

**Minutes of the Meeting of the
General Dental Council
held at 10:30am on Friday 27 October 2023
in Closed Session at 1 Colmore Square, Birmingham**

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 Directors in attendance:

Ian Brack	Chief Executive and Registrar
Gurvinder Soomal	Chief Operating Officer
Stefan Czerniawski	Executive Director, Strategy
Theresa Thorp	Executive Director, Regulation

Staff and Others in attendance:

Samantha Bache	Associate Director, Finance (items 8 and 12 only)
David Criddle	Head of Business Intelligence, Delivery & PMO (items 8 and 11 only)
Rebecca Ledwidge	Deputy Head of Governance
Rebecca Lucas	Policy Manager (item 10 only)
Clare Paget	Senior Counsel and Associate Director, Legal
Joanne Rewcastle	Associate Director, Communications and Engagement
Ross Scales	Head of Upstream Regulation (item 10 only)
Katie Spears	Head of Governance (Secretary)

Apologies

John Cullinane	Executive Director, Fitness to Practise
Lisa Marie Williams	Executive Director, Legal and Governance

1. Welcome and apologies for absence

- 1.1 The Chair welcomed everyone to the meeting – including Serbjit Kaur and Timea Milovecz at their first Council meeting. He also noted apologies from John Cullinane, Executive Director, Fitness to Practise and Lisa Marie Williams, Executive Director, Legal and Governance. Clare Paget attended in her stead.

2. Declaration of interests

- 2.1 All Council Members and staff present declared an interest in respect of the budgetary provision for salaries and fees contained within Item 8 – the Costed Corporate Plan 2024-2026 and Budget 2024. Registrant Council Members also declared an interest in respect of the impact of any budgetary discussions on the level of the Annual Retention Fee (ARF).
- 2.2 In respect of Item 10 – Professionalism, registrant Council Members declared an interest in respect of revisions to the guidance. In respect of item 11, Change Programme – all staff present declared an interest in the Total Reward element.
- 2.3 In respect of Item 12 – the Defined Benefit Pensions Scheme, Gurvinder Soomal and Katie Spears declared an interest and withdrew from the meeting for that item.

3. Approval of Minutes of Previous Meeting

- 3.1 The full minutes of the closed meeting held on 22 September 2023 had been **approved via correspondence**.

4. Matters Arising and Rolling Actions List

- 4.1 The Council **noted** that there was one action which had been completed on 10 October 2023. The Council noted that work was underway to agree the appropriate approach in respect of data collection and analysis in respect of registrants that took their own lives whilst subject to Fitness to Practise processes.

5. Decisions Log

- 5.1 The Council **noted** that one decision had been taken by correspondence since the last Council meeting. The Council had:
- approved the appointment and remuneration of the interim Chief Executive and Registrar.

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 Finance and Performance Committee (FPC) meeting of 13 September 2023. A supplementary assurance report was also tabled in respect of the defined benefit pension scheme.
- 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 Audit and Risk Committee (ARC) meeting of 9 October 2023.
 - b. The Finance and Performance Committee (FPC) meeting of 12 October 2023.
 - c. The Remuneration and Nomination Committee (RemNom) meeting of 18 October 2023.

6.3 The Council **noted** the updates.

7. Chief Executive's Report

7.1 The Chief Executive provided an update to the Council in respect of engagement with the Department of Health and Social Care (DHSC).

7.2 The Council requested that an update paper be brought to Council in December which outlined the ongoing issues in respect of legislative reform and international registration, alongside the GDC's proposals for areas within which meaningful change could be made with minimal legislative intervention. This should include an exposition of the current position, what the organisation could do with appropriate legislative change and what implications might be on funding streams needed to support the activities proposed.

7.3 The Council **noted** the updates.

The Associate Director, Finance and the Head of Business Intelligence, Delivery and PMO joined the meeting.

8. Costed Corporate Plan 2024-2026 (CCP) and Budget 2024

8.1 The Associate Director, Finance and Head of Business Intelligence, Delivery and PMO presented the paper setting out the final iteration of the Costed Corporate Plan 2024 – 2026 (CCP), alongside the Budget for 2024, and portfolio and workforce plans, and the Accounting Officer's advice.

8.2 The Council heard that the CCP was driven by a set of EMT priorities, aligned to the delivery of the Corporate Strategy 2023 - 2025. These provided the focus for business-as-usual activities and change projects. It provided a streamlined approach. The CCP budget position indicated a requirement of £126.3m over the course of the three-year plan, which was an increase of £0.5m to the current budget envelope.

8.3 This budget position – if the current levels of Annual Retention Fee (ARF) were retained – would result in forecast free reserves at the end of 2026 being at an equivalent level to 7.1 months operating expenditure. This would be in excess of the Council's Reserves Policy, so consideration had been given as to how to reduce forecast free reserves to within the Policy levels.

8.4 Two options were presented to the Council for discussion.

a. Option A – This would reduce the ARF over the remainder of the current strategy period (2024 and 2025). This option would carry a risk of a more substantive increase to the ARF when it was formally re-visited alongside the Corporate Strategy for 2026 – 2028. It would not, however, cut across deliberations for resourcing in the next strategy period. The Dentist ARF level would be £621 (a 10% reduction of £69) and the Dental Care Professionals (DCP) ARF level would be £96 (a 15.8% reduction of £18). The FPC had endorsed this option.

b. Option B – This would reduce the ARF over the planning period (2024 to 2026). This option would carry the least risk of a substantive increase to the ARF when the Corporate Strategy was revisited for 2026 – 2028 but would cut across the Council's deliberations for the next strategy period. This would result in a Dentist ARF level of £646 (a 6.8% reduction of £44) and a DCP ARF level of £99 (a 13.2% reduction of £15).

8.5 The Chair of FPC set out that the Committee had scrutinised the most recent iteration of the plans and given feedback.

8.6 The Accounting Officer's advice was noted by the Council and included the following:

- a. There remained high levels of uncertainty in respect of the planning period, particularly in relation to expenditure risks. If identified risks crystallised, they would generate mandatory activity. Identified risk was provided for with a costed risk provision and would be met by a call on free reserves. Some costed risk provisions were early estimates and were not precise.
- b. The headcount proposed was the minimum level required to deliver the plan. If there were changes to the plan which increased workload, then more resource would be sought, or activities would need to be halted or slowed.
- c. The Accounting Officer's view was that there was a high likelihood of a need to call on free reserves. It was perfectly proper for the Council to choose to bear those risks as a call on free reserves as long as it did so consciously.
- d. The paper outlined options for the Council to reduce the level of forecast free reserves at the end of the planning period to within target levels. Both of those options were proper and prudent.

8.7 The Chair of FPC outlined that the Committee had scrutinised this work and had taken the view that the earlier iterations of it had shown an excess of caution. Discussions had continued into the week of Council, but the Committee endorsed this iteration.

On balance, the Council were in favour of Option A in respect of reducing the ARF.

8.8 The Council **agreed** that it would approve the CCP 2024 – 2026, the budget for 2024 and the ARF levels in the public session.

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

9. Communications Principles: Costed Corporate Plan and Budget

9.1 The Associate Director, Communications and Engagement presented the paper which asked the Council to discuss the communications principles in respect of its imminent decisions on the CCP, budget and Annual Retention Fee (ARF). The Council requested a document to support Members in answering any frequently asked questions in respect of the decisions taken on this topic.

9.2 The Council **discussed** and indicated approval of the approach in the paper.

The Head of Upstream Regulation and Policy Manager joined the meeting.

10. Professionalism – Update on Consultation Responses

10.1 The Policy Manager presented the paper which outlined the outcome of three consultations that formed part of the GDC's upstream agenda and focus on promoting professionalism.

10.2 In respect of both 'Reporting Matters to the GDC' and 'Insurance and Indemnity', the Council was asked to review and note the consultation outcome reports and to approve revised guidance for publication. In respect of the 'Scope of Practice' work, the Council was asked to review and approve the proposed next steps for developing the Scope of Practice guidance, which included further analysis of the consultation outcomes and bringing the matter back to the Council in early 2024.

10.3 In respect of the Scope of Practice work, the Council **noted** the consultation outcome report and **agreed** that the matter should be brought back to Council for a decision in April 2024. The Council noted that the team would conduct further engagement with

internal and external stakeholders to explore issues raised within the consultation response.

10.4 In respect of Reporting Matters to the GDC, the Council **discussed** the following:

- a. Alongside some minor drafting amendments, there was a need for greater clarity in the guidance in respect of the obligations upon registrants to declare ancillary orders, such as Criminal Behaviour Orders.
- b. There was a need to consider whether being arrested or charged for a particular category of serious offences should be notifiable to the GDC.
- c. There was a need to ensure that the engagement and communication of this work was delivered effectively to support any difference in expectations being understood and embedded.
- d. It was important to ensure that equalities impact across the Four Nations had been fully considered.

10.5 The Council **noted** the consultation outcome report and **agreed** that the guidance on Reporting Matters to the GDC should be re-circulated for approval by correspondence.

10.6 In respect of Indemnity and Insurance, the Council discussed whether it might be helpful to test the guidance was written in plain English to ensure accessibility. The Council **noted** the consultation outcome and **approved** publication of the revised guidance. This would take place in November.

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

The Head of Business Intelligence, Delivery and PMO joined the meeting.

11. Change Programme – Update

11.1 The Head of Business Intelligence, Delivery and PMO presented the paper which provided an update on the change programme.

11.2 The Council heard that several workstreams in respect of Total Reward, Workforce Development and Estates were underway. This work was taking place alongside work to deliver Cultural Change and a series of workshops had commenced. The project management of the Change Programme and Cultural Change would be administered separately, but the Council would receive linked reports as there were several interdependencies.

11.3 The Council **discussed** the following:

- a. A dashboard and heat map would be welcome to identify any areas upon which energies should be focused and to monitor progress against aims. The Council would also benefit from being sighted on the critical path and gateway points to assess whether work should pause, be re-prioritised or change.
- b. The EDI Strategy work would complement and underpin the Cultural Change piece.
- c. The non-statutory Committees were scrutinising different parts of the workstreams – aligned with their Terms of Reference. For example, the Finance and Performance Committee was considering the Estates element, and the Remuneration and Nomination Committee was receiving updates in respect of the Total Reward and Workforce Development streams. The Council noted that it would like regular updates to oversee the holistic delivery of the programmes.

11.4 The Council **noted** the update.

The Head of Business Intelligence, Delivery and PMO left the meeting.

The Associate Director, Finance and Procurement joined the meeting.

The Chief Operating Officer and Head of Governance declared an interest in the next item and left the meeting.

12. Defined Benefit Pension Scheme

- 12.1 The Associate Director, Finance presented an update on the timeline for the legacy defined benefit pension scheme progression to insurer buyout and the Council approved the proposed approach.

13. Any Other Business

- 13.1 There was no other business, and the meeting was closed at 13:06pm.