

## Equality Impact Assessment (EIA)

### Fee-setting policy

#### Step 1 – Identify the policy

The term *policy* is interpreted broadly in equality legislation and refers to anything that describes what we do and how we expect to do it. It can range from published policies and procedures to the everyday customs and practices – sometimes unwritten – that contribute to the way our policies are implemented and how our services are delivered.

Published statements of policy are a useful starting point for equality impact assessments, as they establish the overall purpose of particular activities. Please use this form to document your assessment.

Programme title	A new framework for fee setting (this revision includes implementation of fees)
Department/team carrying out the assessment	Strategy
New or previously approved policy?	Fees Policy approved 1 Jan 2019
Date of approval / last review (if known)	N/A
Date of review	16 Sep 2019 (prior to Council approval of Corporate Strategy and Fee Implementation)

#### Step 2 – Further information

Who is responsible for the policy that is being assessed?	Gurvinder Soomal, Executive Director, Registration and Corporate Resources Rebecca Cooper, Interim Executive Director, Strategy
Describe the main aims, objectives and purpose of the programme	<u>Fees setting policy</u> To revisit and reshape GDC's approach to setting fees, to help ensure that we are regulating fairly and effectively, and that the system of regulation is sustainable for the future.

	<p><u>Fees implementation</u></p> <p>Implementation of a new registration fee structure that aligns with our fees policy and meets the funding requirements of our Corporate Costed Plan 2020-2022.</p>
<p>Are there associated objectives of the policy? If so, please explain.</p> <p><i>Examples include statutory requirements, sector initiatives, etc.</i></p>	<p>To provide clarity to registrants on our overall principles in setting fees in relation to:</p> <ul style="list-style-type: none"> <li>• How we will calculate the overall amount that needs to be raised.</li> <li>• How we will decide how much different groups and subgroups of registrants should contribute to that amount (essentially 'fee bands').</li> <li>• How we prioritise allocation of resources.</li> <li>• What we will consult on, what we do not propose to consult on, and why.</li> <li>• What we will do in exceptional circumstances.</li> </ul>
Who is expected to benefit from this policy?	Improving clarity about our framework for fee-setting will benefit all registrants
Who was consulted on this policy?	The consultation was open to the public for a period of twelve weeks, closing on the 15 May 2018.
How has the policy been explained to those who would be directly or indirectly affected by it?	<p><u>Fees setting policy:</u></p> <p>A consultation document was published on the GDC website and promoted via the registrants' newsletter. Meetings were offered with professional associations representing registrants in advance of the consultation deadline. An interview with Ian Brack about the proposals was given to Dentistry magazine.</p> <p><u>Fees implementation:</u></p> <p>A Communications and Engagement Plan is currently being prepared to deliver key messages to all target audiences (UK, EEA and overseas applicants) utilising appropriate channels of engagement over a scheduled period of time.</p>
What outcome(s) are meant to be achieved from this policy?	<ul style="list-style-type: none"> <li>• Establish a new framework setting the Annual Retention Fee (ARF)</li> <li>• Minimise burdens on registrants by seeking efficiencies wherever possible.</li> <li>• Fee levels should be primarily determined by the cost of regulating each registrant group</li> <li>• The method of calculating fee levels should be clear</li> <li>• Supporting certainty for registrants and the workability of the regulatory framework</li> </ul>

	<ul style="list-style-type: none"> <li>• Avoid cross subsidy between different groups and sub-groups of registrants.</li> <li>• Where we consider a degree of cross subsidy to be necessary, we will draw attention to it and explain the rationale.</li> <li>• Provide a clear explanation on what we consult on in the future regarding fees and what we will not consult on.</li> </ul>
What factors could contribute to the outcome(s)?	N/A
What factors could detract from the outcome(s)?	N/A

### Step 3 – Assess the impact on different groups of people

In the table below, please tick whether the policy affects particular groups of people – the Protected Characteristics – in different ways, compared to other groups.

**Positive impact:** a policy or practice where the impact on a particular group of people is more positive than for other groups, e.g., accessible website design. It can also include legally permitted positive action initiatives designed to remedy workforce imbalance, such as job interview guarantee schemes for disabled people.

**Negative impact:** a policy or practice where the impact on a particular group of people is more negative than for other groups (e.g., where the choice of venue for an engagement and involvement event precludes members with a particular disability from participating).

**Neutral impact:** a policy or practice with neither a positive nor a negative impact on any group or groups of people, compared to others.

**Please note:** The table below contains the original considerations for each characteristic at the time the original EqIA for the Fee Setting Policy was carried out and when it was reviewed post consultation in Q4 2018 (marked under the title ‘Fee Setting Policy’ within the reasons/comments box for each characteristic). It has been updated further as part of the work to implement the policy during Q3 2019. Updated considerations in relation to implementation are included within each characteristic (marked under the title ‘Fees Implementation’ within the reasons/comments box for each characteristic).

Protected Characteristic	Potentially Positive impact	Potentially Negative impact	Neutral impact	Reasons / comments
Age		✓		<u>Fee Setting Policy:</u>

				<p>A number of respondents to the consultation exercise considered that the policy approach may impact older people, who may work part-time or who are retired. There was also concern that the cost of registration was prohibitive for new graduates who are likely to be younger people. The GDC's proposed policy is based on effort expended and the cost of regulation rather than the income or other circumstances of registrants. We set out clearly in the consultation document the rationale and justification for adopting this policy approach, including the likelihood that the income-based model would potentially result in a more complex system that was more expensive to administer and would actually result in fee increases in many cases. It remains our view that the potential differential impact is justified by the legitimate aim of pursuing a clear and proportionate fee setting policy.</p> <p><u>Fees Implementation:</u></p> <p>No further impact has been identified within this update.</p>
Disability	✓			<p><u>Fee Setting Policy:</u></p> <p>We note the consultation responses that suggest the policy will have a particular impact on those registrants who have to leave and re-join the register due to ill-health or are unable to work full-time. We will consider the extent of any impact in the light of the consultation responses and any possible mitigations, including the introduction of pro-rata fees for those who restore to the register after a break from practice.</p>

				<p><u>Fees Implementation:</u></p> <p>In our response to the consultation on the fees policy, we indicated that we would consider the introduction of pro-rata registration fees for those who restore following a break from practices to address the potential negative impact arising from joining the register for only part of a year. Having carried out the analysis to support the implementation of application and assessment fees, we have confirmed that the GDC will be charging fees on a pro-rata basis for those who restore their name to the register after a break from practice (e.g. during a period of ill health)</p> <p>Previously, in the event of restoring to the register, the applicant has had to pay the equivalent of a full year ARF fee regardless of the point in the year that they joined the register. From the start of 2020, people restoring to the register will only pay the pro-rata equivalent of the number of months remaining in the ARF year that they will be restoring for. No application or assessment fees will be payable for restoration applications.</p> <p>The GDC is continuing to accommodate those with a disability or impairment that may cause challenges with online access, by providing a route to registration that circumnavigates electronic applications (which includes digital payment at the time of application) and is therefore continuing to accept forms and cheques within these exceptional circumstances.</p>
Gender Reassignment			✓	<p><u>Fee Setting Policy:</u></p>

				<p>The revised fees-policy will apply to all registrants equally, irrespective of their protected characteristics. We do not consider that there will be any differential impact on those who belong to this group.</p> <p><u>Fees Implementation:</u></p> <p>No further impact has been identified within this update. From the data available we have not identified that the policy will have a particular impact on those with protected characteristics.</p>
Marriage and Civil Partnership			✓	<p><u>Fee Setting Policy:</u></p> <p>The revised fees-policy will apply to all registrants equally, irrespective of their protected characteristics. We do not consider that there will be any differential impact on those who belong to this group.</p> <p><u>Fees Implementation:</u></p> <p>No further impact has been identified within this update. From the data available we have not identified that the policy will have a particular impact on those with protected characteristics.</p>
Pregnancy and Maternity	✓			<p><u>Fee Setting Policy:</u></p> <p>A number of respondents considered that the policy could have a differential impact on women due to pregnancy and maternity leave and because they are more likely to work part time due to care commitments. The consultation document explained the rationale for retaining a fee structure based on effort expended until and unless there was clear and unequivocal support</p>

				<p>varying the fee according to the circumstances of registrants. We will consider the extent of any impact in the light of the consultation responses and any possible mitigations, including the introduction of pro-rata fees for those who restore to the register after a break from practice.</p> <p><u>Fees Implementation:</u></p> <p>As set out above, the GDC will be introducing pro-rata registration fees for those who restore to the register after a break from practice (e.g. maternity leave) as part of the fee-setting implementation exercise and will not be charging an additional scrutiny fee for the administrative processing of restoration applications.</p>
Race		✓		<p><u>Fee Setting Policy:</u></p> <p>The revised fees-policy will apply to all registrants equally, irrespective of their protected characteristics. We do not consider that there will be any differential impact on those who belong to this group.</p> <p><u>Fees Implementation:</u></p> <p>Although the implementation of the fee charging policy has no direct impact on this characteristic, it is recognised to have an indirect impact insofar as applicants for non-UK routes to registration will by definition be of a nationality from outside the UK.</p> <p>The GDC is permitted to charge differential fees to applicants according to their route to registration in order to recover the variable cost of registering them. We are</p>

				<p>also required to comply with legal obligations in the area of barriers to entry and freedom of movement to ensure that such fees do not create a barrier to free movement within the EEA. In determining the levels for the application and assessment fees, consideration was given to how cost recovery should take place. In order to ensure that implementation of the fees policy was proportionate, it was decided that only the costs of processing applications would be recovered from applicants, and that associated overheads would be excluded from the calculation. The cost of overheads (buildings, IT, etc) have been shared across the whole register and will be funded from the ARF. This was considered to be the most proportionate approach. We consider that the differential impact is justified by the overall policy aim and is minimised by the approach to fee-setting.</p>
Religion or Belief			✓	<p><u>Fee Setting Policy:</u></p> <p>The revised fees-policy will apply to all registrants equally, irrespective of their protected characteristics. We do not consider that there will be any differential impact on those who belong to this group.</p> <p><u>Fees Implementation:</u></p> <p>No further impact has been identified within this update. From the data available we have not identified that the policy will have a particular impact on those with protected characteristics.</p>
Sex	✓	✓		<p><u>Fee Setting Policy:</u></p>



				<p>A number of respondents considered that the policy could have a differential impact on women because they are more likely to take career breaks or work part time due to care commitments. The consultation document explained the rationale for retaining a fee structure based on effort expended until and unless there was clear and unequivocal support varying the fee according to the circumstances of registrants. We will consider the extent of any impact in the light of the consultation responses and any possible mitigations, including the introduction of pro-rata fees for those who restore to the register after a break from practice.</p> <p><u>Fees Implementation:</u></p> <p>As noted above, the GDC will be introducing pro-rata fees for those who restore to the register after a break from practice (e.g. women who may be more likely to take career breaks) as part of the fee-setting exercise.</p> <p>The majority of those on the DCP register are female (76.3%). The introduction of new fees for those entering the register are therefore likely to have a differential impact, simply as a result of that fact. However, those fees are chargeable to all applicants, irrespective of gender, and as such any impact is indirect. We are satisfied that the legitimate aims of the policy, in terms of cost recovery and increasing certainty for registrants about fee levels are sufficient justification for the introduction of the new fees, despite this indirect impact.</p> <p>We have also taken steps to mitigate the inequality identified by respondents to the consultation on the policy</p>
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				by introducing pro-rata fees for those restoring to the register.
Sexual Orientation			✓	<p><u>Fee Setting Policy:</u></p> <p>The revised fees-policy will apply to all registrants equally, irrespective of their protected characteristics. We do not consider that there will be any differential impact on those who belong to this group.</p> <p><u>Fees Implementation:</u></p> <p>No further impact has been identified within this update. From the data available we have not identified that the policy will have a particular impact on those with protected characteristics.</p>

#### Step 4 – Promoting equality

Please give a brief description of how this policy promotes equality of opportunity.	The new application and assessment fees are designed to ensure that, where possible, the costs of regulation lie where they fall. The fees will be chargeable to all applicants to the register and will be variable only according to their route to registration. Following a consultation on the policy, respondents identified a potential inequality in relation to the fee chargeable for those restoring their name to the register. Under the current regulations, the fee to be paid upon restoration is the full ARF. In order to mitigate the potential negative impact of this on certain groups, particularly women and those who have taken a break from practice for health or caring reasons, we will charge the fee to restore a professional's name to the register on a pro-rata basis.
If there is no evidence that the policy promotes equality, what changes, if any, could be made to achieve this?	N/A

If there is a negative impact on any equality target groups, can this impact be legally and objectively justified?

Fee Setting Policy:

Professional regulators are expected to be independent from, and therefore not funded by, government. This means that those subject to regulation must bear the costs. The GDC's legislation provides powers to fund all our activity from fee income. Our funding is derived almost entirely from fees and we are expected to design fees and charges to secure full cost recovery. The consultation document set out the principles that we will apply when determining the fee level that we charge in any year. Fundamentally, we state that fee levels should be primarily determined by the cost of regulating each registrant group.

The system of professional regulation in dentistry will continue to be funded almost entirely from fees paid by registrants. However, we have a duty to our registrants to minimise the burden on them by seeking efficiencies wherever possible and have developed a new framework for fee setting which set out the principles we will adhere to achieve this.

We have considered the potential negative impacts identified above and remain of the view that the policy delivers the best response to legitimate aim of delivering a clear and cost-effective system of fee-setting. We have considered the arguments in favour of setting fees by reference to income and individual circumstances and the reasons for rejecting this approach are set out in the consultation documentation. We remain committed to mitigating any negative impacts where possible and will continue to consider the introduction of a pro-rata fee for those returning to the register following a break from practice.

Fees Implementation:

We remain committed to the mitigation of any negative impacts that may indirectly result from the introduction of the fees setting policy. As set out in section 3 (in particular to the protected characteristics of disability, pregnancy & maternity and sex), the main ways this will be achieved is through the introduction of pro-rata restoration fees for returning applicants.

We also recognise the impacts to the protected characteristics as set out in section 3 (in particular those relating to race and age);

In relation to race, the GDC is permitted to charge differential fees to applicants according to their route to registration in order to recover the variable cost of registering them, we have considered that the differential impact is justified by the overall policy aim and is minimised by the approach to fee-setting and have selected a fees model that charges fees at a level that will not create barriers to entry and restriction to freedom of movement.

In relation to age, although some respondents to the fees policy consultation felt there may be a potential impact to older people, those who work part-time, those who are retired and potentially newly qualified graduates who are likely to be younger people, it remains our view that the potential differential impact is justified by the legitimate aim of implementing a clear and proportionate fee setting policy. The GDC's policy is based on effort expended and the cost of regulation rather than the income or other circumstances of registrants. We set out clearly in the consultation document the rationale and justification for adopting this policy approach, including the likelihood that the income-based model would potentially result in a more complex system that was more expensive to administer and would actually result in fee increases in many cases.

How do you intend to communicate or consult in relation to the actions and proposals for improvements?	Public communication about the implementation of the fee setting policy (including improved arrangements for pro-rata restoration fees) will be communicated as part of the programme communication strategy.
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### Step 5 – Conclusions and Next Steps

The evidence has not identified any disadvantage or negative impacts.	No further action is required. Sign off this form and send to Head of OD & Inclusion.
The evidence indicates that there are no disadvantages or negative impacts that cannot be easily addressed.	Complete Action Plan
It has not been possible to say whether or not there is a disadvantage or negative impact	Go to Step 6 'Additional information' section below
The evidence indicates potential disadvantages or negative impacts that cannot be easily addressed.	Complete Action Plan

### Step 6 – Additional Information

What additional evidence are you going to gather? <i>(Please tick any that apply)</i>	<input type="checkbox"/> Advice from experts <input type="checkbox"/> Demographic profiles <input type="checkbox"/> Existing consultation results <input type="checkbox"/> Existing user data <input type="checkbox"/> External verification e.g. expert views of people/organisations representing equality group(s) <input type="checkbox"/> National best practice information e.g. PSA, CQC reports <input type="checkbox"/> New consultation with a specific equality group(s)	Other <i>(please state)</i> :
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	<input type="checkbox"/> Research reports <input type="checkbox"/> Relevant staff group expertise	
If you have any additional comments please add them here.		

### Step 7 – Action plan

Protected Characteristic	Details of possible disadvantage or negative impact	Action to be taken to address the disadvantage or negative impact	Individual responsible	Completion date
Age	Lower income of new entrants to profession or older registrants.	<u>Fee Setting Policy:</u> Continue to have due regard to this potential differential impact and regularly review justification to ensure that it remains valid.  <u>Fees Implementation:</u> No further update - continue to monitor	Head of GDC Policy and Research Programme	Ongoing
Pregnancy and Maternity	Requirement to pay full restoration fee on return to practice	<u>Fee Setting Policy:</u> Consider introduction of pro-rata fees for those who restore to the register after a break from practice  <u>Fees Implementation:</u>	Head of GDC Policy and Research Programme	Ongoing

		<p>GDC will be introducing pro-rata fees for those who restore to the register after a break from practice (e.g. maternity leave) as part of the fee-setting exercise.</p> <p>No further update - continue to monitor</p>		
Sex	Requirement to pay full restoration fee on return to practice and lower income due to caring responsibilities	<p><u>Fee Setting Policy:</u></p> <p>Consider introduction of pro-rata fees for those who restore to the register after a break from practice</p> <p><u>Fees Implementation:</u></p> <p>GDC will be introducing pro-rata fees for those who restore to the register after a break from practice (e.g. women who are more likely to take career breaks) as part of the fee-setting exercise.</p> <p>No further update - continue to monitor</p>	Head of GDC Policy and Research Programme	Ongoing
Disability	Lower incomes of those required to work part-time.	<p><u>Fee Setting Policy:</u></p> <p>Continue to have due regard to this potential</p>	Head of GDC Policy and Research Programme	Ongoing

	Requirement to pay full restoration fee on return to practice	<p>differential impact and regularly review justification to ensure that it remains valid.</p> <p>Consider introduction of pro-rata fees for those who restore to the register after a break from practice</p> <p><u>Fees Implementation:</u></p> <p>GDC will be introducing pro-rata fees for those who restore to the register after a break from practice (e.g. disability-related sickness) as part of the fee-setting exercise.</p> <p>No further update - continue to monitor</p>		
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### Step 8 – Sign off

Name and job title of Assessor:	Ravjeet Pudden (Programme & Portfolio Manager), Tim Wright (Interim Head of Programme & Portfolio Delivery), Rebecca Cooper (Interim Executive Director, Strategy) & Melissa Sharp (Head of In-House Legal Advisory Service)
Date of completion:	18/09/2019
Signed off and approved by Head of OD & Inclusion:	Alex Bishop (Head of Organisational Development and Inclusion) approved 18/09/2019



Date of next review: <i>(This should be within three years of the date of completion of the original assessment)</i>	September 2022 (as part of the development of the next planned fee setting exercise for the new Costed Corporate Plan) or sooner in the event that any changes to fees levels or the fees model are considered sooner than that point.
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**Note:** when completed a copy of this form should be saved with the relevant strategy, plan, policy, project, contract, major change in service or decision and an electronic copy sent to the Head of OD & Inclusion.