

**Minutes of the Meeting of the
General Dental Council
held at 10:00 on Thursday 24 September 2020
in Closed Session held on MS Teams**

Council Members present:

William Moyes	Chair
Anne Heal	
Caroline Logan	
Catherine Brady	
Crispin Passmore	
Geraldine Campbell	
Jeyanthi John	
Kirstie Moons	
Margaret Kellett	
Sheila Kumar	
Simon Morrow	
Terry Babbs	

Executive Directors in attendance:

Ian Brack	Chief Executive and Registrar
Gurvinder Soomal	Executive Director, Registration and Corporate Resources
Sarah Keyes	Executive Director, Organisational Development
Stefan Czerniawski	Executive Director, Strategy
John Cullinane	Interim Executive Director, Fitness to Practise

Staff in attendance:

Samantha Bache	Head of Finance and Procurement (items 8-10 only)
Dave Criddle	Head of Business Intelligence, Delivery and PMO (items 8-9 only)
Colin Mackenzie	Interim Head of Communications and Engagement
Melissa Sharp	Senior Counsel and Head of In-House Legal Advisory Service (deputising for Lisa Marie Williams)
Katie Spears	Head of Governance
Rebecca Ledwidge	Secretariat Manager

Others in Attendance:

Donald Burden	Incoming Council Member (observing)
Mike Lewis	Incoming Council Member (observing)
Laura Simons	Incoming Council Member (observing)

Apologies:

Lisa Marie Williams, Executive Director, Legal and Governance

1. Welcome and apologies for absence

- 1.1 The Chair noted apologies from Lisa Marie Williams, Executive Director, Legal and Governance and welcomed Melissa Sharp, who was deputising for her.
- 1.2 The Chair also welcomed the three incoming Council Members, who were observing this meeting as part of their induction to the Council and thanked the three members of the Council due to demit office on 30 September 2020 for their service during their time on the Council.

2. Declaration of interests

- 2.1 In relation to the substantive agenda, on the CCP and Budget, Council Members declared an interest in the provision for Council Member fees and staff declared an interest in relation to the provision for staff pay and pensions.
- 2.2 In relation to items considered via correspondence, all registrant members declared an interest in the item on payment of the annual retention fee by instalments. Anne Heal, Jeyanthi John and Terry Babbs declared an interest in respect of the paper on the reappointments process. This declaration was sufficient to manage the interest appropriately as no substantive decision was being taken on the reappointments themselves. All Council Members declared an interest in relation to the items on Council Member remuneration, Council Member appraisals and on Committee Appointments.

3. Approval of Minutes of Previous Meeting

- 3.1 The Council **noted** that the full and abbreviated minutes of the closed meeting held on 30 July 2020 had been approved via correspondence.
- 3.2 The Council **noted** that the abbreviated minutes of the closed meeting held on 30 July 2020 had been approved for publication by correspondence.

4. Matters Arising and Rolling Actions List

- 4.1 The Council **noted** the actions list and agreed that all items labelled 'suggest complete' should be marked as completed. The Council was content with the progress of the other live actions save for requesting that the Head of Governance and the Chair discuss timelines for certain identified actions.

5. Decision Log

- 5.1 The Council **noted** that it had considered six papers via correspondence:
 - a. Review of the Delegations Framework – the proposals from the paper had been noted.
 - b. Payment by Instalments - Update – the paper had been noted.
 - c. Reappointments Process – the proposals in the paper had been approved.
 - d. Council Members Annual Appraisals Process – the proposals in the paper had been approved.
 - e. Council Member Remuneration – the proposals in the paper had been approved and there was to be no uplift to Council Member remuneration.
 - f. Committee Appointments – the proposals in the paper had been approved. Accordingly, Donald Burden was appointed to the Finance and Performance Committee and the Chair's Strategy Group. Mike Lewis was appointed to the Finance and Performance Committee. Laura Simons was appointed to the

Remuneration and Nomination Committee and Anne Heal was appointed to chair the Remuneration and Nomination Committee. No other changes were made to Committee membership and the terms of appointment were for two years (dependent on reappointment for those Members whose terms were due to expire before that point and a one year term for the Chair of Council and Catherine Brady, who were due to demit office in September 2021).

6. Chief Executive's Report

- 6.1 The Chief Executive provided the Council with an update on [the ongoing response of the organisation to Covid-19 and its estates, EU Exit, and a revised approach to assurance reporting. Additionally, the Council heard that the Registrar had taken a decision on 14 August to allow 'hybrid' hearings, which would be held part remotely and part in person, where appropriate. The default position remained that hearings would take place remotely, but this decision would enable either party to request that part of the hearing be held in person. Policy guidance had been developed to allow the panels to determine applications to hold hybrid hearings and this option maximised flexibility for the organisation, which was an essential aspect of its public protection role.
- 6.2 The Council **noted** the update.

7. Update from Committee Chairs

- 7.1 The Chair of the Finance and Performance Committee (FPC) updated Council on the work of the FPC since the last Council meeting. The Committee had met on three occasions. It had considered the fourth, fifth and sixth iterations of the Costed Corporate Plan (CCP) and budget and, at its substantive meeting, had scrutinised financial and performance reports and the first view of how GDC performance and productivity had been impacted by the pandemic. A further extraordinary meeting of the FPC would be convened in the following week to finalise the budget scrutiny process.
- 7.2 The Chair of the Remuneration and Nomination Committee (RemNom) updated Council on the work of RemNom since the last Council meeting. The Committee had met once and had considered the Council Member recruitment process, an update on the Associates project and had also considered Council accommodation, recommending that the Council did not renew the corporate membership to the Royal Society Medicine as, given the pandemic situation, it was difficult to be satisfied that it currently represented value for money. The Committee had also considered the EMT reward policies. Finally, the Committee had reviewed the EDI strategy – which would hereafter reside with the Council – and were heartened that this important work was due to be discussed at a Council workshop in October.
- 7.3 The Chair updated Council on the work of the Chair's Strategy Group (CSG) since the last Council meeting. The Group had discussed the Corporate Strategy, the presentational approach of the GDC, the EDI Strategy, and the economics of the dental industry.
- 7.4 The Council **noted** the updates.

The Head of Finance and Procurement and the Head of Business Intelligence, Delivery and PMO joined the meeting.

8. CCP 2021 - 2023 and Budget 2021 - Accounting Officer Advice

- 8.1 The Council heard this item out of turn to contextualise the later discussions on the CCP and budget.

- 8.2 The Chief Executive, as Accounting Officer, set out his advice to the Council.
- 8.3 The Council discussed the advice and noted that the Accounting Office (AO) advice represented the best judgement of the AO as to a prudent level of risk and safety for the organisation in the current climate. The Council noted that the FPC had carefully scrutinised the assumptions contained within the budget and CCP on behalf of the Council and the Committee had agreed with the proposed approach.
- 8.9 The Council **noted** the advice.

9. Review of the Costed Corporate Plan 2021-2023 (CCP) and Budget 2021

- 9.1 The Executive Director, Registration and Corporate Resources introduced the paper and the process that had been followed to take the various iterations of this work through the scrutiny process with the FPC. A full costed budget envelope would come back to the Council in October for a decision.
- 9.2 The Council were impressed with the quality of the work of the team and thanked them for the considerable effort it had taken to produce it.
- 9.3 The Council queried the timeline for the work and noted that the usual method of formulating the CCP had been to set the Corporate Strategy first but there remained ongoing work on the Strategy that would not be ready at the point the CCP and budget needed to be approved by the Council. The Council were assured that the preliminary review work on the Strategy did not suggest that material changes were required, and this strategy review had been closely linked to the development of various iterations of the CCP. The Council also noted that the large cost centres of the organisation (Registration and FtP activities) were not discretionary so those areas of spend were likely to remain similar, even in the event of a changed strategic approach. The Council would discuss the Corporate Strategy at its October meeting in advance of any final decisions on the CCP and budget.
- 9.4 The Council discussed the approach it wished to take around the ARF. The Council recognised the position that many registrants faced, and noted the differing levels of hardship incurred by the different registrant groups, but was cognisant that the organisation's primary statutory function was to protect the public and, in order to do so, it was required to ensure that it remained a going concern which created significant obligations around financial management.
- 9.5 The Council noted that it had previously agreed that the appropriate process for the organisation to follow in business planning was for a Costed Corporate Plan to be developed, designed to deliver strategic aims, and that the budget position arose from this plan. The ARF level was a product of this planning work and should not be a target, even in the extraordinary times that were faced by the organisation. To deliver a sustained reduction in the ARF, without following this process, would mean that the organisation would be in breach of its agreed fees policy.
- 9.6 The Council noted that a departure from the fees policy might, in fact, adversely affect the DCP groups which had been the worst affected by the pandemic.
- 9.7 The Council **agreed** that it could not currently properly support any reduction in the ARF levels of either registrant group given the current climate of financial uncertainty and the need for the organisation to remain a going concern. The Council also agreed that consistency and stability with fees was important for registrants and that fluctuations were far from ideal.
- 9.9

- 9.10 In relation to the project portfolio, the Council asked the team to revalidate the MOSCOW priorities for a final time as there did appear to be bunching of projects in early Q1 and potentially an over ambitious delivery timetable. Additionally, it was important that the changes to the overall project portfolio were assessed for any EDI impacts. It was recognised that the size of projects were not visible on the material as presented, which gave rise to concerns about the ability of some areas of the organisation to deliver what appeared to be an ambitious programme of work. The Council noted the assurance provided that the volume of projects listed did not necessarily represent their resource consumption and that a more helpful presentation would be considered to reflect this more clearly. The Council noted that the FPC had scrutinised the portfolio with care and that the delivery against the CCP would be regularly reviewed by the Committee.
- 9.11 The Council also noted that if the risk assumptions did not materialise then it was important that the organisation was able to 'switch on' projects as planned. The Council would take any final decisions on the programme of work in October.
- 9.12 The Council **noted** the significant work that had gone into the planning and budgeting process and that it expected to approve a similar iteration of the work in October.

10. Contingency Management Framework and Reserves Policy

- 10.1 The Executive Director, Registration and Corporate Resources introduced the paper with the Head of Finance and Procurement. A more flexible and modular approach had been taken in the policy to ensure that the organisation could react appropriately to the high level of uncertainty around risk in the current climate.
- 10.2 The Council heard that the organisation also needed to be prepared for unknown risks materialising and had the obligation to remain a going concern.
- 10.3 It was of great importance to ensure that the financial obligations of the organisation were communicated clearly to an external audience. The FPC would continue to challenge the Executive if it appeared that a level of reserves was accruing that was outside the framework of the policy. Controls were in place to ensure that this did not happen and project work that had been paused could be reactivated to ensure that the reserves were managed appropriately. Decisions about this would need to be taken in an agile way to ensure that the spend could be managed in year.
- 10.4 The Council noted that the fact that the organisation was regularly reviewing financial risk and the scope for bringing work back into the programme, particularly in areas where the public and professions were keen for change, could be usefully conveyed in the policy document. This should accompany communications work to ensure a better understanding of the organisation's obligations to the public to ensure that it could continue to remain a going concern and regulate effectively.
- 10.5 The Council **noted** the Contingency Management Framework and the Reserves policy and that, subject to the proposed amendments, it was content with the direction of travel for decision in October.

11. Communications Principles – CCP & Budget 2021-2023 and ARF Levels

- 11.1 The Executive Director, Strategy and Interim Head of Communications and Engagement presented the paper and outlined the communications approach around the forthcoming decisions on the CCP, Budget and ARF levels.
- 11.2 The Council emphasised that making the information available in a clear and transparent way was vital and the work should include external messaging around the reserves policy approach that was digestible.

11.3 The Council **noted** the approach proposed.

12. Any Other Business

12.1 The Council discussed the fact that the next meeting of the Council was being planned to allow access to the public and asked that the Head of Governance send an update note around the feedback received from the Council on the meetings during the pandemic.

13. Review of the Meeting

13.1 The Council discussed that the meeting had been positive, with good discussion and helpful papers and that it was facilitated well via MS Teams. The Chair again thanked Kirstie Moons, Geraldine Campbell and Margaret Kellett for their service on the Council. The next meeting would also be held via MS Teams given the updated Government guidance on gatherings.

The meeting was closed at 12:50pm.