

**Minutes of the Meeting of the
General Dental Council
held at 12:40pm on Thursday 15 March 2018
in Public Session
at 37 Wimpole Street, London W1G 8DQ**

Council Members present:

William Moyes	Chair
Terry Babbs	
Geraldine Campbell	
Anne Heal	
Jeyanthi John	
Margaret Kellett	
Sheila Kumar	
Kirstie Moons	
Lawrence Mudford	
Crispin Passmore	

Executive in attendance:

Ian Brack	Chief Executive and Registrar
Bobby Davis	Executive Director, Organisational Development
Matthew Hill	Executive Director, Strategy
Tom Scott	Executive Director, Fitness to Practise (FtP) Transition
Gurvinder Soomal	Executive Director, Registration and Corporate Resources
Lisa-Marie Roca	Principal Legal Adviser

Staff in attendance:

Clare Mitchell	Head of Governance
Kairen Zonena	Senior Governance Manager
Ian Jackson	Director for Scotland
Melanie Stewart	Head of Finance and Procurement (item 7)
Michael Huntley	Head of Performance Management Office and Reporting (items 8-9)
Hazel Adams	Head of Dental Complaints Service (item 10)
Michelle Williams	Dental Complaints Service Manager (item 10)
Luke Whiting	Information Governance Manager (item 11)
Rebecca Cooper	Head of Strategy and Research (item 14)
Patrick Kavanagh	Policy Manager (item 14)

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 Catherine Brady and Caroline Logan.

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. The draft minutes were considered, and it was noted that the name of Ian Jackson, Director for Scotland, had been omitted from the public minutes in error. Subject to that amendment, the minutes were accepted as a true and accurate record of the discussions that took place at the Council meeting in public held on 1 February 2018.

4.2. Subject to the inclusion of Ian Jackson's name on the list of staff present, the Council **approved** the full minutes of the Council meeting in public held on 1 February 2018.

5. Matters arising from the Open Council meeting held on 1 February 2018 and rolling actions list

5.1. The Council **noted** progress made against actions arising from previous meetings.

5.2. The Council considered the status of the actions and agreed that those marked complete on the public list could be closed.

6. Decisions log

6.1. The Council **noted** the decisions that had been taken by Committees under delegated powers.

6.2. The Council **noted** the matter which had been decided by Chair's action since the Council meeting on 1 February 2018, being the GDC's letter to Health Education England in relation to its *Advancing Dental Health Care Review*.

Melanie Stewart joined the meeting.

PART TWO – ITEMS FOR DECISION AND DISCUSSION

7. Quarter 4 Finance Review

7.1. Melanie Stewart introduced the paper.

7.2. She reported that full re-payment by HMRC of an adjustment to tax and social security costs had still not taken place. This matter had been outstanding for over two years, and the GDC would now be raising a formal complaint.

7.3. The external auditors would make a decision as to whether this debtor could be carried over in the 2017 accounts.

7.4. The Council **noted** the report.

Melanie Stewart left, and Michael Huntley joined the meeting.

8. Quarter 4 2017 Balanced Scorecard

8.1. Michael Huntley introduced the paper.

- 8.2. In relation to registration processing time it was noted that there were expected to be peaks and troughs within the performance indicator, according to known peak times of registration, but that the KPI showed performance over the whole period.
- 8.3. Geraldine Campbell commented on the registration audit pass rate of 89% (annex B, 1.7), and queried whether this meant that 11% of those registered should not be there. Gurvinder Soomal explained that the audit pass related to the three checks that happened *before* the register was made live. In addition, the results of the audit were fed back to individual staff for development purposes.
- 8.4. Turning to FtP performance, Kirstie Moons asked whether delays in Interim Orders Committee cases (annex B, 2.4, IOC Timeliness, where all KPIs were red) resulted in an increased risk to patients. Ian Brack was of the view that IO cases were inherently risky and delays in addressing them lengthened exposure to those risks. Tom Scott replied that the Directorate was focusing on this KPI. As of the beginning of March, each new case was reviewed on receipt by a selected team to expedite any issues that required immediate progression. Lisa-Marie Roca added that there were also two members of the legal team dedicated to Interim Orders cases.
- 8.5. In relation to the Chair's query about timeliness of casework generally, Tom Scott said that he and the Directorate were working to improve performance by identifying every element of potential delay at each stage, in order to avoid, eliminate or reduce it.
- 8.6. Ian Brack added that the performance figures before the Council related to Quarter 4 2017, and that the changes introduced since Tom Scott's arrival were starting to produce results. Improvements in FtP performance would also affect the GDC's financial position as an increased throughput of cases would increase FtP expenditure which was one of the main drivers of cost.
- 8.7. Terry Babbs highlighted the 25% figure for lost and wasted hearing days (annex B, 2.1, P1/FTP/013) and asked what plans were in place to tackle this. Tom Scott replied that figures for January and February had been 9% and 5% respectively, both historic lows. This had been brought about by changing processes in ILPS and ELPS, and listing cases in gaps.
- 8.8. In response to Crispin Passmore's question about whether timeliness was at its worst or would worsen further, Tom Scott expressed the view that the KPI would move from red to amber in two quarters (ie by the end of June), and from amber to green a further two quarters after that (by year end).
- 8.9. On HR performance indicators (annex B, 3.2 and 3.3) Sheila Kumar asked whether the figures were showing links between staff failing probation and turnover, and if that was the case she asked if it could be made clearer. Bobby Davis said she would check the overlap between the two KPIs and inform Council members. She agreed that the KPIs were not as helpful or informative as they should be, explaining that she intended to re-build them. Meanwhile, she would provide further information on any links between recruitment, probation and turnover.
- Action: Bobby Davis to provide further information to Council members about any links between the recruitment, probation and staff turnover KPIs by 17 May 2018**
- 8.10. Lawrence Mudford asked whether the KPIs at annex B, 4.2 QA of Education Providers relating to achievement of the Standards for Providers and the proportions of inspections that required a re-inspection, revealed any trends or differences between the different registrant groups. Matthew Hill indicated that he did not have this information to hand but would provide an update to Council members in writing.
- Action: Matthew Hill to provide an update to Council members as to whether there were any trends or differences in the performance of Education Providers relating to the different registrant groups by 17 May 2018**
- 8.11. Margaret Kellett commented that the KPIs relating to the quality assurance of education providers did not provide data on the GDC's performance in terms of the quality assurance

process. Matthew Hill explained that this was deliberate and agreed to provide some background to the development of the current KPIs.

Action: Matthew Hill to provide background to the development of the current KPIs on the quality assurance process to Margaret Kellett by 17 May 2018

- 8.12. At annex B, 3.5 Facilities, Margaret Kellett asked about the high number of issues with external contractor performance. Bobby Davis reassured her these were mainly minor items, but she was aware that previously such contracts have not routinely included SLAs or performance indicators, as they should have. This would be remedied during 2018.
- 8.13. The Council **noted** the report.

9. Business Plan Status Report Quarter 4

- 9.1. Michael Huntley introduced the paper, which set out the year-end business plan status report (including an executive summary at section 3 and analysis at section 4), an interim update of the 2018 business plan and, at section 6, details of the revised business plan status report which should see a more focussed report and a more streamlined production cycle.
- 9.2. In quarter 4, two of the three red-rated projects (BP10/FTP/DCS Review and OP94/FTP/Phase 2 Additional Support for Registrants) had been delays in delivering CRM change requests. There were five amber-rated projects. This was due to lack of capacity, staff vacancies, competing priorities, or over-ambitious initial scope. A number of projects had been placed on hold during 2017 to allow for more planning and scoping to be carried out.
- 9.3. In relation to paragraph 4.2 and the 14% of projects paused as either being no longer a priority or there being insufficient resource to deliver them, Margaret Kellett asked what the split between those two categories was.
- 9.4. The Chair referred to Ian Brack's update to the closed meeting earlier and in particular pressure on the organisation, and its relevance to the status of a number of the projects. Some projects had been referred for re-assessment and re-scoping of projects, and in some cases this had led to re-prioritisation.
- 9.5. Matthew Hill agreed that in relation to BP10/STR/Improving Engagement (STB/02) it had become clear that the original project was over-ambitious in its original form and had now been re-scoped and could move forward.
- 9.6. Kirstie Moons expressed concern about the two red-rated projects in Fitness to Practise (Dental Complaints Service (DCS) Review and Additional Support for Registrants), and especially the referral criteria for DCS. Tom Scott confirmed that revised guidance for FtP referrals from DCS had been implemented from 1 March, and would be reviewed. Referral for patients covered by medical insurance had been implemented that week. On Additional Support for Registrants, implementation of the revised process had been delayed due to missing the CRM 'change window' but was being supported manually for now. He expected this to be rated green by the end of March. He undertook to report further on the DCS to FtP referral rate.

Action: Tom Scott to report further on the DCS to FtP referral rate to Council members by 17 May 2018.

- 9.7. In response to a question about two projects shown as on hold or not yet scheduled to start - BP12/OD (People and Talent Management Strategy) and BP13/OD (Workforce Planning Strategy) – Bobby Davis confirmed that the position was as expected for both of them.
- 9.8. Lawrence Mudford asked for further details of the Strategy projects (annex B, slide 19), and how much was completed and embedded. Where the performance summary mentioned work to be done 'in 2018' he asked if more specific dates could be given.
- 9.9. Matthew Hill replied that senior staff absence (in a small team) had delayed progress, but that a way forward had now been found and BP2 (Embedding the Standards) and BP10 (Improving Engagement) would soon start to shift. In relation to greater precision about when

in 2018 work would be done, he expected to have a better idea of timelines after the meeting of the Policy and Research Board on 18 April.

- 9.10. Anne Heal asked about the GDPR project, which was rated amber. Lisa-Marie Roca advised that a project manager was now recruited, and approval had been given to two further posts (Records Manager and Deputy Information Governance Manager), all of which would help get the project on track.
- 9.11. Kirstie Moons commented on the style and format of the Business Plan report, which she found very informative, and clear. Gurvinder Soomal said the next report, which would provide an update on the 2018 Business Plan, would be generated by the new software, and milestones would be provided.
- 9.12. The Chair again commented on the fact that the Council were looking at information that was already out of date, and noted that Gurvinder had been asked to consider how to reduce the lag.
- 9.13. The Council:
 - **noted** the end of 2017 business plan status report and benefits tracker, and
 - **noted** the interim 2018 business plan update.

Michael Huntley left and Hazel Adams and Michelle Williams joined the meeting.

10. Dental Complaints Service Report Quarter 4

- 10.1. Hazel Adams introduced the paper, and summarised the key points, including the worsening performance during December, especially for time taken to process stage 2 and 3 complaints. Since the team was small, a single long-term absence through sickness had had a disproportionate effect on performance. In addition, the team had taken on new members of staff, and while this would eventually improve performance, time was needed to provide support, and for them to become effective. Two of the oldest complaint cases were scheduled for Panel meetings shortly, and once concluded, this would be reflected in the performance figures.
- 10.2. Satisfaction with the service remained high.
- 10.3. The Council **noted** the paper.

Hazel Adams and Michelle Williams left, and Luke Whiting joined the meeting.

11. Information Governance Annual Report 2017

- 11.1. The Council noted the high level of compliance with the statutory response times for subject access and freedom of information requests. The information governance framework across the organisation had also improved.
- 11.2. The Council **noted** the paper.

Luke Whiting left the meeting.

12. GDC Investment Principles

- 12.1. Gurvinder Soomal introduced the paper. The investment principles now included a revised ethical investment strategy Terry Babbs noted that the FPC supported the proposals. The wording of the principles had had to comply with the requirements of the regulatory framework of the GDC's investment manager.
- 12.2. The Council **approved** the revised investment principles.

13. Reports of the Council's Committees

Audit and Risk Committee (ARC)

- 13.1. Crispin Passmore added in relation to the recruitment of a new Independent Member that shortlisting would take place the following week, and interviews on 28 March. The current independent member, Jason Davies, would also attend the next meeting in April, when the Annual Report and Accounts 2017 would be reviewed, to ensure continuity.
- 13.2. The Council **noted** the report.

Policy and Research Board (PRB)

- 13.3. Kirstie Moons commented on the interesting presentation by two Department of Health staff, Helen Miscampbell and Mark Bennett, which had led to a good discussion on contractual reforms.
- 13.4. The Council **noted** the report and the update on the Shifting the Balance programme.

Remuneration Committee (RemCo)

- 13.5. Geraldine Campbell drew attention to Council Member recruitment. In relation to the People Strategy, the Committee saw the Estates Strategy as an opportunity to embrace cultural change.
- 13.6. The Council **noted** the report.

Finance and Performance Committee (FPC)

- 13.7. Terry Babbs introduced the report. The Committee considered that savings, particularly those that came about through unfilled posts, should not necessarily be considered a 'success.' There had been discussion about outsourcing, and whether a more blended approach would be beneficial – the Committee would keep the matter under review. In relation to reserves and contingencies, they were satisfied that the current reserves policy was good enough.
- 13.8. The Council **noted** the report.

Rebecca Cooper and Patrick Kavanagh joined the meeting.

14. GDC Fee Regulations

- 14.1. Patrick Kavanagh introduced the report, which was to correct an error which had been found in the fee regulation documentation for the cost to professions complementary to dentistry for registering an additional title.
- 14.2. The fee for additional title had been set for 2009 and onwards at £12, but in 2014 when the Council was considering other fee increases an error in transcription had led to the sum of £116 for additional title being wrongly entered on the fee regulation document. Notwithstanding that error, the registration pages on the GDC website continued to refer to the correct fee for additional title as earlier agreed by Council, and at no point were registrants charged the incorrect fee or otherwise financially disadvantaged.
- 14.3. However, there was some concern that this situation could have arisen at all, and while it would be regularised by that day's decision, arrangements for making fee regulations would be altered to ensure a much more robust and secure process.
- 14.4. Council **noted** that the fee regulation for additional title for professions complementary to dentistry continue to be £12, and **agreed** that the fee regulation document be amended to this amount and correct the earlier transcription error.

15. Horizon Scan

- 15.1 The Council **noted** the Horizon Scan report.

16. Any Other Business

16.1. Matthew Hill gave a brief outline of plans for the **June meeting of the Council in Scotland**, further information about which would be circulated to Council Members very shortly.

Action: Clare Mitchell/Kairen Zonena to circulate information on the Council meeting in Scotland to members by Monday 26 March.

16.2. The Chair reported that **Nicholas Preece, Governance Manager**, would be leaving the GDC to take up a post with the Financial Conduct Authority. On behalf of the Council, he thanked Nick for his work, and wished him well for the future.

16.3. Clare Mitchell reported that **Council member recruitment** would open on Monday 19 March, and close on Friday 13 April. The vacancy was for a registrant member, who lived or worked, wholly or mainly, in Scotland. Interviews were scheduled for 4 June, and a recommendation would be made to the June Council meeting (in Scotland).

16.4. The Council **noted** the report.

CONCLUSION OF BUSINESS

17. Any other business

17.1. None.

18. Review of the meeting

18.1. Council members agreed that the meeting had gone well.

19. Close of the meeting

19.1. There being no further business, the public meeting ended at 2.10pm.

Date of next meeting: 17 May 2018

Name of Chair:

William Moyes