

**Minutes of the Meeting of the
General Dental Council
held at 09:30am on Thursday 18 March 2021
in Open Session held on MS Teams**

Council Members present:

William Moyes	Chair
Terry Babbs	
Catherine Brady	
Donald Burden	
Anne Heal	
Jeyanthi John	
Sheila Kumar	
Mike Lewis	
Caroline Logan	
Simon Morrow	
Crispin Passmore	
Laura Simons	

Executive Directors in attendance:

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

Staff in attendance:

Colin Mackenzie	Interim Head of Communications and Engagement
Samantha Bache	Head of Finance and Procurement (item 9 only)
Dave Criddle	Head of Business Intelligence, Delivery and PMO (items 9, 10 and 11)
Kim McDonald	People Partner (item 11 only)
Lisa Bainbridge	Interim Head of Nations and Engagement (item 12 only)
Katie Spears	Head of Governance
Rebecca Ledwidge	Secretariat Manager
Lee Bird	Senior Governance Manager

Others in Attendance:

Sir Ross Cranston	Chair of the SPC
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Members of the public and staff attended as observers.

Apologies:

None.

1. Welcome and apologies for absence

- 1.1 The Chair welcomed everyone to the meeting and noted that there were no apologies.
- 1.2 Members of the public and staff observers in attendance were reminded of the meeting etiquette that had been circulated prior to the meeting.

2. Declaration of interests

- 2.1 In relation to the substantive agenda, all Council Members declared an interest in the Board effectiveness and Board development item.
- 2.2 In relation to items considered via correspondence, the Chair and Chief Executive declared an interest in their respective appraisal processes and objectives for 2021.

3. Questions Submitted by Members of the Public

- 3.1 The Council **noted** that no questions had been received.

4. Approval of Minutes of Previous Meeting

- 4.1 The Council **noted** that the full minutes of the public meeting held on 17 December 2020 had been approved by correspondence, and published shortly thereafter, alongside abbreviated minutes of the closed meeting held on the same date.

5. Matters Arising and Rolling Actions List

- 5.1 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.

6. Decision Log

- 6.1 The Council **noted** that it had considered eight matters via correspondence:
 - a. EDI Strategy – the strategy was approved.
 - b. EU Exit – Regulations Update and English Language Guidance – the Council approved an amended version of '*Evidence for English language competence – guidance for applicants*' and made the General Dental Council (EU Exit) (Amendment) Regulations 2021.
 - c. Annual Appraisals and Draft Objectives for the Chair and Chief Executive – the Council approved the draft objectives for the Chair of Council and for the Chief Executive.
 - d. Annual PSA Report – the Council noted this paper.
 - e. Annual Report on the Dental Complaints Service - the Council noted this paper.
 - f. Annual Report on Information Governance - the Council noted this paper.
 - g. Annual Report on the Use of the GDC Seal – the Council noted this paper.
 - h. Refunds Policy – the Council noted this paper and agreed that the policy should, in future, be approved by the EMT.

7. Assurance Reports from Committee Chairs

- 7.1 The Chair of the Audit and Risk Committee (ARC) updated the Council on the work of the ARC since the last Council meeting. The Committee had met once and had considered

strategic risks related to the pandemic and their impact on performance, people and finances. The Committee had had early sight of the proposed content and approach to the Annual Report and Accounts and had scrutinised the annual internal audit opinion, which had given substantial assurance on the control framework. The Committee had also been updated on the NMC litigation in relation to Associates and had undertaken a deep dive into strategic risks related to government action or inaction on issues relevant to the GDC.

- 7.2 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 once and had considered the organisational performance data and analysis for Quarter 4 of 2020, endorsing the proposals for a new suite of streamlined performance reporting. The Committee had also scrutinised and recommended the proposals to develop key performance indicators for Fitness to Practise and reviewed a further set of KPIs for Organisational Development. The Committee had considered the feasibility – operationally and financially – of a proposed scheme for payment of the Annual Retention Fee (ARF) by instalments. The Committee has also reviewed the dormant projects on the Costed Corporate Plan, and had reinstated seven corporate projects, including the work around the separation of the Adjudications function. The Committee had also considered the Defined Benefit Pension Scheme proposals at a single issue meeting the day before and made a recommendation to the Council.
- 7.3 The Chair of the Remuneration and Nomination Committee (RemNom) updated the Council on the work of the RemNom since the last meeting. The Committee had met once and had considered the process for objective setting for the Chair and Chief Executive and succession and contingency planning for the EMT and Chief Executive. The Committee had also, in its oversight role, been updated on the Chair and Council Member recruitment process which was ongoing.
- 7.4 The Chair of Council updated the Council on the work of the Chair's Strategy Group (CSG) since the last meeting. The Group had met once and had considered the perceptions research and communications and engagement strategy, which featured on the closed Council agenda, and had fed back to the team the need to ensure that this work was closely focused on patients.
- 7.5 The new Chair of the Statutory Panellists Assurance Committee (SPC) updated the Council on the work of the SPC since the last meeting. The Committee had met once and had been provided background information on the proposals to separate the Adjudications function and noted that this was likely to be a key focus for the Committee now that this project had been reactivated. The Committee had also seen opportunities to examine where streamlining could take place within the processes used in the Practice Committees, using learning from the wider courts and tribunals services. The Committee would also consider the appointments of panel Chairs and legal advisors, and how to improve training for panellists, over the course of the year.
- 7.6 The Council **noted** the updates.

8. Board Effectiveness and Board Development

- 8.1 The Head of Governance presented the paper outlining the high-level plans for the ongoing Board development programme and next iteration of the external review into Board effectiveness.
- 8.2 The Council **discussed** the following:

- a. On the diversity of applicants to the Council, the Council Member panel were encouraged by the strength of the DCP pool, but the Council continued to be concerned that the process, set by the PSA, actively prevented positive steps to be taken to improve the diversity of those taken through the recruitment process.
- b. The Council were supportive of an approach to develop and explore a programme of attraction and development of aspiring Board members and noted that this was likely to need to run in tandem with the creation of a type of shadow Board role that required less of a time commitment. Those candidates that had been unsuccessful in Council recruitment rounds could be contacted to explore their appetite for some form of development scheme.
- c. The team had been in discussion with other healthcare regulators about similar schemes that were currently being run and there was merit in also discussing the types of scheme that NHS England, NHS Wales, Health Education England and the CDOs were running to inform best practice.
- d. In relation to the plans for Board development and the next external review of effectiveness, the Council was supportive of the direction of travel and noted that it would also be important to explore how a structured plan of engagement for the Council, either at individual, group or whole Board levels, with different aspects of the professions might enrich the work of the Council.

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

9. Organisational Performance – Q3 of 2020

Part A: Organisational Performance – Reporting Suite Proposals

- 9.1 The Executive Director, Registration and Corporate Resources and the Head of Business Intelligence, Delivery and PMO presented the paper and the proposed approach to streamlining the suite of reporting material presented to the Council. The Chair of the FPC noted that the Committee had scrutinised the plans and recommended the approach to the Council.
- 9.2 The Council was content with the approach, noted that it was in line with the recommendations of the Board Effectiveness review from 2019 and agreed with the aim to ensure that the Executive provided scrutiny of the operational detail of performance reporting. The FPC would then review the strategic level material and take assurance from the EMT and Accounting Officer and then the Committee would provide its assurance to the Council. Accordingly, the Council **approved** the proposed streamlined reporting approach.

Part B: CCP Quarterly Performance Report – Q4 of 2020

- 9.3 The Head of Finance and Procurement outlined the key financial performance information for the Council and the Head of Business Intelligence, Delivery and PMO presented the paper and outlined the key performance insights. The Council heard that the provisional operating surplus for the end of December 2020 was £9.2m higher than budgeted – largely due to £8m lower expenditure (as significant project work had had to be paused or delayed due to Covid-19) and £1.5m higher income from portfolio investments. These figures would be provisional until the completion of the 2020 accounts and audit process and it was probable that they would be revised downwards to take account of the expected downturn on the pension scheme valuation.

9.4 The Council noted the ongoing work to ensure that the budget position would balance across the three-year planning period and that the FPC would continue to review and reinstate project work as financial and operational capacity information became available across 2021, whilst ensuring that the organisation could maintain reserves in accordance with the agreed policy.

9.5 The Council **noted** the report.

The Head of Finance and Procurement left the meeting.

10. Fitness to Practise – Key Performance Indicators

10.1 The Executive Director, Fitness to Practise presented the paper outlining the proposed approach to development a new suite of Key Performance Indicators (KPIs) for the Fitness to Practise directorate. The Council heard that the FPC had considered and scrutinised the proposals and, whilst there was an appetite to drive this work through as quickly as possible, the Committee had been persuaded that a rigorous approach that would, by necessity, take longer was prudent to ensure a fit-for-purpose set of indicators.

10.2 The Council **discussed** the following:

- a. The current set of KPIs for Fitness to Practise had been developed in 2016 and, since that time, it had become apparent that they did not properly reflect what good performance would look like within the directorate. A new suite of KPIs would be designed to be achievable, informed by the greater level of management information and data that was available now and would be developed using a staged approach. The current suite would be run in parallel with any new indicators to ensure that useful insights could be gathered to inform the development work.
- b. There were other assurance mechanisms in place that could inform the Council's assessment and oversight of performance in this area, such as quality assurance mechanisms, audit findings and assurance from the EMT. The Council agreed that it was important to deliver this work well and, if that required slightly longer than the Council's instinctual appetite, it was an acceptable compromise.
- c. There was a question, that had been raised in FPC for some time, as to whether the function was adequately resourced. The Council heard that the long-term position was likely to be a resource picture that was similar to the current one, but that a shorter to medium term resource plan – to ensure resilience and to counter-balance the impacts of having a fairly new team that had been hit hard by the pandemic – was due to be presented to the EMT and FPC shortly.
- d. The FPC and the ARC had been in close discussions with the EMT around how to manage the strategic risks that arose out of performance in this area and the assurance mechanisms in place. The issues around performance and its measurement in this area were multi-factorial and this scrutiny would continue.

10.3 The proposed ongoing timeline for the work was that the FPC would consider its progress in September 2021, the Council would be invited to discuss the proposals at a workshop in September 2021 and final approval for a new suite of KPIs would be sought in December 2021.

10.4 The Council **approved** the proposed approach to developing a new set of KPIs in Fitness to Practise.

The People Partner joined the meeting.

11. Organisational Development – Key Performance Indicators

- 11.1 The Executive Director, Organisational Development presented the paper which outlined the proposed new suite of key performance indicators (KPIs) for the Organisational Development directorate. These measures had been scrutinised by the FPC on several occasions throughout 2020 and the proposals were endorsed by the Committee.
- 11.2 The Council heard that the period of parallel running of the existing and new KPIs had been useful to inform the development work and the team were also hopeful that the implementation of new People Systems software would allow for more meaningful data collection in the future.
- 11.3 The Council **approved** the removal of three KPIs and the addition of the four proposed new KPIs for Organisational Development.

The People Partner and the Head of Business Intelligence, Delivery and PMO left the meeting and the Interim Head of Nations and Engagement joined the meeting.

12. Public Affairs, Policy and Media Update and Stakeholder Engagement Report

- 12.1 The Interim Head of Communications and Engagement presented the two reports outlining the stakeholder engagement and public affairs updates for the organisation.
- 12.2 The Council **discussed** that these reports were useful, informative and welcome and should continue to be produced. The Council noted that there could also be utility in sharing the reports more widely within stakeholder groups.
- 12.3 The Council **noted** the updates.

The Interim Head of Nations and Engagement left the meeting.

13. Any Other Business

- 13.1 There was no other business.

14. Review of the Meeting

- 14.1 The Council noted that the papers for this meeting had been useful and that the agenda timings had worked well. The Council noted that it would be useful to continue to scrutinise carefully whether items from the closed session could be discussed in the public session and asked that consideration be given to when in person meetings or hybrid meetings could be hosted later in the year.

The meeting was closed at 11:42am