

**General  
Dental  
Council**

protecting patients,  
regulating the dental team

# **Council Member Recruitment 2018**

## **Appointment Brief for Candidates**

To be eligible for this appointment you must be currently registered with the GDC and live or work wholly or mainly in Scotland

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## Introduction – Welcome from the Chair

I am delighted that you are considering applying to join the Council of the General Dental Council. The GDC plays a crucial role in ensuring that patients are protected and the public has confidence in dental services. We register the whole dental team: over 100,000 dental professionals, comprising approximately 40,000 dentists and 60,000 dental care professionals.

Dentistry touches a huge number of people: about half of the adult population visited an NHS dentist in England over the past two years. Overall, the nation's oral health is improving but still almost a third of adults have tooth decay and among children it is one of the preventable health issues that is on the rise.

The UK dental sector is estimated to be worth £9 billion by 2018. And the sector is changing: increasingly, dental care is being delivered by large private companies, rather than by local high street providers. Between 2010 and 2014 the corporate sector grew from 12 per cent to 22 per cent of the total dental market. And the people who work in dentistry are changing too. In 2015-16 48% of dentists were women, up from 39% in 2006-07.

The environment the GDC operates within is complex. The level of NHS funding for dentistry, and the different health systems across the UK are increasingly divergent. The UK's decision to exit the EU will have significant implications for the NHS workforce, for regulation broadly and for the regulation of the dental team specifically. In addition, the Department of Health has recently consulted on plans to reform health professional regulation.

I have been chair of the GDC since October 2013, and in that time the Council has overseen an extensive programme of improvement. The last couple of years have seen a substantial change in the leadership team and restructures in some areas of the business.

In January 2016, the GDC launched *Patients, Professionals, Partners and Performance*, our three-year corporate strategy. This sets out what we will do to:

- put patient and public protection at the heart of what we do, by empowering patients to make informed choices about the care they receive;
- engage more effectively with dental professionals and work more collaboratively with our partners; and
- improve our performance.

Significant progress has been made already. In their annual review of the statutory functions of the nine health professional regulators for 2017, the Professional Standards Authority (PSA) found that the GDC had met all their standards for Standards and Guidance, Education and Training and Registration and nine of the 10 standards for Fitness to Practise. This is a significant improvement on the 2015 rating, where the GDC met just 15 of the 24 standards, which included just two of the 10 possible fitness to practice standards.

However, the job is far from complete. The GDC is conducting a significant programme of work to ensure this improvement in performance is consolidated, embedded and further improved upon. This includes an end-to-end review of our fitness to practise processes.

More fundamentally, the GDC wants to ensure that the system of dental regulation is fit to meet the challenges of the future. The legislation governing the GDC was passed in 1984. Since then there have been dramatic changes in patients' needs and expectations, in the practice and model of dentistry and the wider political context. In January 2017, the GDC

launched *Shifting the balance: a better, fairer system of dental regulation*, which sets out the GDC's proposals for meeting these challenges. This will involve:

- shifting the balance of activity upstream, to prevent harm from occurring;
- developing a more robust system of resolving complaints about dental care where the care takes place, in the practice;
- improving collaboration with the range of partners; and
- refocussing the GDC's powers so they are deployed on the most serious of cases, which is where they add the most value.

The GDC cannot achieve this alone. We are working hard to improve our engagement across all our stakeholder groups: dental professionals, patients and our partners.

Underpinning all of this is a need for the GDC to become a more efficient organisation. The focus thus far has been to improve how we manage our caseload, which is how most of our resources are spent. Significant progress has been made to understand firstly the number and secondly the complexity of our cases.

The GDC faces the same challenge as much of the public sector: the need to achieve more with less. To address this, the GDC is setting up an operations centre in Birmingham, which will be home to a significant proportion of its staff. The GDC is also consulting on the policy that underpins how fees are set.

The Council therefore is facing a substantial programme of work, and to tackle that effectively it needs Council members with the knowledge, skills, experience and enthusiasm that are equal to these significant challenges. Due to the Council's current composition and the statutory requirement to have a mix of lay and registrant members from across the four nations, this vacancy is for a dental professional who lives or works, wholly or mainly, in Scotland.

We are keen to attract candidates who bring the skills, experience, breadth of view and diversity of outlook that is equal to the tasks ahead for the GDC and reflects the profession it regulates and the public it serves. I look forward to receiving your application.



William Moyes  
Chair

## About the General Dental Council

The GDC is the UK-wide statutory regulatory of just over 100,000 registrants, including approximately 40,000 dentists and 60,000 dental care professionals (DCPs) – dental nurses, clinical dental technicians, dental hygienists, dental technicians, dental therapists, and orthodontic therapists.

The GDC is overseen by a Council of 12 members, six lay and six dental professionals. Our legislation, the Dentists Act 1984, sets us the following objectives to:

- protect the public;
- protect, promote and maintain the health, safety and well-being of the public;
- promote and maintain confidence in the dental profession; and
- promote and maintain proper professional standards and conduct for members of these professions.

We do this by ensuring that dental professionals meet our standards, which reflect patient experiences, and deliver safe and appropriate care to patients.

Our legislation currently provides us with the powers to:

- grant registration only to those dental professionals who meet our requirements on education and training, health and good character (only those who are registered with us can practise dentistry in the UK);
- set standards for providers of dental education and training in the UK;
- set standards of conduct, performance and ethics for the dental team;
- investigate complaints against dental professionals and where appropriate take action through our fitness to practise process; and
- require dental professionals to keep their skills up to date through our continuing professional development requirements.

In addition, we provide the Dental Complaints Service (DCS) which resolves complaints between private patients and dental professionals.

We receive no support from the Government to carry out our regulatory responsibilities. We raise the majority of our funds by charging fees to dental professionals who have to be registered to work in the UK. In 2016 the GDC had an annual income of £44.5million (this figure excludes income from exams; which equates the total income to £46.4 million).

We employ around 340 staff headed up by the Chief Executive and Registrar and the Executive Management Team. The GDC is currently based on two sites; our headquarters at 37 Wimpole Street and a second office at 83 Baker Street in central London. The DCS, which was based in Croydon, will be moving into the GDC's Wimpole Street office in late Spring 2018.

The GDC is going through a period of significant organisational change. We are working hard to meet the following challenges:

- Achieving best value for money will always be central to our operational decision-making. Our headquarters building at 37 Wimpole Street is secured on extremely favourable terms, thanks to the enlightened policy of the Howard de Walden Estate. However, it is not big enough for all our needs and the cost of renting additional office

space in central London can no longer be justified through operational need. We have, therefore, taken the decision to move some functions of the GDC to Birmingham. This will involve around 90 roles within the Registration function and operational support services in the first phase. The GDC's national headquarters will remain in London. The move will be phased, beginning in 2018, and it will be timed to ensure there is minimum disruption to core activity.

- The GDC has a strategic objective to improve its performance. The PSA is the body that oversees the nine health professional regulators. A substantial amount of work has been done to improve our performance against the PSA's standards and in 2017 the GDC met 23 of the 24 standards. Work needs to be done to consolidate, embed and improve on this further. We are conducting an end-to-end review of our fitness to practise process to support this work.

However, more fundamental change is required. Dental professional regulation is outdated, cumbersome, inefficient and, crucially, does not do enough to put patient safety at its heart. A fundamental shift is required in the balance of effort towards activity that seeks to prevent harm. This will involve doing more to embed the standards the GDC set for the dental team, ensure learning for fitness to practise is shared with dental professionals, reform the system of continued professional development and ensure complaints are resolved by the most appropriate body – often the dental practices themselves.

- The GDC is also responding to and shaping the Department of Health's wider plans to reform health professional regulation.
- Underpinning all of this is the need for the GDC to achieve more with less. The work the GDC has done in recent years to improve our performance has required significant investment. This needs to be stabilised and our reserves replenished.

## Our Governance

### The Council of the GDC

The GDC is overseen by a Council of 12 members, six lay and six dental professionals. It is a legal requirement that at least one member of the Council (lay or registrant) must live or work, wholly or mainly, in each of England, Wales, Scotland and Northern Ireland. The current vacancy is for one registrant Council member who lives or works, wholly or mainly, in Scotland.

Details of the current Council members can be found here:

<https://www.gdc-uk.org/about/who-we-are/thecouncil>

There are four Council Committees as follows; Audit and Risk, Finance and Performance, Policy and Research and Remuneration.

- **Finance and Performance Committee.** The role of the Finance and Performance Committee is to: challenge and monitor the executive on financial and other performance; work with the executive to develop an appropriate and proportionate data set to enable the board to carry out its functions; and provide guidance to the executive on major operational

matters such as property strategy, investment and technology development. Additionally, Committee members work with the executive to develop the GDC's financial strategy, including assisting the executive to develop the business plan (which includes the annual budget), and the rolling three-year business plan. The Committee also assists the Council in reaching its decision on the business plan and the corporate plan.

- **Remuneration Committee.** The role of the Remuneration Committee is to establish a transparent procedure for the remuneration of the Chief Executive, Executive Management Team, Council Members (including the Chair) and other non-Executive post holders. The Committee also ensures that there are appropriate incentives to encourage enhanced performance and that rewards are made in a fair and responsible manner, and are linked to the individual's contributions to the success of the GDC and the successful performance of the GDC in general. The Committee reviews the organisation's pension schemes annually.
- **Policy and Research Board (PRB).** The Policy and Research Board was set up in 2015 to provide oversight of the development and implementation of strategy, policy and research initiatives and report on them to Council. The Committee has been instrumental in shaping the GDC's plans for reforming dental professional regulation, set out in *Shifting the Balance: a better, fairer system of dental regulation*. PRB has also supported the development of strategies to support communications and engagement, evidence gathering and the establishment of a horizon scanning function.
- **Audit and Risk Committee.** The role of the Audit and Risk Committee is to monitor the integrity of financial statements, review the GDC's governance, internal control and risk management systems and the internal and external audit services.

## Council member role description and person specification

Please note that to be eligible for this role you must currently be registered with the GDC and live or work, wholly or mainly, in Scotland

### Key Responsibilities

Council members collectively are responsible for:

- 1. Setting the strategic direction of the GDC within its statutory framework**
  - Taking responsibility for corporate strategy, business plans and budgets and the development of the framework for reviewing policy and operational performance;
  - Ensuring that the GDC focuses on its statutory duties of patient safety and public confidence in dental services;
  - Evaluating the effectiveness of the Council in fulfilling its statutory purpose;
  - Overseeing the development of policy and taking major policy decisions.
- 2. Ensuring that the public and stakeholders have confidence in the GDC in conjunction with the Accounting Officer**
  - Ensuring that the GDC has measures in place to engage with stakeholders and with other relevant organisations and government agencies in the four countries of the UK;
  - When appropriate, acting personally to support and promote the interests of the GDC.
- 3. Providing challenge and scrutiny of the GDC's operations, ensuring that they are aligned with the organisation's strategic direction**
  - Holding the executive to account for the management of day to day operations;
  - Holding the executive to account for ensuring that the GDC's operations are organised in ways which facilitate the delivery of core functions to best effect, and that this is kept under review as circumstances change.
- 4. Setting a positive tone, behaviour and culture for the organisation**
  - Ensuring that the Council models the principles of public life and the GDC's leadership behaviours;
  - Providing constructive and effective challenge.

Council members must be committed to patient safety and public confidence in dental services, which is the primary statutory purpose of the GDC. They must have the confidence to speak out and challenge, working effectively with fellow members, the executive and stakeholders.

## **Essential Criteria**

Council members must be able to demonstrate:

1. A commitment to patient protection and a proven understanding and experience of supporting confidence in public services and a commitment to patient protection;
2. Experience of contributing to an organisation operating within a statutory framework, in an environment that is impacted by and impacts upon government policy;
3. The ability to work effectively with the executive to challenge, support and hold the executive to account for the delivery of the corporate strategy;
4. The capacity to understand the organisational and business issues facing the GDC, and the skills required to analyse, interrogate and scrutinise performance data;
5. The ability to contribute constructively to collective decision-making processes, respecting and listening to others and earning the respect of colleagues; and
6. A personal commitment to good governance, and of upholding the recognised principles of public life, and a commitment to equality, diversity and inclusion.

## Terms of appointment

Please note that the GDC is only able to recommend a candidate for appointment. Appointments, including start dates and terms of office, are made by the Privy Council. **Therefore, you may not hear the outcome of your interview until the end of July 2018.**

### Remuneration

£15,000 per year.

Council members are eligible to claim expenses, at rates set by the GDC, in accordance with the GDC's expenses policy for Council members and Associates.

### Time commitment

A minimum of 36 days per year (including reading and preparation time for meetings and attendance at training)

Council members also sit on one or more of the Council's Committees.

There are approximately eight Council meetings a year, with a Council workshop held the day before the Council meeting. At present, Committee meetings and the majority of Council meetings are held at the GDC's offices in central London, this may change with the relocation of parts of the organisation to Birmingham

### Training and appraisal

An induction programme will be provided upon appointment. Members are also expected to participate in a programme of training and development and to take part in an appraisal process.

### Standards in public life

You will be expected to demonstrate high standards of corporate and personal conduct. The successful candidate must subscribe to our Code of Conduct (appendix 1).

Applicants must also observe the standards of probity required by public appointees outlined in the Principles of Public Life.

<https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

### Eligibility and disqualification

**To be eligible for this appointment you must be currently registered with the GDC and live or work, wholly or mainly, in Scotland**

A dental professional (registrant) member is someone who is currently registered with the GDC, has met their CPD requirements and made an indemnity declaration. Applicants must not be subject to current fitness to practise proceedings.

All applicants should be aware that Council members who are subject to an investigation or proceedings concerning their fitness to practise by the GDC or other licensing bodies may have their membership of Council suspended by the Privy Council while those proceedings are underway. You cannot be a member of the Council at the same time as being a member of any of its statutory committees<sup>1</sup>. In addition, you cannot be a member of the Council of more than one health regulator.

The General Dental Council (Constitution) Order 2009 sets out the disqualification criteria for Council members (appendix 2).

Further advice about disqualification for appointment can be given by Clare Mitchell, Head of Governance at the General Dental Council on 0207 167 6348 or [cmitchell@gdc-uk.org](mailto:cmitchell@gdc-uk.org).

## Recruitment Process

**The timetable for the recruitment process is as follows:**

- Closing date – 5.00pm Friday 13 April 2018
- Preliminary interviews – w/c 30 April and 7 May 2018
- Final interviews – 4 June 2018
- Take office – 1 October 2018

Council members may hold office for a maximum of eight years in any twenty years. This appointment will be for a first term of office of either three or four years.

Re-appointments can be made at the end of the first period of office, subject to satisfactory performance appraisal and the needs of the Council. However, a degree of change is often sought and there should be no expectation of automatic reappointment.

## The Appointments Process

The GDC, like other healthcare regulators, is responsible for managing the process of appointment and reappointment of Council members and Chairs in line with the requirements of their legislative frameworks. The campaign will be run in line with the Professional Standards Authority (PSA)'s published best practice, which sets out four principles of a good appointments process:

- merit
- fairness
- transparency and openness
- inspiring confidence

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<sup>1</sup> Investigating Committee; Interim Orders Committee; Professional Conduct Committee; Health Committee; Professional Performance Committee; Registration Appeals Committee

The GDC is required to provide the PSA with evidence that these principles have been followed in the recruitment process. The Privy Council will consider advice from the PSA on the process that the GDC has used before making their decision to appoint.

The selection panel (see below) will be responsible for long listing candidates, short listing candidates for final interviews, undertaking final interviews and making recommendations to the Council. The Council will then recommend successful candidates to the Privy Council for appointment.

The members of the selection panel are as follows:

### **Philippa Hird – Panel Chair**

Philippa is an independent director and strategy consultant with a particular interest in recruitment, remuneration, governance and the delivery of complex change. She is currently the Chair of the NHS Pay Review Body, Deputy Chair of AQA, a non executive director of the Remuneration Consultants Group and of City University and she is the independent member of the Remuneration Committee of the General Dental Council. Philippa is a member of the Lord Chancellor's Advisory Committee for Cambridgeshire.

As Group Human Resources Director of ITV Plc until 2009, Philippa led the integration of the regional ITV companies. Prior to that she held general management and then HR roles in Granada Group Plc. She began her career as a Marketing Manager with ICI and has an MA in Politics, Philosophy and Economics from The Queen's College Oxford.

Philippa has been a non executive Director of HMRC, a Board member of Opportunity Now and of Creative Skillset, a member of the School Teachers' Review Body and Vice President of the Chartered Institute of Personnel and Development (CIPD). She is a Companion of the CIPD and a Fellow of the RSA.

### **William (Bill) Moyes – Chair of the General Dental Council**

William Moyes has been both Chair of the Council and a lay Council member since 1 October 2013. Having completed a Ph.D. in theoretical chemistry at the University of Edinburgh, William entered the fast-stream of the UK Civil Service in 1974. His 20-year career in the Civil Service was spent mainly in policy-making roles in Whitehall and in the Scottish Office.

After leaving the Civil Service, he spent six years in the Bank of Scotland Group, ultimately as Head of Infrastructure Finance. In 2000 he became Director-General of the British Retail Consortium, the representative body for the retail sector. Between 2004 and 2010 he was the founding executive chair of The Independent Regulator of NHS Foundation Trusts ("Monitor"), which authorised foundation trusts and regulated their finances and governance. More recently he has held a number of non executive director posts and is also Chair of the Gambling Commission.

### **Margaret Kellett– Registrant Council Member**

Margaret gained her undergraduate degree in dental surgery at Manchester University. After gaining a Fellowship in Dental Surgery of the Royal College of Surgeons she took the post of lecturer at the Turner Dental School, Manchester University.

She later completed an MSc and Ph.D. and has also completed a formal programme of training in Restorative Dentistry and is currently registered on the specialist lists of the GDC for Restorative Dentistry and Periodontics.

In 2003 she was jointly appointed by the University of Leeds and the Leeds Teaching Hospital Trust to serve as Dean of Dentistry and Director of the Dental Hospital. She has recently ended a second term as Dean/Director completing some ten years in post. Margaret has worked in support of the Royal Colleges, specialist organisations and undertaken varied examiner-ships and teaching roles. She has remained clinically active throughout her career.

### **Cindy Butts - Independent Panel Member**

Cindy has a background in the public and voluntary sectors. She was an Independent member of the Metropolitan Police Authority, where she served as Deputy Chair for four years. She has led a number of policing inquiries, including chairing the Race and Faith Inquiry on behalf of the former Mayor of London Boris Johnson MP, leading a number of studies into youth crime, and being a panel member for a groundbreaking year-long inquiry into the causes and effects of terrorism. Cindy also has extensive experience in senior public sector recruitment. She is a former independent Member of the Royal Institute of Chartered Surveyors Independent Appointments Selection Board and was previously an accredited Independent Public Appointments Assessor for OCPA and an Independent Assessor for the Judicial Appointments Commission. Until recently Cindy was a Commissioner at the Independent Police Complaints Commission (IPCC).

#### The recruitment process will proceed as follows:

- Stage 1: Submission of CV (2 sides of A4 maximum), application form and diversity monitoring form
- Step 2: Longlisting, when selected candidates have a preliminary interview
- Step 3: Shortlisting, when candidates are further scrutinised against the person specification
- Step 4: Informal conversations with CEO
- Step 5: Final formal interviews with selection panel

As noted above, short listed candidates will have the opportunity to speak to the Chief Executive and Registrar, Ian Brack, prior to final panel interviews. This is for information only, as the Chief Executive and Registrar does not have a role in the appointments process.

## How to apply

Application forms and further details on the appointment are available on the GDC website through the following link:

<https://www.gdc-uk.org/about/who-we-are/thecouncil>

The closing date for applications is **5pm on Friday 13 April 2018**. Applications received after this time will not be considered. Applications should be submitted by email to Kristen Bottrell [kbottrell@gdc-uk.org](mailto:kbottrell@gdc-uk.org).

If you require information in a different format please also contact Kristen Bottrell on 020 7167 6318, [kbottrell@gdc-uk.org](mailto:kbottrell@gdc-uk.org).

Please can you let us know if you require any reasonable adjustments to be made to assist you in completing the application form, attending the interview, or any reasonable adjustments that would need to be made to the role or the working environment if your application is successful.

\* The equal opportunities monitoring online form will not be shared with anyone involved in assessing your application. Please complete as part of the application process.

Once the closing date for applications has passed, applications will be evaluated according to the person specification and the Selection Panel will identify the candidates to be invited to the next stage of the process.

To apply for this role, we ask that you send to us:

- a short (two sides of A4 maximum) CV covering your qualifications, career history and other relevant activity and public appointments,
- a completed Council member application form, and
- a diversity monitoring form. Please note that this information will not be assessed as part of your application or made available to the selection panel.

Please do not write a supporting statement, as this will not be part of the selection process.

### How we will handle your application

We will deal with your application as quickly as possible. Once you have submitted your application its receipt will be acknowledged by the GDC. If you do not receive this acknowledgement, please contact Kristen Bottrell on [kbottrell@gdc-uk.org](mailto:kbottrell@gdc-uk.org)

The selection process will be evidence led. Your application will be assessed only against the criteria set out in the person specification. It is important that you complete the application form in as much detail as possible within the word limit constraints. Your response to each section of the application form should provide specific and detailed examples to demonstrate how you meet each criterion (including what you did to achieve a specific result).

### Conflicts of interest

It is particularly important to declare any conflict of interest that could be considered relevant to the GDC at the application stage of the process. This includes close relationships with other Council or Committee members or members of the interview panel.

Any other actual or perceived conflicts of interest will be fully explored by the selection panel at the interview stage. If you are successful in being appointed, you should note particularly the requirement to declare any conflict of interest that arises in the course of GDC business and the need to declare any relevant business interests, positions of authority or other connections with organisations relevant to the business of the GDC. Interests relating to other connected persons (defined as a person with whom you have a personal or business relationship), which could be perceived as influencing your position must also be declared.

### **Travel expenses**

The GDC will reimburse travel expenses in line with corporate policy.

### **If you have a complaint**

The General Dental Council is committed to processes and procedures that are fair, transparent and free from discrimination. Complaints about any aspect of the appointments process for the Council member roles will be monitored, recorded, and promptly handled.

If you have any complaints about the way your application has been handled, please contact Clare Mitchell, Head of Governance. Clare can be contacted by telephone at 020 7167 6348 or by email at [cmitchell@gdc-uk.org](mailto:cmitchell@gdc-uk.org).

Complaints will be acknowledged as soon as possible and responded to within 15 working days.

Following investigation of the complaint, if an applicant remains dissatisfied with the response provided by or on behalf of the GDC, they can raise their concerns with the Privy Council. The Privy Council is responsible for appointing the Council members. Please contact: Privy Council Office, Room G/04, 1 Horse Guards Road, London, SW1A 2HQ, Telephone: 020 7271 3292, Email: [enquiries@pco.gov.uk](mailto:enquiries@pco.gov.uk).

### **Use of your personal information**

#### **Data Protection**

We will treat all your data in accordance with the data protection act 1998 Information be shared with the Professional Standards Authority and the Privy Council as required as part of the appointments process.

All documentation relating to the recruitment campaign will be kept for a period of two years for audit purposes and then securely destroyed. The only exception to this is aggregate diversity data which will be kept so that it can be compared with subsequent recruitment campaigns.

#### **Monitoring information**

The diversity monitoring form, which is completed as part of your application, is not used in the selection process. It is not seen by the panel assessing your application. We use this data to monitor and review the diversity of candidates we attract and those we appoint. Due care will be taken to ensure that individuals cannot be identified, but this may not be possible if a small number of candidates apply.

### **Ministerial appointments**

We ask that candidates give full information about any ministerial appointments they hold. You should also include details of any current NHS board appointments you hold. Please ensure that you include full details of the body to which you have already been appointed, the period of appointment and annual remuneration or daily fees paid.

### **Equal, Diversity and Inclusion**

The GDC is committed to promoting equality of opportunity and values diversity of culture among our council members. We welcome applications from all suitably qualified individuals. We will seek to ensure that all applicants are treated fairly, with respect and without bias.

**Code of Conduct for Council Members and Associates**

Owner	Governance and HR Directorate
Author	Head of Governance
Approved by Council	27 July 2016
Effective from	27 July 2016
Review Date	July 2018

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## 1. Policy Statement

- 1.1. The General Dental Council (GDC) is committed to providing a high-quality service and our Council members and Associates are vital to achieving this objective. Whilst carrying out their duties Council members and Associates are expected to conduct themselves in a way that adheres to the GDC's values.
- 1.2. The conduct of Council members must also demonstrate the GDC's leadership behaviours.
- 1.3. Council members and Associates must treat others with respect and comply with the seven principles of public life. These are set out in Annex 2 of the Managing Interests Policy for Council members and Associates, which is included within the GDC's Governance Manual.
- 1.4. Council members and Associates have a duty to act in good faith, a duty of care to the GDC, a duty of confidentiality and a duty to act within their powers.
- 1.5. It is the responsibility of each Council member and Associate to ensure that they fully comply with their letter of appointment/agreement, and with all aspects of this code of conduct. Council members and Associates must also ensure that they comply with the policies contained in the governance manual, including those on managing conflicts of interests, gifts and hospitality and anti-fraud and anti-bribery, and any other policies which Council from time to time approves.

## 2. Definitions

- 2.1 The GDC's values are:
  - Fairness – we will treat everyone we deal with fairly.
  - Respect – we treat dental professionals, our registrants and our employees with respect.
  - Responsiveness – we can adapt to changing circumstances
  - Transparency – we are open about how we work and how we reach decision
- 2.2 The Council's leadership behaviours are:
  - Demonstrating Trust and Respect
  - Positive Leadership
  - Promoting Collaboration
  - Raising Performance
  - Clarifying the Vision

## 3. Purpose

- 3.1. As a regulator, the GDC establishes standards for the conduct, performance and ethics of the dental team. Council members and Associates must maintain similarly high standards.
- 3.2. The Code of Conduct and role descriptions define the standards required of Council members and Associates.

## 4. Scope

- 4.1. This policy applies to Council members and Associates. The term Associates applies, but is not limited to, Statutory Committee Members, members of the Appointments Committee, Non-Council members of the Non-Statutory Committees or working groups, Quality Assurance Inspectors, Dental Complaints Service Panellists, Dental Care Professionals Assessment Panellists, members of the Overseas Registration Examination (ORE) Advisory Group and ORE External Examiners.
- 4.2. Statutory Committee Members are a sub group of Associates. Certain sections of this policy apply to this sub group rather than to all Associates.

## General

### 5. Confidentiality

- 5.1. In accordance with the principles of transparency and the standing orders, where possible the work of the Council is carried out in public but some matters are private and kept confidential.
- 5.2. Council members and Associates are bound by a duty of confidentiality which is set out in their agreement with the GDC. This duty remains in force after their term comes to an end and/or their agreement has been terminated.
- 5.3. Council members and Associates must comply with their duties under the Freedom of Information Act 2000 and Data Protection Act 1998 which are set out in the information security guidance set out in the Governance Manual.
- 5.4. Council members and Associates will regularly, in the course of their duties, be party to discussions or information of a confidential nature. The effective operation of the Council depends on these confidences being maintained during and after their association with the GDC. Any matters of a confidential nature must strictly remain so outside the confines of the meeting or hearing in which they arise, and Council members and Associates should avoid discussing these unless it is necessary for the business of the GDC that they should do so. Any such discussions should take place in a confidential setting.
- 5.5. Unless required by law to do so, Council members must not disclose confidential information to anyone who is not another Council member or a member of the Executive without the consent of the Chair of Council, or if there is a conflict, the Chair of the Audit Committee. The Chair of Council or Chief Executive will take appropriate advice on any request for disclosure.
- 5.6. Unless required by law to do so, Associates must not disclose confidential information to anyone outside the statutory committee/board/panel on which they serve without the consent of the chair of that statutory committee or board/panel. The chair will take appropriate advice on any request for disclosure.
- 5.7. Council members and Associates must comply with the Information Security Policies.

### 6. Equality and Diversity

- 6.1. The GDC is committed to promoting equality and diversity. The Equality and Diversity Policy provides a clear framework for translating this commitment into action. This means actively promoting a culture that values difference and

acknowledges that people from different backgrounds and experiences can bring valuable insight into the work place.

- 6.2. The GDC aims to be an inclusive organisation, where equality and diversity is encouraged, respected and built upon. As an organisation, we recognise the importance of recruiting and retaining a diverse workforce that is broadly reflective of the communities we serve.
- 6.3. Council members and Associates should comply with the Equality and Diversity Policy. Any equality and diversity issues will be dealt with under the relevant procedures.

## **Competence and decision-making**

### **7. Induction and development**

- 7.1. Council members and Associates are required to meet the standards of education and training set by the GDC, including attending and completing any reasonable training and development which the GDC requires.
- 7.2. Council members and Statutory Committee Members will be required to participate in regular appraisals which may identify further training opportunities.
- 7.3. It is the responsibility of Council members and Associates to inform a member of the Executive Management Team if they feel that they need further guidance or training to carry out their role.

### **8. Attending meetings**

- 8.1. It is expected that Council members will attend all Council meetings, and all meetings of committees of which they are a member unless unable, with good reason, to do so. In addition Council members, may also be required to attend external meetings on the Council's behalf. Council members who are unable, with good reason, to attend a meeting should inform the Governance Team as soon as possible in advance of the meeting.
- 8.2. Where a Council member's inability to attend a series of meetings is likely to affect the ability of the Council to perform its statutory functions that member should work with the Chair of Council to consider any action needed. Section 6(g) of The General Dental Council (Constitution) Order 2009 provides that the Privy Council may remove a member whose level of attendance at meetings falls below a minimum level of attendance acceptable to it, having regard to the Council's own recommended minimum level and whether or not there were reasonable causes for the member's absences. The Council generally requires a minimum of attendance at 65% of Council meetings (which for the purposes of this paragraph does not include Council away days and additional meetings of Council members), though this figure may include, at the Chair of Council's discretion, other meetings which the member is obliged to attend (e.g. committee meetings).
- 8.3. In accordance with s7(g) of the GDC (Constitution of Committees) Rules Order of Council 2009, the Appointments Committee may remove a Statutory Committee Member from office if it is satisfied that their level of attendance at meetings/hearings falls below a minimum level of attendance acceptable to the Appointments Committee taking account of any recommended minimum levels of attendance and whether or not there were reasonable causes for the member's absences.

- 8.4. It is expected that Associates will attend all their scheduled meetings, inspections etc. If they are unable, with good reason, to attend they should inform the relevant member of GDC staff as soon as possible in advance of the meeting.

## **9. Preparation for meetings and provision of information**

- 9.1. Council members and Associates must read their papers in preparation for meetings, hearings etc. and are expected to take all reasonable steps to keep themselves up to date with Council, committee and other relevant business.

## **10. Taking a decision**

- 10.1. Section 1 of the Dentists Act 1984 as amended provides that when exercising their functions the Council shall:
- Have proper regard for the interests of persons using or needing the services of registered dentists or registered dental care professionals in the UK;
  - Have proper regard for any differing interests of different categories of registered dentists or dental care professionals;
  - Have a general concern to promote high standards of education at all its stages in all aspects of dentistry;
  - Have a general concern to promote high standards of professional conduct, performance and practice among persons registered under the Act.
- 10.2. Council members are appointed to carry out the GDC's statutory regulatory functions. They are not representatives and they must take decisions in accordance with paragraph 10.1 above. Associates must take into account the principles set out in paragraph 10.1 above when making their decisions.

## **11. Collective responsibility**

- 11.1. Once a quorate decision of the Council is taken, all Council members are collectively responsible for it even if they have voted against it, abstained from voting or were absent when the decision was taken. All Council members are bound by a decision of Council made in good faith (whether by a unanimous or majority vote) and may not obstruct the execution of that decision. All Associates are bound by a decision made in good faith (whether by a unanimous or majority vote) of the body/committee of which they are a member and may not obstruct the execution of that decision.

## **Personal ethics**

### **12. Relationship with registrants**

- 12.1. The actions of Council members and Associates can undermine public confidence in the regulation of dentists and dental care professionals and failure to act appropriately can lead to their suspension or removal.
- 12.2. In particular Council members and Associates must ensure that they do nothing to compromise themselves or the GDC by doing anything which could influence, or may be perceived as influencing the GDC's fitness to practise proceedings on behalf of an individual registrant. If any other matter is raised with a member by an individual registrant, they should bear in mind their obligations under this code and the Managing Interests' Policy, and if necessary, should discuss the matter with the Chair of Council.

### **13. Declaration of and managing interests and gifts and hospitality**

- 13.1. Council members and Associates are required to be familiar with and adhere to the GDC's policies on managing interests, gifts and hospitality and anti-fraud and anti-bribery.
- 13.2. Council members and Associates must be aware that the GDC is funded by registrants' fees, and they have a duty to use the GDC's resources prudently.
- 13.3. Council members and Associates must not receive any financial or non-financial benefit relating to their position as a member that is not explicitly authorised in their appointment letter/agreement (e.g. Fees for attending meetings/training and incurred expenses).
- 13.4. If Council members and Associates are offered a payment for speaking as agreed on behalf of the GDC they should notify the Chair of Council. The fee offered by the organisation should be paid to the GDC and the Council member or Associate should then claim an attendance fee from the GDC where appropriate.

### **Dealings with others**

#### **14. Dealing with stakeholders**

- 14.1. Public statements made by Council members and Associates are likely to be construed by the public as the opinion of the GDC. The term "public statement" may cover a wide range of circumstances, including but not limited to, speeches, media articles, press statements and postings on social media.
- 14.2. Council members or Associates should not make public statements relating to the Council or the topics in the GDC's field of interest without authority from the Chair to do so. While such authority may be general (for example, for a Council member to engage in a series of social media postings) as well as specific, it must be in place. Any request from a third party to a Council member to make a public statement should be referred in the first instance to the GDC's communications team who will co-ordinate advice. Any public statement must be in keeping with relevant GDC policies, which the team communications can advise on. The GDC will provide whatever briefing is necessary to a Council member or Associate when they are authorised to speak on its behalf.
- 14.3. Council members should bear in mind paragraph 14.1 above and take care even when expressing personal views about the Council or topics in the GDC's field of interest, including conversation with third parties.
- 14.4. Council members and Associates shall not, in any advertising or other promotional material, make any reference to their relationship with the Council nor use the name, logo or style of the Council on any publication or document except with the prior written consent of the Council. The Communications Team can support Council members and Associates with this, once written consent has been authorised.

#### **15. Interaction with staff and colleagues**

- 15.1. Council members and Associates must treat their colleagues, staff and others they come into contact with in the course of their work with the GDC with dignity and respect and in accordance with the principles set out in this code of conduct.

#### **16. Raising concerns**

- 16.1. The GDC is committed to maintaining the highest standards of honesty, openness and accountability. Council members and Associates have an important role to play in achieving this goal and are strongly encouraged to raise any concerns that they may have.
- 16.2. For any concerns or complaints that relate to a Council member's or an Associate's individual relationship with the GDC, then they should refer to the policy for individual concerns or complaints by Council members or Associates.
- 16.3. If a Council member or Associate has a concern about wrongdoing within the GDC that is in the public interest, then they should refer to the whistleblowing policy for Council members and Associates and associated guidance. The GDC will ensure that, if a Council member or Associate raises a genuine concern, they will not suffer a detriment or adverse treatment as a consequence; it does not matter if there is no proof or the concern is later proved to be mistaken.

## **17. Complaints, concerns, or capability**

- 17.1 The policies for dealing with complaints or concerns about Council members and Associates set out the procedure to be followed in dealing with a complaint against or a concern about a Council member or Associate where it is alleged or appears that the conduct of the Council member or Associate has fallen below the standards expected. The policies apply equally in circumstances where a concern about conduct has come to the GDC's attention without a complaint being made.
- 17.2 The capability policies for Council members and Associates set out the procedure to be followed in dealing with a situation where concerns have been raised that the performance of a Council member or Associate has fallen below the standards expected. The policies are intended to be supportive and proportionate and assist the Council member or Associate to reach the necessary standards.
- 17.2 If the Council member or Associate is a registrant dentist or dental care professional, the following legislation and policy framework will take precedent as necessary over the policies:
  - For Council members:
    - GDC Standing Order for Conduct of Business 2015
    - GDC (Constitution) Order 2009 (as amended)
    - Guidance on registrant Council Members and FTP Processes
  - For Statutory Committee Members:
    - GDC (Constitution of Committees) Rules 2009

## **18. Council members and conflicts of interest in fitness to practise (FTP) matters**

- 18.1. In order to help Council members, especially registrants, who may be approached about the GDC's FTP procedures, the Executive has drafted some general rules (taken from the Code of Conduct) and scenarios have been drafted. If you are in any doubt please speak to the Chief Executive or the Head of Governance. This guidance is available at Annex 1.
- 18.2. For more information about conflicts of interest, both in relation to FTP and other matters, the managing interests' policy is included in the governance manual.

## **19. Review**

- 19.1. This document will be reviewed every two years. The Head of Governance will be responsible for the review.

19.2. Amendments will be approved by the Council.

## 20. Related Policies

- 20.1 Managing Interests Policy for Council members and Associates
- 20.2 Policy on Gifts and Hospitality for Council members and Associates
- 20.3 Anti-Fraud and Anti-Bribery Policy for Council members and Associates
- 20.4 Policy for Individual Concerns or Complaints by Council members and Associates
- 20.5 Whistleblowing Policy for Council members and Associates
- 20.6 Policy for Dealing with Complaints or Concerns about Council members and Associates
- 20.7 Capability Policy for Council members and Associates
- 20.8 Guidance on registrant Council members and FTP processes
- 20.9 Information Security Policies for Council members and Associates

## 21. Annexes

- 21.1. Annex 1 - Council members and conflicts of interest in FTP matters

### Annex 1 - Council members and conflicts of interest in FTP matters

In order to help Council members, especially registrants, who may be approached about our FTP procedures, we set out below some general rules (taken from the code of conduct) and scenarios. If you are in any doubt please speak to the Chief Executive or the Director of Fitness to Practise.

#### General dos and don'ts

##### You should never:

- Discuss an FTP case with a member of a statutory committee (that is, the Investigating Committee, Interim Orders Committee, Professional Conduct Committee, Health Committee, Professional Performance Committee and Registration Appeals Committee).
- Make any public comment on an ongoing FTP case (including any mention in electronic media).
- Discuss an ongoing FTP case with a member of staff, save that you may refer any questions you have regarding potential conflicts of interest to the Chief Executive or the Director of Governance and HR/Director of Fitness to Practise

##### You should:

- Tell the Chief Executive if there is media or other public interest in a case, so he/she can arrange an appropriate GDC response.

#### Approaches about a current or potential FTP cases

If you are approached by a registrant (including a member of your staff) or member of the public about a current case:

- Directly or indirectly, to discuss an actual or potential FTP case
- To give advice regarding an FTP case
- To ask if an FTP case could be expedited

then you should:

- Refuse to discuss the case, and
- Explain you are unable to discuss the matter because you have a conflict of interest, and
- Direct them to their defence organisation or lawyer, and
- Consider whether the matter affects your own practice. If it does or may affect your practice you should consult the Chair as to the best course of action.

If you are approached by a member of a statutory committee about a current case then you should:

- Report the potential breach of the code of conduct by the member to the Director of Fitness to Practise, who will refer it to the Chair of the Appointments Committee.

### **Approaches about concluded FTP Cases**

If you are approached by a registrant or member of the public about a concluded case then you should:

- Refuse to discuss the outcome of a case, and
- Explain you are unable to discuss the matter because you have a conflict of interest and
- Direct them to their defence organisation or lawyer If the complaint is regarding the correctness of the decision,
- Listen to complaints about procedure only if a complaint is raised regarding the GDC's processes. In such a case, you should follow the procedure below ("Approaches and complaints about the FTP process").

If you are approached by a member of a statutory committee about a concluded case then you should:

- Refer the member to the Chief Executive or the Director of Fitness to Practise (provided that you are sure that the matter is not ongoing and concerns the GDC's FTP processes),

### **Approaches and complaints about the FTP process**

If you are asked for information e.g. regarding the GDC's FTP process by a registrant or member of the public then you should:

- Direct them to the relevant member of staff. For registration, fitness to practise and hearings matters this will be the Director of Registration and Operational Excellence/ Director of Fitness to Practise as appropriate.

If you are approached by a registrant (including a member of your staff) or member of the public about an issue that may require investigation in connection with the GDC's handling of a case, then you should:

- Refuse to discuss the case, and

- Explain you are unable to discuss the matter because you have a conflict of interest, and
- Direct them to their defence organisation or lawyer, or
- If they are unrepresented tell them to contact the relevant director (provide the name and contact details if you are able) or, if that is not felt to be appropriate, the Chief Executive.

If it is a complaint about the GDC's FTP processes (e.g. the length of time a case is taking, rudeness or inefficiency of staff) then you should:

- Tell the complainant about our complaints procedure available on the GDC website, which states that they should raise this in the first instance with the relevant director and, if they are not satisfied, with the Chief Executive.
- If the issue is regarding a current case, they should be warned that it may not be possible for the Chief Executive to deal with any complaint until the matter is at an end.

If you, as a Council member, have queries about the appropriateness or efficiency of the GDC's processes generally (not those of an individual case) then you should

- Raise them with the Chief Executive.
- If after that you are still concerned, you should raise your concerns with the Chair of Council and the Chair of the Audit and Risk Committee.

**The General Dental Council (Constitution) Order 2009**  
**Disqualification criteria for Council members**

Disqualification from appointment as a member

5. A person is disqualified from appointment as a member of the Council if that person—

(a) has at any time been convicted of an offence involving dishonesty or deception in the United Kingdom and the conviction is not a spent conviction;

(b) has at any time been convicted of an offence in the United Kingdom, and—

(i) the final outcome of the proceedings was a sentence of imprisonment or detention, and

(ii) the conviction is not a spent conviction;

(c) has at any time been removed—

(i) from the office of charity trustee or trustee for a charity by an order made by the Charity Commissioners, the Charity Commission, the Charity Commission for Northern Ireland or the High Court on the grounds of any misconduct or mismanagement in the administration of the charity—

(aa) for which the person was responsible or to which the person was privy, or

(bb) which the person by their conduct contributed to or facilitated, or

(ii) under—

(aa) section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (powers of Court of Session to deal with management of charities), or

(bb) section 34(5)(e) of the Charities and Trustee Investment (Scotland) Act 2005 (powers of the Court of Session), from being concerned with the management or control of any body;

(d) has at any time been removed from office as the chair, or as a member, convenor or director, of any public body on the grounds, in terms, that it was not in the interests of, or conducive to the good management of, that body that the person should continue to hold that office;

(e) at any time has been adjudged bankrupt or sequestration of the person's estate has been awarded, and—

(i) the person has not been discharged, or

(ii) the person is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986 or Schedule 2A of the Insolvency (Northern Ireland) Order 1989 (which relate to bankruptcy restrictions orders and undertakings);

(f) has at any time made a composition or arrangement with, or granted a trust deed for, the person's creditors and the person has not been discharged in respect of it;

(g) is subject to—

(i) a disqualification order or disqualification undertaking under the Company Directors Disqualification Act 1986,

(ii) a disqualification order under Part 2 of the Companies (Northern Ireland) Order 1989 (company directors disqualification),

(iii) a disqualification order or disqualification undertaking under the Company Directors Disqualification (Northern Ireland) Order 2002(7), or

(iv) an order made under section 429(2) of the Insolvency Act 1986(8) (disabilities on revocation of a county court administration order);

(h) has been included by—

(i) the Independent Barring Board in a barred list (within the meaning of the Safeguarding Vulnerable Groups Act 2006 or the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007, or

(ii) the Scottish Ministers in the children's list or the adults' list (within the meaning of the Protection of Vulnerable Groups (Scotland) Act 2007;

(i) has at any time been subject to any investigation or proceedings concerning the person's fitness to practise by any licensing body, the final outcome of which was—

(i) the person's suspension from a register held by the licensing body, and that suspension has not been terminated,

(ii) the erasure of the person's name from a register held by the licensing body or a decision that had the effect of preventing the person from practising the profession licensed or regulated by the licensing body, or

(iii) a decision that had the effect of only allowing the person to practise that profession subject to conditions, and those conditions have not been lifted;

(j) has at any time been subject to any investigation or proceedings concerning the person's fitness to practise by the Council, in the course of which or where the final outcome was that—

(i) the person's registration in the register was suspended (including by an interim suspension order or an order for immediate suspension) and that suspension has not been terminated,

(ii) the person's name was erased from the register (for a reason connected to the person's fitness to practise), or

(iii) the person's registration in the register was made conditional upon their compliance with any requirement (including by an order for interim conditional registration or an order for immediate conditional registration) and that requirement has not been lifted;

(k) has at any time been subject to any investigation or proceedings relating to an allegation that the person's entry in the register was fraudulently procured, the final outcome of which was the erasure of the person's name from the register;

(l) is or has been subject to any investigation or proceedings concerning the person's fitness to practise by—

(i) any licensing body, or

(ii) the Council,

and the Privy Council is satisfied that the person's membership of the Council would be liable to undermine public confidence in the regulation of registered dentists and dental care professionals; or

(m) has at any time been convicted of an offence elsewhere than in the United Kingdom and the Privy Council is satisfied that the person's membership of the Council would be liable to undermine public confidence in the regulation of registered dentists and dental care professionals.