Nations and Engagement left the meeting.

9. Costed Corporate Plan: Planning Guardrails

- 9.1 The Interim Chief Operating Officer and Head of Business Intelligence, Delivery & PMO presented the paper which outlined a direction of travel for business planning in respect of the Costed Corporate Plan (CCP) 2025 - 2027.
- 9.2 The Council was asked to discuss whether it was delivering the level and range of activity necessary to meet its statutory objectives and functions to make progress against the aims set out in the Corporate Strategy. It was also asked to discuss and agree the priority planning guardrails and the wider guardrails for adoption in the CCP. The Council was also asked to note the Accounting Officer's advice.
- 9.3 The paper outlined that the GDC had consistently applied principles within the annual business planning cycle that allowed the organisation to remain lean and achieve ongoing cost efficiencies. Budget efficiency targets and guardrails on expenditure had not been explicitly set out in early planning rounds in previous years and the internal team had agreed with the FPC that this would be discussed early in the planning cycle for 2024, to allow the Council to give strategic direction in this area.
- 9.4 Guardrails had been proposed for scrutiny by the FPC which the Executive felt were appropriate and achievable, given the current strategic context.
- 9.5 The Council was asked to consider the balance to be struck between the expenditure necessary for the GDC to deliver against its statutory responsibilities and the fact that its revenue was generated from fees paid by its registrants. The balance required would bear in mind the Council's statutory obligation to protect the public against its objective to minimise the cost of the regulatory system. The Council was asked to consider whether it was satisfied that it was properly resourcing activities that were required to deliver its statutory objectives, following its own strategies and policies (including the Fees Policy – that the cost of regulation would determine the level of the Annual Retention Fee) and the need to ensure that value for money was being delivered by the organisation.
- 9.6 The Council was reminded of the National Audit Office definitions in terms of the components of delivering value for money. These included the need to balance spending less (economy), with spending well (efficiency) and spending wisely (effectiveness). The Executive's focus was to ensure that the Council could be confident that the organisation was doing all that was necessary to meet its statutory and strategic objectives, delivering the outcome of good regulation and doing so in an efficient and effective way. The Council noted advice from the Interim Chief Executive & Registrar and the view of the Chair of the FPC.
- 9.7 The Chair of Council outlined that the fundamental principle was that the Council needed to balance its statutory responsibilities with its funding model in mind. He noted that there were considerable external pressures at play and organisational resilience was notably thin in some areas. The Council needed to deliver a budget that provided sufficient flexibility to allow the organisation to respond to external demands and deliver its objectives and strategic plans.
- 9.8 The Council **discussed** the following:
- a. There was a need to ensure that the organisational design piece was progressed at an appropriate pace to provide a broader picture as to whether the organisation had the right skills, capabilities, and resourcing levels to deliver its ambitions.
 - b. The Council did have discussions at the latter stages of the business planning cycle that addressed Must Do, Could Do and Won't Do projects. This continued to be scrutinised by the FPC each quarter.

- c. The organisation's responsibility was to protect the public and this was also in the interests of registrants who expected a high performing organisation. The annual organisational performance report had highlighted that the workforce had around a quarter of individuals with less than a year's service which would impact performance.
- d. In some previous years, the organisation had spent less than forecast and had also generated more income. The FPC had worked to evolve its scrutiny of risks and opportunities and this year the budget position was much closer to forecast spend. Areas of historic underspend were being tracked closely this year.
- e. There was a need to ensure that guardrails did not become a straitjacket and mean that it was impossible for the organisation to do the things it was required to do.

9.9 The Council **agreed** the proposals in the paper, including the priority and wider guardrails and noted the Accounting Officer's advice.

The Head of Business Intelligence, Delivery & PMO and Associate Director, Finance & Procurement left the meeting.

10. Professionalism: Scope of Practice

10.1 The Head of Upstream Regulation presented the paper which outlined the proposed publication of revised guidance documents and the consultation outcome report in respect of the revised Scope of Practice for the dental team. This work formed part of the wider programme of developing principles of professionalism for the dental team and the revised Scope of Practice guidance would sit within a streamlined suite of material that would support registrants in forming professional judgements about their competence and the boundaries of their practice. The organisation had consulted on the approach and responses were largely favourable. The Council was asked to approve publication of the revised guidance and the consultation outcome report.

10.2 The Council **discussed** the following:

- a. The Council was in favour of the work and pleased that the consultation response was positive.
- b. There was a need to ensure the new approach was properly understood by all members of the dental team to ensure that public protection was at the forefront of the roll out of this approach.
- c. There would be areas where practitioners preferred a prescriptive approach, but overall supporting material would help in understanding the boundaries of professional practice. This should be well signposted and would complement the supporting material in the consultation on Professionalism referred to in the public session.
- d. The Council noted that the Scope of Practice formed part of a suite of regulatory material, including the Safe Practitioner Framework and learning outcomes for dental professional groups.
- e. The guidance should align with Department of Health and Social Care guidance in respect of technical elements such as dental nurses administering fluoride varnish without prescription from a dentist and NHS regulations in respect of provision of courses of treatment.

- f. It should be clear that competence could move in both directions. Practitioners could develop and upskill over time and, if skills were not kept up, could be de-skilled. Recent and regular practice in relation to a particular skill would be a good indicator of competence.

10.3 The Council **approved** publication of the revised guidance documents and the consultation outcome report.

The Head of Upstream Regulation and Policy and Projects Manager left the meeting.

11. Total Reward

11.1 The Associate Director, People and Organisational Development presented the paper which outlined the update on the ongoing work in the organisation to refresh the reward and benefits approach for the GDC.

11.2 The Council heard that the internal team had worked closely with external consultants to design a new pay structure, pay progression model, regional pay approach, market supplements and staff benefits package. The work was progressing well, and the RemNom was receiving regular updates.

11.3 The Council **discussed** the following:

- a. The feedback from the RemNom had been that the work was going in the right direction but there was a need to ensure that it was clear, easy to understand and could be used to form a long-term strategy.
- b. This work should be tied in with organisational design and ensure that the two strands were complementary. There should also be consistency and fairness across the organisation.
- c. There were different models to approaching pay grades and pay progression. Leadership would be an important element to factor into pay grades. Reward and recognition were important. Uplifts to meet the cost of living were not the same as pay progression and should not be conflated.

11.4 The Council **noted** the update.

12. Any Other Business

12.1 The Council considered a revised slide in relation to a suite of GDC values that would be tested with staff.

12.2 Consideration should be given as to whether these values mapped well against the principles of right touch regulation and highlighted where the same language was being used.

12.3 There was no other business, and the meeting was closed at 4:00pm.