

**From the Chief Dental Officer  
Caroline Lappin**



**BY EMAIL**

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**FOR ACTION**

**Chief Executives of HSC Trusts  
Head of Dental Services Health and Social Care Board  
All General Dental Practitioners (for onward  
distribution to practice staff)  
Director of Integrated Care, Health and Social Care Board**

Dear Colleague

### **Referral of Low-level Concerns from General Dental Council for Local Resolution**

The Department of Health, the Health and Social Care Board (HSCB) and the General Dental Council (GDC), with input from the British Dental Association, have agreed to introduce a new process in Northern Ireland for the re-routing of low level concerns raised directly with the GDC by patients. These are concerns that do not involve patient safety issues, and do not meet the threshold for fitness to practice. A small number of these concerns are raised each year with the GDC.

This process will allow the GDC to refer these concerns to be handled locally, using existing processes, by the HSCB for dentists on the Dental List, or HSC Trusts if the concern relates to an employee of Hospital Dental or Community Dental Services. A similar approach is already in place in England, Wales and Scotland.

This process will ensure that low level concerns are addressed promptly with resolution sought and found in the most appropriate place. This is in line with Department of Health (NI) Guidance in Relation to the Health and Social Care Complaints Procedure (April 2019) (the HSC Complaints Procedure) and the HSCB's 'Policy for the Handling of Complaints'. If, after local processes have been followed, a GDC referral is required then that can be actioned in accordance with established arrangements.

This process is effective from 8 November 2021.

Yours sincerely



**Caroline Lappin**  
**Chief Dental Officer**

**Circulation List**

Medical Directors, HSC Trusts (for onward distribution to all Dental Service Leads)  
Professor Chris Irwin, Head of School, School of Dentistry, QUB  
Louise McMahon, Assistant Director of Integrated Care, HSCB  
Michael Donaldson (for distribution to all General Dental Practitioners)  
Sharon Gallagher, Chief Executive, HSCB  
Chief Executive, RQIA  
British Dental Association

## **Referral of Low-level Concerns from General Dental Council for Local Resolution**

A new process allowing for the repatriation of low level concerns to Health and Social Care Board and HSC Trusts has been agreed by the Chief Dental Officer (CDO) in collaboration with the General Dental Council (GDC), the Health and Social Board (HSCB) and the British Dental Association (BDA).

Effective from 8 November 2021, the system will apply to complaints or concerns raised about dentists who provide or assist with the provision of health service dentistry within the Hospital Dental Services, Community Dental Services, and the General Dental Services, either in wholly health service or mixed private/health service practice, but only in relation to health service dental care.

The principles in this proposal are in line with:

- General Dental Council policies as outlined in Shifting the Balance: a better, fairer system of dental regulation;
- Health and Social Care Board Policy for the Management of Complaints
- Department of Health Guidance in relation to the Health and Social Care Complaints Procedure (April 2019)
- Health and Social Care Board Complaints in Health and Social Care: Standards and Guidelines for Resolution and Learning
- Health and Social Care Board Procedure for the Investigation and Management of Concerns about an FPS Practitioner's Performance
- General Dental Services Regulations (Northern Ireland) 1993
- The Health and Social Care (Disciplinary Procedures) Regulations (Northern Ireland) 2016

### **Caroline Lappin, Chief Dental Officer said:**

This is a positive move that brings low-level complaints back to where they are best dealt with, which is in the Dental Practice, or HSC Trust Dental Department. The Low-Level concerns Agreement will support dental practitioners, helping them to review their performance and processes to the benefit of the practice and their patients.

It's in everybody's interest to get the best possible outcome and this presents a way to quickly resolve minor issues.

### **Daniel Knight, Lead for engagement in Northern Ireland said:**

The low level concerns agreement is an excellent example of effective joint working among stakeholders in Northern Ireland and highlights our continued commitment to proportionate regulation. Local complaint resolution, wherever possible, is an important element of upstream regulation and can often lead to the best outcome for both patients and dental professionals. We would like to thank all involved in making the low level concerns agreement happen.

**Richard Graham, Chair of BDA Northern Ireland Dental Practice Committee said:**

We welcome the spirit of intent behind this agreement of putting in place a more proportionate way of dealing with low-level concerns and reducing unnecessary stress on dentists. We are pleased that the scope of this agreement will apply not only to dentists working in GDS, but also in CDS and HDS in Northern Ireland.

## BACKGROUND

### 1. What is a low level concern?

Examples of a low level concern or complaint can be defined as follows:

- Where the registrant has failed to adequately explain the charges for treatment;
- Where the primary concern is poor communication;
- Where there is evidence of inadequate complaints handling;
- Which involve low level behavioural or attitudinal concerns, that have no element of discrimination or violence, and do not concern adults or children at risk;

### 2. What types of concerns will be re-routed to Health Boards and practices?

Examples of low-level concerns previously referred directly to the GDC, include:

- Single incident – e.g. failed filling or painful treatment
- Low-level concerns over several appointments - e.g. pain on scale and polish, increased sensitivity after examination
- Attitude or “rudeness” - e.g. appearing to be abrupt with a patient, not responding to a verbal complaint immediately
- Historic complaint – e.g. received NHS treatment over 5 years ago

### 3. Who does this process apply to?

- The system will apply to complaints or concerns raised about dentists who provide or assist with the provision of health service dentistry within the Hospital Dental Services, Community Dental Services, and the General Dental Services, either in wholly health service or mixed private/health service practice, but only in relation to health service dental care.
- Note: Complaints involving dentists in training who are delivering care under General Dental Services, will require close working with Northern Ireland Medical and Dental Training Agency (NIMDTA).

### 4. New Pathway for Assessment

The GDC will retain and continue to manage those cases demonstrating harm to a member of the public or deemed to have undermined public confidence in the profession, referring on to the HSCB or HSC Trusts those cases, failing those initial tests, but still warranting further resolution.

The HSCB or HSC Trusts should handle GDC referred concerns in the same way as if the concern or complaint had been raised directly with them by a patient.

- The concern is forwarded to the dentist concerned and asked to progress the matter using the normal practice complaint process. A copy of the response is provided to the HSCB for monitoring purposes.
- Under the HSC Complaints Procedure, the HSCB may act as an ‘honest broker’ or intermediary between the complainant and practitioner to help resolve the complaint at local level. Both parties need to be agreeable to the HSCB acting in this role.

The HSCB cannot investigate the complaint, this remaining the responsibility of the practice or practitioner. The HSCB's role is to provide support and advice to both sides to help achieve a resolution.

- For complaints sent to the GDC following a perceived unsatisfactory handling of the patient's concern by the practice, the HSCB Complaints Department should contact both parties and follow its usual complaint resolution process.
- Throughout the complaints process, complainants can be assisted by the Patient and Client Council, which acts as an advocate.
- If the complainant remains dissatisfied they can approach the NI Public Services Ombudsman.