

Draft

**Minutes of the Meeting of the
General Dental Council
held at 1:30pm on Thursday 4 October 2018
in Public Session
at 37 Wimpole Street, London W1G 8DQ**

Council Members present:

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| William Moyes | Chair |
| Terry Babbs | |
| Catherine Brady | |
| Anne Heal | |
| Jeyanthi John | |
| Caroline Logan | |
| Margaret Kellett | |
| Sheila Kumar | |
| Kirstie Moons | |

Executive in attendance:

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| Ian Brack | Chief Executive and Registrar |
| Matthew Hill | Executive Director, Strategy |
| Gurvinder Soomal | Executive Director, Registration and Corporate Resources |
| Lisa-Marie Williams | Principal Legal Adviser |
| Tom Scott | Executive Director, FtP Transition |

Staff in attendance:

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| Ian Jackson | Director for Scotland |
| Lisa Cunningham | Head of Communications and Engagement |
| Kairen Zonena | Senior Governance Manager |
| Charlie Russell | Governance Administrator |
| Rebecca Cooper | Head of Strategy and Research Programme |
| Kristen Bottrell | Policy and Project Officer |
| Nyree Connell | Corporate Policy Manager |
| Patrick Kavanagh | Policy Manager, QA |
| Melissa Sharp | Head of Corporate Legal Services |
| Melanie Stewart | Head of Finance and Procurement |
| Samantha Bache | Head of Finance and Procurement (incoming) |
| Phil Higgs | Head of Registration |
| Sidonie Francis | Head of Registration (incoming) |
| Tim Wright | Interim Head of PMO and Reporting |
| Alex Gooding | Business Planning and Reporting Manager |
| Sam Clements | Head of Risk Management and Internal Audit |
| Ross Scales | Head of Upstream Regulation |
| Manjula Das | Head of Education Quality Assurance |
| Javeria Mahmood | Clinical Dental Fellow |

Members of the public were in attendance.

PART ONE – PRELIMINARY ITEMS

1. Opening remarks and apologies for absence

- 1.1. The Chair welcomed everyone to the meeting.
- 1.2. There were apologies for absence from Geraldine Campbell, Crispin Passmore, Simon Morrow, and Bobby Davis.
- 1.3. Geraldine Campbell had joined the meeting earlier in the day by teleconference. i. Crispin Passmore and Simon Morrow both had overseas conferences to which they had been committed previously.

2. Declarations of interest

- 2.1. There were no declarations of interest.

3. Questions submitted by members of the public

- 3.1. No questions had been submitted by members of the public in line with the GDC's policy.

4. Approval of minutes of the previous meetings

- 4.1. Subject to the correction of a typographical error at minute 7.4 (were to was), the Council **approved** the full minutes of the Council meeting in public held on 26 July 2018.

5. Matters arising from the Open Council meeting held on 26 July 2018 and rolling actions list

- 5.1. The Council considered the status of the actions and **agreed** that those marked complete on could be closed.

6. Decisions log

- 6.1. The decision delegated to the Chair to approve the GDC's response to the PSA's consultation on revised regulatory standards had been taken on 7 September, as agreed by the July Council, and was noted.

John Cullinane joined the meeting.

PART TWO – ITEMS FOR DECISION AND DISCUSSION

7. PSA report on the NMC

- 7.1. John Cullinane briefly outlined the paper which, further to the paper considered at the July Council, examined the GDC's approach and processes in the light of the PSA's recommendations.,. The NMC had discussed the matter at its own council meeting in the summer, and John Cullinane would check any publicly available papers and minutes for insights and reflections that might prompt further thinking.
- 7.2. A question was asked about the importance of record-keeping (for example file notes of telephone calls). A Council Member had sat on an FtP Panel case where a missing piece of evidence had proved crucial in the Panels' ability to decide the case.
- 7.3. Council Members were advised that all phone calls to CAIT (Customer Advice and Information Team) were all recorded and sampled for quality control purposes. File notes were added to the case in Sharepoint, and John Cullinane could both overhear calls and see

evidence of notes being uploaded as he had access to the caseload. It was possible to see whether cases were complete or not, and follow-up action taken if there were gaps.

7.4. In response to a question about whether the informant's views were shared with the registrant, and vice versa, John Cullinane confirmed that in the main they were, at least in part. But as stated at Appendix 7.2, page 10, the informant does not always have a chance to comment on the registrant's response. Case examiner oversight was seen to be the safeguard to ensuring that the GDC had communicated properly with the informant and family.

7.5. It was noted that a further follow-up report would be made to Council in March 2019.

Action: Kairen Zonena to add a further paper on the response to the PSA's report on the NMC to the Council Workplan for March 2019.

7.6. The Council **noted** the paper.

John Cullinane left the meeting.

Rebecca Cooper, Melissa Sharp, Patrick Kavanagh, Nyree Connell, and Kristen Bottrell joined the meeting.

8. Fee Policy Consultation Responses – GDC response and report

8.1. Matthew Hill said that some further issues would be explored and the draft response finalised.

8.2. The Council **agreed:**

(a) the draft fee policy framework consultation response; and

(b) the fee policy.

Tim Wright joined the meeting.

9. Balanced Scorecard

9.1. Tim Wright presented the paper, and highlighted areas of development work or changed measures in performance monitoring since the last quarter. He added that registration active processing times continued to be within target, and that even though Q2 represented the seasonal peak for applications, and there had been increases across the majority of application routes, performance across five of the seven had improved. Customer satisfaction and call centre performance (91% and 98% respectively) had maintained performance.

9.2. There was also maintained or improved performance in most FtP areas (IAT timeliness, hearings completed without adjournment, hearing days productivity, Case Examiner timeliness and AIT and Assessment caseloads). However, four FtP targets continued to be 40% or more below target, namely targets for timeliness for full case, investigation, assessment and Case Examiner.

9.3. There was a rise in the number of serious data security breaches. Work was planned to review the terminology of serious and non-serious for data breaches to reflect the GDC's position that all breaches should be taken seriously. Natural turnover remained high at 8.1%.

9.4. A Council Member asked whether in relation to 2.1, P1/FtP/009 (Prosecution Timeliness: Referral to Hearing) any other indicators were likely to drop down as a result of delayed referrals to external legal services working their way through the system. Tom Scott promised to look at giving some more leading indicators.

Action: Tom Scott and Tim Wright to consider some leading performance indicators which would help track the effects of delayed legal referrals.

- 9.5. Kirstie Moons highlighted a number of KPIs where she thought more explanation was required
- 2.4, FtP/015 – Interim Orders Committee Timeliness: IAT referrals
 - 3.3, HRG/005 – Staff turnover – natural
 - 4.1, STR/007 – internal communications – understanding of the external environment

Action: Matthew Hill undertook to bring a paper to Finance and Performance Committee on communications and staff understanding of the external environment.

- 9.6. The Chair queried performance in information governance. Lisa Marie Williams acknowledged that any failure of information management or data security breach was taken very seriously. The definition of serious and non-serious breaches would be reviewed to see if it was properly weighted. Tom Scott added that compliance colleagues regularly checked for clear desks, locked screens, and information disposal. The Information Governance Group were about to review and make recommendations. Lisa Marie Williams would bring these to Council. The Chair asked whether external scrutiny would offer a worthwhile additional safeguard. All breaches were reported to the Information Commissioner's Office, together with an account of action taken. So far, they had determined that there be no further action.

Action: Lisa Marie Williams to report to the December Council with the results of Information Governance Group's review of information and data security

- 9.7. The Council **noted** the paper.

Melanie Stewart and Samantha Bache and Sidonie Francis joined the meeting.

10. Financial Report

- 10.1. Melanie Stewart introduced the paper, drawing attention to the surplus which was £2.4M higher than budgeted. This had been brought about by a number of factors, an increased in dentists registering, improved performance in the hearings team, and lower legal fees as a number of cases were coming through the system resulting in delayed referrals for external legal services until next year. In addition, recruitment costs and research costs were both down, although it was anticipated both should be fully spent by year end.
- 10.2. The Council **noted** the report.

11. Draft 2019 Budget

- 11.1. Melanie Stewart reported that there was now a forecast surplus of £4.4M, up from the £3.3M originally estimated. General reserves at the year-end would be £23.7M, which equated to 6.6 months of operational spend. The policy did allow some scope for flexibility. In this case, there were significant risks, and should they materialise it would be necessary to call on reserves. The Finance and Performance Committee had spent time on examining financial forecasting, to satisfy itself about the way in which the budget figures were derived.
- 11.2. Terry Babbs, Chair of the Finance and Performance Committee, confirmed that the Committee had scrutinised both the budget process and underlying principles and assumptions. They were satisfied that the budget reflected the Council's priorities and was based on sound principles. It was more transparent with a reduced reliance on contingencies and a thorough examination of the processes for drawing down reserves. The process had been improved since the previous year and he and the Committee were happy to recommend the budget.
- 11.3. Gurvinder Soomal emphasised that it was the first time in five years that no caution rating had been applied to any aspect of the budget, but reminded Council that if any of the risks

outlined at paragraph 7 of the paper materialised, reserves would be drawn down as, in the light of previous experience, no contingent provision had been made for this risk.

- 11.4. The Chair commented that as previously agreed, reserves were preferable to contingencies, and more transparent. He added that staff had been asked to look at a higher contribution to the pension fund, which would be one of the options modelled in a paper to the December Council.
- 11.5. In answer to a question Margaret Kellet was advised that research into leavers' reasons for going was carried out.
- 11.6. The Council **approved the 2019 budget with an operating expenditure of £43M** .

Melanie Stewart and Samantha Bache and Sidonie Francis left the meeting.

12. Council Member Appointments to Committees

- 12.1. The Chair suggested that the newly appointed Council Member Simon Morrow had the skills and experience to fill the vacancies on the Audit and Risk Committee and the Policy and Research Board left by Lawrence Mudford. The Chairs of both committees were content. In relation to the remaining current vacancy on PRB caused by Sheila Kumar stepping down, it was agreed that given the size of PRB, that not be filled at present. The size and remit of committees would be reviewed at the end of 2019.
- 12.2. The Council **agreed** to appoint Simon Morrow to the Audit and Risk Committee and the Policy and Research Board until 31 December 2019, when the remit and membership of all committees would be subject to a more fundamental review.

Action: The memberships, distribution lists and contact details of the relevant committees to be updated (Kairen Zonena).

Lisa Bainbridge joined the meeting.

13. Scotland Council meeting – next steps

- 13.1. This paper included information additional to the initial evaluation considered by the July Council, and costs, and set out next steps. In relation to costs, Council Members agreed that all meetings had costs, and the benefits were considerable in terms of presence and engagement, especially for a national organisation.
- 13.2. There was unanimous praise for the visits to clinics and educational establishments.
- 13.3. Stakeholders who had participated in the Scotland Council meeting had been contacted for feedback, and would be sent a summary of what had been taken from the event, and what action was being taken as a result of it, together with further opportunity for engagement. This included the Shifting the Balance Leadership Network. Matthew Hill and Tom Scott would meet the BDA in Scotland later in the year.
- 13.4. It was noted that future stakeholder engagement included smaller, shorter trips, envisaging the involvement of small numbers of Council Members.
- 13.5. It was agreed that there should be more time for the public forum at the next meeting.
- 13.6. The Council **approved** the plans for future engagement events in 2019/20 at section 6 of the paper.

Lisa Bainbridge left the meeting.

14. Horizon Scan

- 14.1. Council **noted** the paper.

15. Use of the Seal – Annual Report

15.1. The annual report was **noted**.

16. Reports of the Council's Committees

Audit and Risk Committee (ARC)

16.1. The Council **noted** the report.

Remuneration Committee

16.2. The Council **noted** the report.

Finance and Performance Committee (FPC)

16.3. The Council **noted** the report.

Policy and Research Board (PRB)

16.4. Kirstie Moons updated the Council.

16.5. The Council **noted** the verbal report.

CONCLUSION OF BUSINESS

17. Any other business

17.1. There was no other business.

18. Review of the meeting

18.1. Council members agreed that the meeting had been well placed and the right issues had been considered.

19. Close of the meeting

19.1. There being no further business, the public meeting ended at 2.50pm.

Date of next meeting: 13 December 2018

Name of Chair:

William Moyes