

**Minutes of the Meeting of the
General Dental Council
held at 10.00am on Friday 1 April 2022
in Open Session held in Colmore Square, Birmingham**

Council Members present:

Lord Harris	Chair
Terry Babbs	
Ilona Blue	
Donald Burden	
Anne Heal	
Angie Heilmann MBE	
Jeyanthi John	
Sheila Kumar	
Mike Lewis	
Caroline Logan	
Simon Morrow	
Laura Simons	

Executive Directors in attendance:

Ian Brack	Chief Executive and Registrar
Gurvinder Soomal	Chief Operating Officer
Stefan Czerniawski	Executive Director, Strategy
Sarah Keyes	Executive Director, Organisational Development
Lisa Marie Williams	Executive Director, Legal and Governance

Staff and Others in attendance:

Osama Ammar	Head of Public Policy (items 12)
Samantha Bache	Head of Finance and Procurement (item 9)
Lee Bird	Interim Head of Governance (throughout the meeting)
Clare Callan	Head of Case Progression (throughout the meeting)
Lucy Chatwin	Head of People Services (item 8)
Duncan Fyfe	Policy Manager (item 10)
Colin Mackenzie	Head of Nations and Engagement (item 11)
Agatha O'Donoghue	Governance Manager (throughout the meeting)
Joanne Rewcastle	Head of Communications and Engagement (throughout the meeting)
Ross Scales	Head of Upstream Regulation (item 10)
Katie Spears	Head of Governance (throughout the meeting)

Others in Attendance:

Members of the public attended as observers.

1. Welcome and apologies for absence

- 1.1 The Chair welcomed everyone to the meeting, including members of the public who had joined to observe. The Chair also welcomed Ilona Blue who was attending her first Council Meeting. The Chair noted that her appointment to the Council - for a term of four years - had been approved by the Privy Council, alongside the reappointment of Simon Morrow as a Council Member, for a further term of three years.
- 1.2 The Council noted apologies from Sir Ross Cranston, Chair of the Statutory Panellists Assurance Committee (SPC), who had provided an assurance report from the Committee, and from John Cullinane, Executive Director, Fitness to Practise. Clare Callan, Head of Case Progression, attended in his stead.
- 1.3 The Chair noted that the Council was meeting in person for the first time in two years and that this was a welcome transition. The Chair also provided a short update on his recent stakeholder engagements, noted that the Overseas Registration Examination schedule had been able to recommence, and flagged recent GDC publications.

2. Declaration of interests

- 2.1 In relation to the substantive meeting agenda, all Council Members declared an interest in the Chair, Council Member and Associates Remuneration Review (item 8) and all registrant Council Members declared an interest in the Review of Upstream Regulation (item 10).
- 2.2 The Chair of Council and the Chief Executive and Registrar declared an interest in the Chair and Chief Executive Objective Setting Process (correspondence item C1).

3. Questions Submitted by Members of the Public

- 3.1 The Council **noted** that no questions had been received.

4. Approval of Minutes of Previous Meeting

The full minutes of the public meeting and the abbreviated minutes of the closed meeting held on 2 December 2021 had been **approved via correspondence**.

5. Matters Arising and Rolling Actions List

- 5.1 The Council **agreed** that the three actions that were marked as *'suggested complete'* could be considered completed.

6. Decision Log

- 6.1 The Council **noted** that there was one decision that had been taken by correspondence since the last meeting relating to the branding and design of the Dental Professionals Hearing Service.

7. Assurance Reports from Committee Chairs**Audit and Risk Committee**

- 7.1 The Chair of the Audit and Risk Committee (ARC) updated the Council on the work of ARC since the last Council meeting. The Committee had met once, with the Council Chair in attendance as an observer, and had considered the following key business:

- a. The Annual Report and Accounts (ARA) – the Committee had scrutinised the first draft document. Difficulties had been experienced in securing pensions data from third parties but the committee had noted that an important workaround had been secured in relation to the data that would help to ensure that the timeline for laying the ARA before the parliaments would be met.
- b. The Strategic Risk Register (SRR) – the Committee had flagged the need for additional updates on actions that were due or close to their due dates and highlighted areas of further consideration for the Executive. The iteration provided to the Committee was welcomed as it was more contemporaneous.
- c. A deep-dive on the Equality, Diversity and Inclusion action plan – the Committee was not yet able to provide Council with full assurance on the progression of the delivery of the EDI Strategy and this work would return to the Committee shortly with updates.
- d. Internal and external audit reports – the Committee had noted that certain internal audit reports had been submitted late by the provider and required additional time for scrutiny and consideration before the Committee would be able to provide the relevant assurances on those topic areas. An additional meeting had been planned in for Monday 4 April 2022 for this to take place. Remediation plans were in place with the internal audit providers.

7.2 The Council was informed that the ARC had scheduled two additional single-issue meetings for 2022 to discuss the External Internal Audit Reports from Mazars and to discuss the Annual Report and Accounts.

Finance and Performance Committee

- 7.3 The Chair of the Finance and Performance Committee (FPC) updated the Council. The Committee had met once and considered the following key business:
- a. The Q4 of 2021 Organisational Performance report – the Committee was able to provide assurance that the reports offered a fair summary of delivery of the Costed Corporate Plan (CCP) and budgetary position. The Committee had reviewed the operation of the scheme to allow payment of the Annual Retention Fee by instalments and noted that take up had increased but was still lower than originally envisaged. Similarly, current default rates were lower than originally anticipated. This would be kept under review. The Committee were content with the progress of the delivery of this scheme and had moved to review the work annually.
 - b. The CCP 2022-23 and “Could do” review – in line with its delegation from Council, the Committee had undertaken a review of the ‘on hold’ projects in line with the organisation’s financial position and moved three into the ‘should do’ category: developing the criminal enforcement strategy, software for Hearings and software for the empanelment process.
 - c. The Fitness to Practise (FtP) action plan – the Committee had heard that the FtP caseload was stable and had taken assurance that large scale recruitment and induction was in progress to address the ongoing issues in this business area. The new suite of Key Performance Indicators (KPIs) was being embedded and the Committee was monitoring progress against these new measures. Given the need to fully embed new staff, rapid improvements had not been seen in performance against KPIs and the Committee would continue to monitor this area closely. The Separation of Adjudication programme of work was on track. A positive report had been received on the delivery of the Dental Complaints Service, where a 42%

increase in enquiries had been dealt with effectively. The Council noted that this increase had not resulted in a significant increase in referrals to the Fitness to Practise teams.

- d. An in-depth review on the locations, structures and working patterns of the organisation - the Committee had encouraged the Executive to revisit the Estates Strategy, given the changed working landscape brought about by the pandemic, and the Committee would continue to hear updates on the New Ways of Working pilot scheme (which had been paused when Government guidance to work from home had been reinstated but had restarted in March 2022).

Remuneration and Nomination Committee

- 7.4 The Chair of the Remuneration and Nomination Committee (RemNom) updated the Council. The Committee had met once, with the Council Chair in attendance as an observer, and considered the following key business:
 - a. An update to the Council Member appointments process, and the induction plan for the new Council Member.
 - b. The Chair of Council and Chief Executive objective setting process – this had been separated from the appraisals process this year, given the appointment of a new Chair.
 - c. Succession planning for the Chief Executive and the Executive Management Team – the Committee had asked for additional detail around the succession planning for the Executive and this would return to the Committee in due course.
 - d. Remuneration for the Chair, Council Members and Associates, and the staff remuneration framework – the Committee had scrutinised and recommended the proposals before the Council today for approval.

Statutory Panellists Assurance Committee

- 7.5 The Chair of Council noted that the Chair of the Statutory Panellists Assurance Committee (SPC) had sent his apologies, and had provided the Council with a written update on the recent work of the Committee which had focused on panellist training and performance.
- 7.6 The Council **noted** the updates.

8. Chair, Council Member and Associates Remuneration Policy

The Head of People Services joined the meeting.

- 8.1 The Executive Director, Organisational Development and Head of People Services presented the papers and noted that the RemNom had recommended their proposals to the Council. No increase in the remuneration of the Chair or Council Members was proposed and benchmarking supported that approach. In relation Associates, a similar benchmarking exercise had been undertaken and the Council was asked to agree that:
 - a. There should be no change to the standard rate of Associate daily fees.
 - b. There should be no change to cancellation terms.
 - c. Payment should continue to be made for reading and preparation time on the current model and this should be applied consistently across all groups.
 - d. There should be a consistent payment for training days adopted across all Associate groups.

- e. The fee paid to legal advisors should be reduced (from £681.40 to £600 per day) and the remuneration to FtP Panel Chairs should be increased (by an additional half day's fee of £176.50 per 'booking', to reflect additional responsibilities held in comparison to other non-Chair panellists) from 1 January 2024.

- 8.2 The Council **discussed** that this approach would result in net overall savings for the organisation and **approved** the proposed approach and asked that a light touch review be conducted in 2023, in light of the likely rises in inflation.

Action: The Head of People Services to conduct a light touch review of the remuneration of the Chair, Council Members and Associates in 2023 and bring any proposed amendments back to the Council for approval.

The Head of People Services left the meeting.

9. Organisational Performance - CCP Quarterly Performance Report: Q4 2021

The Head of Finance and Procurement joined the meeting.

- 9.1 The Head of Finance and Procurement presented the quarterly performance report, and the Council noted that the organisation's operating surplus was £3.7m higher than budgeted but that did not include the end of year adjustments for the pension schemes. Largely this cost was deferred spend and the key variances were reported in the reports. Due to the likely rises in inflation, work conducted later would cost the organisation more than originally envisaged. The Council heard that the FPC had also scrutinised the reported underspend in relation to learning and development activities and, although some of this underspend related to the method of delivery of training changing during the pandemic, the Council noted that this could impact the long-term health of the organisation if it continued. The topic was due to be subject to an in-depth review at FPC in due course.
- 9.2 Delivery against the Costed Corporate Plan was on track. In relation to establishment figures, the organisation was 20.3 FTE below budgeted levels and recruitment activities had been commended to address this. Sickness absence in 2021 had increased compared to the previous year (861 versus 495 days) and this was largely due to the Covid-19 pandemic.
- 9.3 The Council **noted** the Q4 2021 Quarterly Performance Report.

The Head of Finance and Procurement left the meeting.

10. Review of Upstream Regulation: Scope of Practice and Principles of Professionalism

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

- 10.1 The Executive Director, Strategy presented the paper which outlined the proposed approach to consulting on the principles of professionalism and the Scope of Practice.
- 10.2 The Council **discussed** the following:
- a. There was broad support for the direction of travel of the work but there was also a need to ensure that any change in approach would be carefully monitored to avoid placing any additional stress on the Fitness to Practise process which was already fragile.
 - b. The consultation exercise should be meaningful and listen carefully to views of the public and professionals impacted by it.

- c. Specifically, the team was asked to consider; the sequencing of the consultation, how the external reference group should be constituted, how best to communicate with the public with clarity and whether there was any useful benchmarking information available to the team from other regulators around the implementation process.

10.3 The Council **approved** the proposed approach to consultation, subject to a further review to be undertaken at the Chair's group, and asked the team to bring the work back to the Council once consultation feedback had been collated and fully considered.

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

11. CCP 2022-2024 Publication

The Head of Nations and Engagement joined the meeting.

11.1 The Head of Nations and Engagement presented the paper and whilst the Council noted that it would be helpful to re-iterate the key messaging around delayed spend and the appropriate timelines for publication of this work in future, it **approved** the proposed content for publication.

The Head of Nations and Engagement left the meeting.

12. Regulatory Reform Update

The Head of Policy and Research joined the meeting.

12.1 The Head of Policy and Research updated Council on the regulatory reform landscape, including:

- a. The international registration section 60 consultation had launched.
- b. The Department of Health and Social Care still appeared to intent that the General Medical Council regulatory reform legislation package would be consulted upon in 2022 but the exact dates were unclear. This would be a precursor for activities in relation to other regulators.
- c. There was a potential impact on the GDC arising from the Brexit Freedoms Bill. The Specialist List Regulations (SLRs) were retained EU legislation and this Bill would create greater powers for the amendment of EU retained legislation which would mean that there was the potential for another vehicle for change in the SLRs beyond a section 60 amendment.

12.2 The Council noted the extensive change landscape and the risk of 'planning blight'. It was assured that the team were monitoring matters closely and **noted** the update.

The Head of Public Policy left the meeting.

13. Any Other Business

13.1 The Chair noted that this was the last meeting for the Executive Director, Organisational Development and thanked her for her service in the organisation.

14. Items considered by correspondence

14.1 The Council **noted via correspondence** the:

- a. Chair and Chief Executive Objective Setting Process and Draft 2022 Objectives.
- b. Public Affairs, Policy and Media Update and Stakeholder Engagement Report.

- c. Preparing for Practice Review and
- d. Annual Report on the Use of the GDC Seal.

The meeting was closed at 11:35am.