### Purpose of paper
This paper provides the Council with our response to the PSA’s consultation on reviewing the Standards of Good Regulation and describes our developing position.

### Status
Public

### Action
For noting.

### Corporate Strategy 2016-19
Partners - Objective 2: To work with the NHS, regulators, and other stakeholders to improve the overall system of dental regulation.

### Decision Trail
The consultation document was considered by Council at its meeting in July 2017.
The draft response was circulated to members for comment before being submitted to the PSA.

### Next stage
The PSA will consider the responses and issue a further consultation with firm proposals for change in late 2017.

### Recommendations
Council is asked to:
- Note the consultation response

### Authorship of paper and further information
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### Appendices
Appendix 1: GDC response to the PSA consultation paper ‘A review of the Standards of Good Regulation’
1. Executive summary

1.1. This paper puts before Council the GDC’s response to the Professional Standards Authority (PSA) consultation paper *A Review of the Standards of Good Regulation*. The response is attached to the paper as Appendix 1.

2. Introduction and background

2.1. The PSA updated its annual review process for assessing the performance of the health and social care regulators in 2016. As part of the discussions and consultation around that exercise, a number of stakeholders suggested that the Standards of Good Regulation against which the assessment takes place (‘the Standards’) should also be updated. The recent consultation is part of that process.

2.2. The consultation developed from analysis of responses to an initial call for ideas and the outcomes of discussions with a range of stakeholders. After considering the responses to the recent document, the PSA will issue a further consultation setting out the revised Standards towards the end 2017 with a view to finalising the new Standards during 2018, for implementation in the 2019 Annual Reviews.

3. The GDC’s response

3.1. The PSA Standards are one driver of the behaviour of the regulators and we have therefore taken the opportunity at all points of this review to urge the PSA to develop Standards which consider outcomes and foster the shift of regulatory focus from punitive to supportive ways of working. In brief summary, the overview (paragraphs 1-10) supports the need for the Standards to be reviewed, encourages the PSA to focus on the outcomes of regulation (rather than the outputs – while acknowledging that in some places a measurable output such as register accuracy is appropriate), urges it to be clearer in setting the Standards about what ‘good’ looks like and makes reference to our own efforts to move the focus of regulation as set out in *Shifting the balance*.

3.2. We have supported the idea that the Standards should continue to focus on the four key areas of Standards and guidance, Education and training, Registration and Fitness to Practise although we believe that this could be achieved via principles-based Standards (for example, focus on public protection, engagement with stakeholders, openness and fairness) as an alternative to function-based ones. Our responses on the four key areas and the possible further development of Standards in relation to illegal practice and continuing fitness to practise can be found at paragraphs 11-34.

3.3. In relation to new Standards, we have cautioned against introducing further requirements which only stipulate that a process should be in place and suggested that they should focus on the desired outcomes instead. We have not supported suggestions that new Standards should be introduced in relation to equality, diversity and fairness and information governance. While we recognise that these are important areas, the regulators are already subject to legal duties in relation to them and we do not believe that the introduction of a PSA Standard will improve outcomes.

3.4. The draft was circulated to the Executive Management Team and then to Council members for comment before being approved for submission by the Chief Executive and the Chair, as agreed at the July Council meeting.

4. Recommendations

4.1. The Council is asked to note the consultation response.

5. Appendices

5.1. Appendix 1: The GDC response to *A review of the Standards of Good Regulation*