

**Confirmed Minutes of the Meeting of the
General Dental Council
held at 2:00pm on Thursday 25 July 2019
in Public Session
at 37 Wimpole Street, London, W1G 8DQ**

Council Members present:

William Moyes	(Chair)
Terry Babbs	(Senior Independent Member)
Anne Heal	
Caroline Logan	
Catherine Brady	
Crispin Passmore	
Geraldine Campbell	
Jeyanthi John	
Kirstie Moons	
Margaret Kellett	
Simon Morrow	

Executive Directors in attendance:

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

Staff in attendance:

Ian Jackson	Director for Scotland
Colin Mackenzie	Acting Head of Communications and Engagement
Katie Spears	Interim Head of Governance (Secretary)
Janet Adeyemi	Governance Manager
Paula Woodward Pfister	Governance Consultant

In attendance:

Steven Picken	Deloitte (Council Effectiveness)
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Members of the public.

PART ONE – PRELIMINARY ITEMS

1. Opening remarks and apologies for absence

- 1.1. The Chair welcomed everyone to the meeting and introduced new attendees.
- 1.2. Apologies were received from Sheila Kumar (Council member) and Lucy Chatwin (Head of People Services and standing in for Executive Director, Organisational Development).

2. Declarations of interest

- 2.1. All Council Members declared an interest in relation to item 9, the Council Code of Conduct.

3. Questions submitted by members of the public

- 3.1. No questions had been submitted by members of the public.

4. Approval of minutes of the previous meetings

- 4.1. The Council **approved** the full minutes from the public Council meeting held on the 30 May 2019 subject to the following amendments:

- 4.1.1. That the minutes reflect that Kirstie Moons was in attendance and that Catherine Brady was not in attendance.

5. Matters arising from the Open Council meeting held on 30 May 2019 and rolling actions list

- 5.1. The Council **noted** the actions list and **approved** the completion of actions as recommended.

6. Decisions log

- 6.1. The Council **noted** that there had been decisions taken in relation to headcount and budgetary requests.

PART TWO – ITEMS FOR DECISION AND DISCUSSION

7. Annual Customer Feedback Reports

7.1. Fitness to Practise

- 7.1.1. Executive Director, FtP Transition, Tom Scott presented the Customer Service Annual Report for 2018 in relation to Fitness to Practise ('FtP'). It was explained that there had been an upturn in response rates, although response levels were still below the ideal level. Council's attention was drawn to the feedback which broad improvements across a range of metrics in relation to their experience.

- 7.1.2. Council discussed the report and explained that there had been errors in the paper which made it difficult to engage with, for example, in relation to the way in which data had been presented. Concerns were raised that there had been no suggestion of follow up work which would address the points raised in the feedback, noting that it came from a small sample. Council questioned whether there were more effective ways of seeking feedback, although noted the costs of doing so.

- 7.1.3. Council **noted** the paper and agreed the work in this area needed to be improved.

ACTION: Executive Director, FtP Transition to prepare proposal for the next Council meeting in October as to the course proposed to take in relation to this work next year, how response rates could be improved and alternative options for seeking engagement. Consideration to be given to benchmarking against other regulators.

7.2. Registration

- 7.2.1. Executive Director, Registration & Corporate Resources, Gurvinder Soomal presented the Customer Service Annual Report for 2018 in relation to Registration. He outlined the process for seeking feedback and the timescales for doing so.

- 7.2.2. Council was informed that the average response rate for this type of survey is 10% and the team had sent out 12,172 requests for information and had had 1234 responses; slightly over the 10% rate. It was also highlighted that responses to the survey were largely positive; particularly in relation to those applying post the ORE route. Issues identified were actioned through improvement work within the Registration Directorate.
- 7.2.3. Council discussed what action would be taken where respondents 'strongly disagreed' with the questions posed and suggested different technological options for obtaining feedback.
- 7.2.4. There was also a discussion about the methods of application currently being used by applicants and the aim to utilise online applications as much as possible within the constraints of the GDC's legislation.
- 7.2.5. Council **noted** the paper.

8. CSG Terms of Reference

- 8.1. The Chair presented the paper seeking Council's approval for the continuation of the Chair's Strategy Group ('CSG') and the attendant Terms of Reference for a further six-month period from 1 August 2019 to 28 February 2020.
- 8.2. Council were informed that the CSG had most recently focused on work in relation to the further separation of the investigation and adjudication processes within FtP. John Cullinane, Head of Adjudications, had been co-ordinating this work internally and liaising with all parts of the organisation. Council should see an overview of this work at the October meeting.
- 8.3. The CSG had also been overseeing further work on the possibility of paying the Annual Retention Fee ('ARF') by instalments. The FPC had also been supporting this work. Again, it was noted that Council should see this work at the October meeting.
- 8.4. The Council **approved** the terms of reference for the Chair's Strategy Group until 28 February 2020.

9. Council Code of Conduct

- 9.1. Executive Director, Legal & Governance, Lisa Marie Williams presented the paper on the updates required to the Council Member Code of Conduct, following work carried out with the Remuneration Committee ('Remco') and conversations with Council.
- 9.2. Approval was sought for the following amendments to be made to the existing version of the document;
- 9.2.1. That Council members will not normally assume a paid position with the GDC within one year of demitting Council; and
- 9.2.2. That Council members should not be considered Associates of the GDC and should have their own Code of Conduct.
- 9.3. The work that had been undertaken in relation to Associates had made it very clear within the organisation that Council members and Associates were to be treated separately and that Council Members required their own manual which helped make this clear delineation. Work had also been done in relation to what was required of external members of Committees. It was outlined that work remained to be done as part of the Governance review but, for now, the Council was asked to make these minor amendments.
- 9.4. The Council **approved** the proposed amendments to the Council Member Code of Conduct.

10. External Member Appointment

- 10.1. The Interim Head of Governance, Katie Spears, presented the report which sought Council's approval to appoint a new External Member of the Remuneration Committee and to approve the process for that appointment.

- 10.2. It was outlined that the External Member of Remco had stepped down and it was clear from the views of the chair that having an external member was useful for the Committee. The Standing Orders require a decision from Council to make this appointment. The Governance team had begun the process of recruitment, but the post would not be appointed in time for the next Remco meeting in September.
- 10.3. It was explained that, if Council were to approve the recruitment, the team would seek to have the appointment approved at the special meeting of Council in September but if this timeline wasn't able to be met, approval was sought for the proposal that the selected candidate could attend the September Remco meeting in an unofficial capacity.
- 10.4. Council **approved** the proposal to appoint a new External Member of the Remuneration Committee and the process proposed for so doing.

PART THREE - ITEMS FOR NOTING

11. Annual Report and Accounts Update

- 11.1. The Chief Executive and Registrar provided an oral update on the publication and laying of the Annual Report and Accounts of the GDC ('ARA'). He outlined that an issue had arisen at the point that the GDC were seeking approval from the Comptroller and Auditor General ('C&AG') of the National Audit Office. The C&AG that he had taken a different approach to his staff in relation to the restatement of income affected by changes in reporting deriving from the adoption of IFRS15.
- 11.2. It was explained that the C&AG had a wider obligation to ensure transparency and clarity in all accounts in the public sector and it was entirely appropriate for him to intervene in this way, although disappointing for the GDC in terms of laying our accounts.
- 11.3. Council were informed of the plan to ensure that the ARA would be laid in the next Parliamentary session. The team had already re-cast the accounts, a form of wording had been agreed and plans were in place to take the ARA through the scrutiny process of ARC and Council. Once Council approve the ARA, sign off will be sought from the external auditors and the NAO.
- 11.4. The Chief Executive would be writing to the relevant permanent secretaries to outline that the delay in publication was unavoidable and not within the gift of the GDC.
- 11.5. The Council **noted** this update.

12. Annual Reports of the Council's Committees

Audit and Risk Committee (ARC)

- 12.1. The Chair of ARC, Crispin Passmore, gave an oral overview report of the work of ARC since the last Council meeting in May 2019. He noted that the main focus of ARC had been to work to clarify risk appetite and how the organisation reports in different areas. They had taken a particular look at risks that were within the current measure of risk appetite and would give assurance to Council on the process and scrutiny of risks, particularly in relation to FtP.
- 12.2. The Council **noted** this update.

Remuneration Committee (Remco)

- 12.3. The Chair of Remco, Geraldine Campbell, gave an oral overview report of the work of Remco since the last Council meeting in May 2019. She outlined that the EDI Audit report had been circulated to Council and it was likely that this oversight work would remain with Remco, rather than splitting it across Remco and ARC. An EDI Steering Group, led by Alex

Bishop in Organisational Development, had been set up and it would be feeding into the SLT at a workshop in September.

- 12.4. The Committee had seen good papers on workforce planning and was pleased to see a robust look at People within the organisation, with more work to follow in the next six months. There was further work to be done in relation to Associates and a new member of staff had been appointed to lead this work. The work on the pay review was due to be completed in the Autumn.
- 12.5. The Council **noted** this update.

Finance and Performance Committee (FPC)

12.6. The Chair of FPC, Terry Babbs, gave an oral overview report of the work of FPC since the last Council meeting in May 2019. The key issues that were dealt with at FPC at their meeting held the preceding week were as follows:

12.6.1. **The Costed Corporate Plan 2020-2022** – this work is about to be published and FPC received the first version of it, alongside the budget proposals, at that meeting. There was still some finalising work to be done. The FPC would receive the second iteration of this work at a special meeting on 21 August 2019. The last iteration would go to SLT and then FPC on 10 September 2019. This process ought to put the Committee in a position to agree a recommendation for Council at the October meeting. The communications plan would need to be given careful consideration and this timescale would enable Council to approve the Annual Retention Fee appropriately.

12.6.2. **Fees policy work** – this work was currently due to come to FPC on 10 September 2019. This timescale would need to be borne in mind when fixing the special Council meeting for September and would enable FPC to give a firm view to Council in October on this work. The communications plan in relation to both areas should be within the papers that go to FPC on 10 September and then this plan can be shaped before Council in October 2019.

12.7. The Council **noted** this update.

Policy and Research Board (PRB)

12.8. Kirstie Moons, Chair of PRB, gave an oral overview report of the work of PRB that had taken place since the last Council meeting in May 2019. At their June meeting, the Committee had had a robust discussion on the publication on Preparedness to Practise research. A blog had been circulated which the Committee felt was a better way of presenting this material. The PRB had asked the team to take away work looking into the publication protocol.

12.9. The preceding week there had been two co-production workshops; one on the Scope of Practice, which was well attended, and another on Patients and Public on the outcomes of surveys, where they explored views. The PRB was developing other ways of working beyond formal committee meetings.

12.10. The Council **noted** this update.

13. Horizon Scanning Report

- 13.1. Executive Director, Strategy, Matthew Hill presented the report and the Council discussed with interest the recent DHSC publication, the 'National Plan to phase down the use of dental amalgam in England' and the issues that it touched upon in relation to the use of dental practitioners to provide wider services.
- 13.2. The Council **noted** this update.

PART FOUR - CONCLUSION OF BUSINESS

14. Any other Business

- 14.1. The only other item of business mentioned was a request for Governance to take care around the provision of correct papers to Council members. The Chair noted that he was taking a close interest in the progress of work within the Governance team and was confident of improvements.

15. Review of the meeting

- 15.1. Council members agreed that the agenda had been slightly light for this meeting but that there was much to be accomplished in the Autumn sessions.
- 15.2. As this was his last Council meeting, the Chair thanked Matthew Hill, Executive Director, Strategy, for his service at the GDC, noted that he had served the organisation well and wished him luck with his next professional steps.

16. Close of the meeting

- 16.1. There being no further business, the meeting ended at **3:05pm**.

Date of next meeting: 4 or 11 September 2019 (Special Council Meeting to be confirmed)

Name of Chair: William Moyes