

**Minutes of the Meeting of the  
General Dental Council  
held at 10:30am on Friday 22 September 2023  
in Open Session at 37 Wimpole Street, London**

**Council Members present:**

Lord Harris	Chair
Terry Babbs	
Ilona Blue	
Donald Burden	
Anne Heal	
Angie Heilmann MBE	
Jeyanthi John	
Sheila Kumar	
Mike Lewis	
Caroline Logan	
Simon Morrow	
Laura Simons	

**Executive Directors in attendance:**

Ian Brack	Chief Executive and Registrar
Gurvinder Soomal	Chief Operating Officer
John Cullinane	Executive Director, Fitness to Practise
Stefan Czerniawski	Executive Director, Strategy
Theresa Thorp	Executive Director, Regulation

**Staff and Others in attendance:**

Samantha Bache	Associate Director, Finance (item 9 only)
Rebecca Ledwidge	Deputy Head of Governance
John Middleton	Head of People Services (items 11 and 12)
Clare Paget	Associate Director, Legal
Joanne Rewcastle	Associate Director, Communications and Engagement
Katie Spears	Head of Governance (Secretary)

**Others in Attendance:**

Sir Ross Cranston	Chair of the Statutory Panellists Assurance Committee (SPC)
Timea Milovecz	Incoming Council Member (as observer)

Members of the public attended as observers.

## Apologies

Lisa Marie Williams      Executive Director, Legal and Governance

### 1. Welcome and apologies for absence

- 1.1 The Chair welcomed everyone to the meeting, including members of the public who had joined to observe, and noted apologies from Lisa Marie Williams, Executive Director, Legal and Governance. Clare Paget attended in her stead via MS Teams. The Council agreed with the Chair's suggestion that Sir Ross Cranston should be invited to attend the closed session of the Council.

### 2. Declaration of interests

- 2.1 The following declarations of interest were received:
- a. Item 10 – Committee Appointments and Appointment of the Senior Independent Council Member (SICM). All Council Members declared an interest and Terry Babbs declared an interest and agreed to step out of the meeting for the discussion on the SICM appointment.
  - b. Item 11 – Chair and Chief Executive Objectives Setting 2023. The Chair and Chief Executive and Registrar declared an interest.
  - c. Item 12 – Council Member and Associates Remuneration. All Council Members declared an interest in this item.

### 3. Questions Submitted by Members of the Public

- 3.1 No questions had been received.

### 4. Approval of Minutes of Previous Meeting

- 4.1 The full minutes of the public meeting and the abbreviated minutes of the closed meeting held on 23 June 2023 had been **approved via correspondence**.

### 5. Matters Arising and Rolling Actions List

- 5.1 The Council **noted** that there were no live actions at present.

### 6. Decisions Log

- 6.1 The Council **noted** that two decisions had been taken by correspondence since the last Council meeting:
- a. On 15 September 2023, the Council commissioned the recruitment process to appoint a new registrant Member of the Statutory Panellists Assurance Committee (SPC) to replace Serbjit Kaur, and a new independent Member of the Remuneration and Nomination Committee (RemNom) to replace Ann Brown in 2024.
  - b. On 20 September 2023, the Council had noted the Joint Regulators Whistleblowing Report.

### 7. Assurance Reports from the Committee Chairs

- 7.1 The Council heard from the Committee Chairs in respect of the assurance taken from work conducted in Committee since the last Council meeting.

Audit and Risk Committee

- 7.2 The Chair of the Audit and Risk Committee (ARC) updated the Council that the Committee had met once since the last Council meeting, had considered the Strategic Risk Register (SRR), and approved the internal audit recommendations and plans for the remainder of 2023. The Committee had also discussed the merits of using risk tolerance versus risk appetite, given certain long-standing risks and the external uncertainties, and whether the SRR fully captured the risk horizon.

Finance and Performance Committee:

- 7.3 The Chair of the Finance and Performance Committee (FPC) updated the Council that the Committee had met twice since the last Council meeting and had discussed the Costed Corporate Plan and Budget for 2024-2026. The Committee had scrutinised and provided feedback on the plans. This had been incorporated into the iteration of the work that was before the Council at its closed meeting later that day. The Committee would meet again shortly to review the final iteration of the work. The Committee had also conducted an in-depth review in respect of the Legal and Governance directorate and had noted that there had were no issues to report.

Remuneration and Nomination Committee

- 7.4 The Chair of the Remuneration and Nomination Committee (RemNom) informed the Council that the Committee had met once since the last Council meeting. The Committee had heard an update on the Workforce Development Plan and Total Reward Project and would receive more detailed update at its next meeting. The Chair of RemNom thanked Caroline Logan and Jeyanthi John for their service on the Committee.

Statutory Panellists Assurance Committee

- 7.5 The Chair of the Statutory Panellists Assurance Committee (SPC) informed the Council that the Committee had met once since the last Council meeting. The Committee had appointed two tranches of panellists and had appointed and reappointed legal advisors. The Committee had received and considered some useful diversity monitoring information and would use this to inform future appointments exercises. The Committee had also discussed a pilot exercise in respect of legally qualified Chairs within the confines of the existing legislation.
- 7.6 The Council **noted** the assurance reports.

Sir Ross Cranston left the meeting.

## 8. Remote Hearings

- 8.1 The Chief Executive and Registrar presented the paper outlining the plans to consult on moving to a position where remote hearings for the Dental Professionals Hearings Service cases was the default position for the GDC. Guidance to this effect had been in place since 2020 but this had been developed as an interim response to the pandemic and the GDC needed to adopt a long-term policy position. The Council heard that if this approach was adopted, parties would continue to be able to make representations as to the most appropriate hearings forum for their matter. This would be decided by a Panel Chair or Committee at a preliminary meeting.
- 8.2 This was a Registrar decision, and the Registrar was keen to understand the experience of the wider public of the existing approach, whether there were any issues that had not been hitherto identified and to establish if there were any equality, diversity or inclusion implications.

8.3 The Council **discussed** the following:

- a. There was merit in including an analysis of any potential benefits of moving to this policy position in the longer term (such as, accessibility, timeliness, costs savings or increased participation). This could include any learning from other sectors that had moved to mainly holding hearings remotely and the fairness of the proceedings would be a highly important consideration in weighing the appropriate approach to take.
- b. The consultation paper would benefit from a clearer timeline for when a decision might be taken, and when the Council will be informed of the outcome of the consultation exercise.
- c. It would be helpful to build in a review of any longer-term policy position at an appropriate juncture to analyse any impacts.
- d. Separate to the review of policy, there should continue to be a cross-analysis of how any policy position in this area impacted other strategic areas, such as the Estates Strategy and the EDI Strategy.

8.4 The Council **noted** the approach.

The Associate Director, Finance joined the meeting.

## 9. Reserves Policy

9.1 The Associate Director, Finance presented the paper seeking approval for the 2024 Reserves Policy. The paper had been detached from the wider discussion of the Costed Corporate Plan and drew out key considerations, such as uncertain economic assumptions, restricted use of contingency function and an increased likelihood of the organisation needing to draw on its reserves than in previous years.

9.2 The Executive Management Team (EMT) and FPC had discussed and recommended the policy to the Council for approval. Given the financial climate, it was also planned to bring the policy back to the Council for further review in early 2024. This would be in respect of both the range of reserves and target reserves level.

9.3 The Council **approved** the proposed policy and **noted**, for the next review, that it would be prudent to consider reasonably wide benchmarking data, and that which considered the direction of travel of other organisations (i.e., whether they were moving to a more, or less, cautious approach to reserves). The Council also noted that benchmarking data was useful but not determinative. Individual organisations had individual requirements and challenges.

The Associate Director, Finance and Terry Babbs left the meeting.

## 10. Committee Appointments and Appointment of the Senior Independent Council Member

10.1 The Chair of Council proposed the appointments of Council Members to the non-statutory Committees of the Council until 30 September 2025 and proposed the appointment of Terry Babbs as the Senior Independent Council Member (SICM) until 30 September 2024.

10.2 The Council **discussed** the following:

- a. Council Members should discuss their development needs and future ambitions in their appraisals or other conversations with the Chair of Council. These discussions helped inform future decisions about Committee composition,

Committee Chairing and the SICM appointments. The Chair welcomed these discussions.

- b. The mechanisms existed to express interest in these roles and the ongoing Board development work was designed to support Council Members in identifying their strengths, areas for development and building confidence to seek new opportunities whilst on the Council.
- c. There was useful learning to be gathered from the developmental Council Member role that had been created to broaden diversity on the Council.

10.3 The Council **approved** the appointments of Council Members to the following Committees, for the period of two years (until 30 September 2025):

- a. Audit and Risk Committee: Sheila Kumar (Chair), Serbjit Kaur, Simon Morrow, Laura Simons, Elizabeth Butler (independent Member).
- b. Finance and Performance Committee: Terry Babbs (Chair), Donald Burden, Anne Heal, Ilona Blue.
- c. Remuneration and Nomination Committee: Anne Heal (Chair), Angie Heilmann, Mike Lewis, Ann Brown (independent Member).

10.4 The Council also **approved** the appointment of Terry Babbs as the Senior Independent Council Member (SICM) until 30 September 2024.

Terry Babbs rejoined the meeting, and the Head of People Services joined the meeting.

## 11. Chair and Chief Executive Objective Setting 2023

11.1 The Head of People Services presented the paper that outlined the process for setting the objectives of the Chair and Chief Executive. The process had been reviewed and approved by the RemNom. The Council was also asked to approve the objectives for the Chief Executive for the remainder of 2023.

11.2 The RemNom terms of reference delegated review and approval of the process for objective setting, not review of the objectives themselves. These were proposed through the appraisal conversations between the Chief Executive and Chair (and Chair and SICM) and approved by the Council.

11.3 It had been agreed that in future the Chief Executive would give an update on progress against his objectives at each quarterly Council meeting and that a formal review would be tabled at the Council every six months. The objectives for the Chair and Chief Executive for 2024 would be tabled at the next Council meeting, to align with the approval point for the Costed Corporate Plan and Budget.

11.4 The Council **discussed** the following:

- a. The linking of the objectives to the Costed Corporate Plan and Corporate Strategy was a sensible approach, as was the cascading of the objectives to the organisation.
- b. For the 2024 objectives, they should be timebound and measurable where possible. For example, measuring the Council's understanding of something was difficult but the re-phrasing of the objective could allow it to be more measurable. e.g., 'the Council has the necessary data to scrutinise and challenge the Executive'. Additionally, it would be useful for the objectives to be higher-level and focused on outcomes.

- c. There was potentially merit in drawing a distinction between what was the ‘business as usual’ work of the Chief Executive and Chair – for which there was an implicit expectation that would be conducted effectively – and a short list of additional activities that were planned for delivery over a particular time frame. The objectives could also more explicitly reference the organisation’s commitment to equality, diversity and inclusion.

11.5 The Council **noted** the approved process and **approved** the objectives for the Chief Executive for 2023.

## 12. Council Member and Associates Remuneration

12.1 The Head of People Services presented the paper which proposed no change to the remuneration of the Chair of Council, Council Members and the wider Associates group. The Council noted that benchmarking data from the other healthcare regulators suggested that the Chair’s allowance was marginally below average. The allowance for Council Members was above average and the rates for the wider Associates group remained appropriate. It was recommended that no changes were made to the remuneration for these groups. The RemNom had scrutinised and recommended the proposals to the Council.

12.2 The Council **discussed** the following:

- a. The Council agreed that no change should be made to the remuneration levels at this time.
- b. For the next full review of remuneration, consideration should be given to any impacts on attracting good quality candidates to these positions, wider benchmarking data across other sectors and whether there should be any changes to the additional remuneration for the Chairs of the non-statutory Committee (given their additional workload).
- c. There could also be merit in using an independent reviewer to consider remuneration levels and to attaching the remuneration levels to a measure that moved slowly over time, rather than freezing levels for a significant period of time and then raising them sharply.

12.3 The Council **approved** the recommendations that there was no change to the remuneration of the Chair of Council, Council Members or Associates.

The Head of People Services left the meeting.

## 13. Any Other Business

13.1 There was no other business. The Chair thanked outgoing Council Members, Jeyanthi John and Caroline Logan, for their service on the Council.

13.2 The meeting was closed at 11:50am.