

**Minutes of the Meeting of the
General Dental Council
held at 11:00am on Thursday 30 May 2019
in Public Session
Cardiff City Hall, CF 10 3ND**

Council Members present:

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

Executive Directors in attendance:

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

Staff in attendance:

Rachel Knight	Head of Governance (Secretary)
Ian Jackson	Director for Scotland
John Cullinane	Head of Adjudications

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. Council were looking forward to the question and answer session with members of the public at the end of the meeting.
- 1.2. Apologies were received from Catherine Brady and Anne Heal. Bobby Davis and Tom Scott, the Executive Directors for Organisation Development and Fitness to Practise Transition respectively, had sent their apologies. The Head of Adjudications, John Cullinane, would be standing in for Tom Scott.

2. Declarations of interest

- 2.1. All staff declared an in interest in relation to item 7, Estates Strategy Update.

3. Questions submitted by members of the public

3.1. There were no questions submitted by members of the public in line with the GDC's policy.

4. **Approval of minutes of the previous meetings**

4.1. Council **approved** the full minutes of the Council meeting held on 28 March 2019

5. **Matters arising from the Open Council meeting held on 28 March and rolling actions list**

5.1. There were no matters arising.

6. **Decisions log**

6.1. The Council **noted** the decisions taken in relation to the approval of the Corporate Strategy consultation document as delegated by Council at the meeting on 28 March 2019.

PART TWO – ITEMS FOR DECISION AND DISCUSSION

7. **Estates Strategy Programme Update**

7.1 The Executive Director, Registration and Corporate Resources, updated Council on the implementation of the Estates Strategy Programme. The closure of the Baker Street offices and relocation of the operational teams to Birmingham was progressing well and in line with the agreed timetable. Strand 2 of the programme was underway. 36 staff of the proposed 100 posts in this strand had commenced employment and more would join from 3 June 2019. During the remainder of 2019 the Wimpole Street offices would undergo a refit programme to provide sufficient hearing suite facilities to close the external venue currently used and to deliver long term savings. Consequently the Board would meet more frequently in the Birmingham offices.

7.2 Council were assured that the staff were adjusting well to working across the London and Birmingham offices. Ways of working had adapted to ensure continued collaboration and communication; this included more use of video and skype facilities. One of the unintended consequences was that people were making better use of open and shared space, particularly to host short digitally led meetings.

7.3 One of the drivers behind the decision to relocate operations to Birmingham was to access a recruitment market which was outside London. Most posts, 75%, had been filled at the first attempt, with IT recruitment proving to be the most challenging given the demand for individuals with those skills.

7.4 Council **noted** the report.

8. **Annual Report and Account**

8.1 Matthew Hill, Executive Director, Strategy introduced the paper which set out the General Dental Council Annual Report and Accounts and letters of representation for the year to 31 December 2018 needed to be approved by the Council prior to being signed by the GDC Accounting Officer and the Chair of the Council.

8.2 The ARA would be submitted to the Privy Council to be laid before UK and Scottish Parliaments on 24 June 2019 (stc), after which they would be published. The Chair of the Audit and Risk Committee confirmed that they had held private sessions with the auditors without the executive in attendance at each meeting which received the accounts and had received positive feedback about the team. Thanks were noted to the team, particularly given that the transition to the Birmingham offices coincided with the accounts preparation.

- 8.3 The Council **approved** the Annual Report and Accounts 2018; and **authorised** the signing of the Annual Report and Accounts 2018 and letters of representation by the Chief Executive and Registrar and Accounting Officer and the Chair of the Council.

9. Access to Free Reserves

- 9.1 The Chief Executive presented the report to Council. He reminded Council that its previous decision to greatly reduce the contingency in the budget had been predicated on the assumption that greater access to free reserves would be necessary. The paper sought to establish a clear, transparent and robust policy to provide access to the reserves urgently between Council meetings. The normal mechanism would remain via a plenary session of Council, but the proposed mechanism would allow for delegated members to approve access when the norm was not an option.
- 9.2 Council members recognised that the proposal was a necessary procedural consequence of the decision not to budget for contingency. The process would cover additional unforeseen costs as well as pre-planned work that went over budget and required additional funds. The Chief Executive clarified that the proposal sat within the wider framework of overall financial control. If a project or other budget was exceeding budget the Executive and Council would know in advance in would have time to address overspends as part of the current process. The proposed process could only be used for overspend if an external matter had a significant unpredictable impact.
- 9.3 The proposed process was underpinned by the reserves policy. It was appropriate that the Executive should be the gatekeeper for access to the reserves and that EMT endorsed exceptional and urgent requests on a case by case basis. The proposed procedure included the requirement that any requests for funding sought outside Council would be reported to the next Council meeting, potentially in a log form, to ensure that Council retained a line of sight over the use and remaining amount of free reserves.
- 9.4 Council discussed the approval process and delegations in detail. The proposal was written with the expectation that FPC would always be consulted to provide assurance that the use of the procedure fit within policy and budget management. It was noted that the only current delegation of access to free reserves was the headcount mechanism, which required approval from the Chair of Council, Chair of FPC and at least one other committee chair as necessary. Members were content that this delegation had been effective and provided an integrated control mechanism.
- 9.5 The proposal contained the assumption that the maximum value of requests under the procedure would be £250,000. Members discussed whether the limit should be cumulative over the year or whether £250,000 should be the limit for individual requests. It was noted that £250,000 was just over 0.5% of the overall budget and was not an unreasonable total as an upper limit for each request. The proposed procedure allowed members with delegated responsibility to refer requests to Council by correspondence if appropriate, for example if there were any sensitivities associated with the request.
- 9.6 Members requested that there should be an agreement to retain a set minimum amount available in free reserves. If the request would take the reserves below that level this policy could not be used.
- 9.7 Council **approved** the procedure at Appendix 1, including the upper cost limit of £250,000 of the paper subject to authority being delegated to the Chair of Council and the Chair of FPC, with other committee Chairs as appropriate, to approve requests up to £250,000 by correspondence with the Accounting Officer.

10. Financial Review and Forecast, Q1 2019

- 10.1 The Executive Director, Registration and Corporate Resources, presented the quarterly report. The pre-audit adjustment operating surplus was £1.5 million higher than forecast. Income was £0.2m higher than budgeted due to a higher number of registrations than expected and additional income generated from bank interest and investments. Expenditure was £1.2m lower than budgeted, derived from recurring and one-off savings. These included staff vacancies and the difference between the market rate salary budgeted for newly recruited staff and the lower pay range awarded.
- 10.2 There was a typo at para 2.1 which should read “£1.5m higher than the £31.4m *surplus* budgeted”.
- 10.3 A detailed review of forecast income and expenditure for 2019 had been undertaken at the end of Q1 which had shown that the budgeted operating surplus could increase by £1m by the end of 2019. The position would be reviewed at the end of Q2. Notable variances to budget included meeting fees and expenses running under budget, including FtP panels and boards. These were expected to catch up in subsequent quarters. The savings listed under Education were attributed by the paper to the postponement of education inspections. It was noted that this description was incorrect and that the inspection programme was running as planned, but that the savings were real.

ACTION: Matthew Hill to confirm the education QA savings and description at the next meeting of Council.

- 10.4 Staff vacancies and recruitments below market rate had generated savings. Council queried whether there were market, or any other, reason for these savings. The recruitment to posts based in the Birmingham office had made appointments which encourage development and learning whilst in post. This realised the ambition in moving operations outside London, where appointments had mostly been made at market rate. The salary framework had been designed as an attraction tool and to retain quality and experience. Most operations staff had a 3 to 5-year service, so the framework had been successful in developing a resilient and robust staff group.
- 10.5 Council **noted** the report on the Q1 financial outturn and forecast.

11. Balanced Scorecard, Q1 2019

- 11.1. The Executive Director, Registration and Corporate Resources, highlighted the key successes and issues as described in the paper.
- 11.2. Council welcomed the consistent performance between quarters which was a testament to the seamless transition of operations staff from London to Birmingham. There were some KPIs which had been unchanged for some time, for example the GDC newsletter engagement and timeliness in UK DCP applications, and these were explored to provide assurance that the KPIs were stretch targets. It was noted that the GDC newsletter engagement KPI was expected to fall significantly over the remainder of 2019 following changes to the way Microsoft outlook operated. Communications was working with IT to explore alternative indicators that would provide similar feedback about whether recipients were opening the email. The DCP applications were subject to seasonal variation, which was difficult to forecast because education providers did not share the required data with the GDC. This was an ongoing problem raised by FPC and there had been a good response to previous requests for data. The provision of data needed to be considered business as usual, although given the transitory nature of the workforce it would be difficult to forecast accurately. It was recognised that training providers for DCPs were more fragmentary than dentist training providers, and that those providers did not necessarily have the data the GDC required because the providers did not require the data themselves.

- 11.3. The QA performance indicator regarding protecting patient standards had dropped by 21%. This was related to the change in approach which meant that the current KPIs needed to be revised. It was possible that as the change in process embedded that this indicator would decline further.
- 11.4. Council **noted** the report

12. Dental Complaints Service, Q1 2019

- 12.1 The Head of Adjudications introduced the report on behalf of the Executive Director, FTP transition. During Q1, 763 enquiries were received. Of these, 84% (640) were responded to within 2 days; a drop from 97% in Q4. DCS received a significant influx of enquiries during February: 123 related to a single registrant, following a social media campaign from their patients who had paid for treatment which was either not provided or not completed. The registrant currently had an interim suspension and all patients were signposted to FTP to raise their concerns. As a result of the high volume the enquiries that related to the registrant could not be processed within the 2-day KPI, however all other enquiries were completed within the timeframe. A large number of complaints about a single registrant were becoming more usual and tended to involve Facebook groups. In 2018 there had been a similar case. The GDC were getting better at handling those campaigns across the organisation.
- 12.2 Case outcomes were discussed, and members welcomed the report that 5% of complaint outcomes included an apology. Following questions from Council it was confirmed that a large proportion of complaints were resolved on first contact. The DCS advised complainants how to frame their complaint and who to direct it to. Every contact was followed up by the DCS.
- 12.3 It was not clear if treatment types logged as dentures, bridges or crowns included cases with implant supported structures. Complaints about the structures were logged separately, but if complaints about dentures were higher for those which were implant related this ought to be fed back to the profession as an area of concern.
- 12.4 The DCS review Phase 2 had been delayed. There was not a clear revised timeline or completion date.
- 12.5 The Council **noted** the report.

PART THREE - ITEMS FOR NOTING

13. Reports of the Council's Committees

Audit and Risk Committee (ARC)

- 13.1 The Council **noted** the report.

Remuneration Committee

- 13.2 The Council **noted** the report.

Finance and Performance Committee (FPC)

- 13.3 The Council **noted** the report.

Policy and Research Board (PRB)

- 13.4 The Council **noted** the report

14. Annual report on the use of the seal

14.1 Council **noted** the annual report on the use of the seal.

CONCLUSION OF BUSINESS

15. Any other business

15.1 The Executive Director, Legal and Governance, informed Council that the Board Effectiveness Review would begin in July. Following input from Council and committees the review would consider the operation of the governance structure and feedback on how support for individual Council members could be improved. An invitation to tender had been published and Council would be updated when an external provider had been appointed. The provider would attend July Council as part of their field work and would speak to all Council members individually.

16. Review of the meeting

16.1 Council members agreed that the pace of the meeting had been appropriate and had allowed good discussion.

17. Close of the meeting

17.1 There being no further business, the public meeting ended at 12.03 pm

Date of next meeting: 25 July 2019 (London)

Name of Chair:

William Moyes