



Moving upstream 2020

**General
Dental
Council**



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Introduction from the Chair

In 2016 we started an open and serious debate about the future of dental regulation. This was based around the hypothesis that the system:

- did not deliver clear benefits for patients nor gave them the confidence that their concerns were being addressed within the appropriate timescales.
- had encountered difficulty in maintaining the support of those regulated because it was often cumbersome and stressful for those subject to enforcement, and did not do enough to promote learning.
- was insufficiently flexible enough to enable a proportionate and graduated approach, resulting in a reliance on expensive enforcement action.

It was clear that change was needed, but without the necessary regulatory reform, we had to focus our efforts on what was achievable. Working together with the groups and individuals who have a stake in dentistry, we identified how dental regulation could address the challenges of a system that was outdated and an approach that was overly reliant on intervention after things had gone wrong.

Our goal therefore was to 'shift the balance' of activity in dental regulation, making the system better for patients and fairer for dental professionals. Our focus was on leadership, shared purpose and partnership working to make dental professional regulation fit for purpose. We used the feedback we had received from our stakeholders to create proposals for action which we published in our Shifting the balance report.

Four years on and we have made extensive progress against those proposals. This was reported in the 2019 Moving upstream report and has continued this year, as this report will show.

But there is still much to do. The expectations of patients may not have changed since 2016, but we have experienced a changing environment and new challenges. These include the vote to exit the European Union (EU) with its associated implications for workforce and regulatory changes, the introduction of new technologies and innovations in how services are delivered and contract reform, to name but a few.

One of last year's biggest achievements was the production and launch of our new *Corporate Strategy 2020–2022: Right time, right place, right touch*. This formed the foundation for the *Costed Corporate Plan 2020*, which gives a more comprehensive account of our planned activities and how we will address the challenges facing us. From next year we will be reporting against the Costed Corporate Plan and this therefore will be the final Moving upstream report.

We have received widespread support and positive feedback for the developments we made against Shifting the balance. Now, as we commence work against our new strategy, we look forward to continuing to engage with our stakeholders to further develop dental regulation and utilise the opportunities ahead, as we look to apply right-touch principles to our regulatory framework.

Dr William Moyes



Chair

General Dental Council

Progress in 2019

In Shifting the balance we committed to moving the system of regulation forward in the following areas.

- **Moving upstream:**
giving greater emphasis to patient protection, learning within the system, engaging more effectively with registrants and future registrants, and developing alternative approaches to continuing professional development (CPD).
- **First-tier complaints resolution:**
building better partnerships to improve the handling of patient feedback, concerns and complaints within the practice, and expanding access to mediation and other forms of resolution.
- **Working with partners:**
including other regulators, key stakeholders and the dental professionals themselves.
- **Refocusing fitness to practise:**
being clear about the serious nature of 'impaired fitness to practise' and taking action to ensure that anything short of that is dealt with using alternative tools with the right touch, and providing support to patients to find the best mechanism for resolving their issue.

In the following sections we provide detail of the progress that has been made to deliver on these commitments and where more needs to be done within our new Corporate Strategy 2020–2022: Right time, right place, right touch.

Moving upstream

What we proposed

- Develop a data and intelligence strategy, to enable upstream regulation to be intelligence-led by sharing learning with the profession.
- Review the Standards for the Dental Team.
- Develop an engagement strategy.
- Produce an annual report on dentistry.
- Devise a process to ensure that the learning outcomes are agile and responsive, and continue to be based on appropriate evidence.
- Develop and adopt a risk-based quality assurance process for dental education.
- Create materials for registrants who have trained outside the UK.
- Develop our approach to continuing professional development (CPD) incorporating:
 - Linking the standards to performance management and appraisals.
 - Developing a model which encourages planning, development and innovation.
 - Use available data and evidence to highlight potential areas of focus.
 - Emphasise interactive CPD and explore the risks and benefits.
 - Incorporate a significant peer review element into the developing model and explore the risks and benefits of this.

What we delivered

Develop a data and intelligence strategy

We have created a dedicated data and intelligence strategy and a new team is in place. The team is responsible for commissioning and managing our research programme. Key priorities include developing stronger research partnership opportunities and expanding approaches to engagement, involvement, co-design and co-production.

Key pieces of research completed included:

- What constitutes serious misconduct for patients and dental professionals, working with the Nursing and Midwifery Council (NMC) and other regulators to inform a proportionate

regulatory model in which enforcement powers are used appropriately.

- A co-production and literature review of scope of practice to see whether our current guidance and process enables or inhibits dental professionals from utilising their full range of skills and considering what could work better.
- Developing, testing and promoting resources that encourage a values-based care approach to dentistry and support members of the dental team to deliver dental care in a way that embraces both clinical need and a patient's individual preferences.

Review the Standards for the dental team

We have been working with the dental professions and the public to explore the effectiveness of our current approach to professionalism. We believe professionals should be using their ethical, moral and professional judgement to make decisions, rather than being bound by a set of rules that might not apply to a particular situation.

We have undertaken an assessment of the existing published material on professionalism in dentistry and are holding several events for the public and dental professionals to highlight our findings, and to gain greater understanding of what they think professional behaviour looks like and why it is important to them.

The first outcome of this work will be to report back on our findings and draft a set of principles of professionalism that outline our expectations of dental professionals. We will then consult on whether these principles could replace the current Standards for the Dental Team.

Develop an engagement strategy

We have developed and implemented our engagement strategy focused on engaging with stakeholders across the UK and improving our relationships with new registrants and students, as well as providing early input to our project work.

To improve UK-wide engagement, we held our May Council meeting in Cardiff, where we also visited key stakeholders at a number of dental practices and educational institutions. In October, Council and Executive team members visited Belfast to meet with stakeholders and discuss key topics such as legislative reform. We also held our November meeting of the Dental Professional Forum in Edinburgh, where we updated stakeholders on topics including the Corporate

Strategy 2020–2022 and Tom Ferris, Chief Dental Officer, shared his views on the priorities in Scotland.

We have introduced a programme of engagement with first-year students in their first term of study across all dental schools, following our student engagement pilot. In addition, we attended and presented at the induction days organised by postgraduate education providers for foundation and vocational dentists. In total, between August 2019 to February 2020 we presented at 34 different visits to approximately 2,500 students and new registrants.

Develop an annual report on dentistry

Our intention had been for the Moving upstream report to form the basis of a ‘state of dentistry’ style report that set out a summary of the data that we hold on the dental sector, including workforce and developments in the dental service set against analysis of wider developments in healthcare regulation. But the Moving upstream report has evolved more into a means of sharing the work we have completed against the proposals laid out in Shifting the balance. We will explore how we can develop options for a state of dentistry style report in 2020.

Reviewing and updating learning outcomes

We have created a process for the regular review of learning outcomes for the education of dental professionals. The first review will commence in 2020 and then every three to four years.

We will create an evidence-based approach to revising the learning outcomes, drawing on the findings from the regular reviews, and make it clear what minor, major and urgent changes will be made. This will support education providers to understand the urgency of the changes. We will evaluate the process on an ongoing basis to make sure it is appropriate and does not place unnecessary burdens on education providers or dental professionals.

Risk-based quality assurance

We have developed our risk-based quality assurance (QA) process, with a specific focus on monitoring, so that we can better identify the areas of greatest concern and create bespoke QA activity for the needs of individual education providers.

In the 2018–19 academic year we piloted a risk-based inspection process for all dental schools, specifically investigating how they assess and monitor the progression of students to ensure that graduates are safe and fit to practise independently.

Develop materials for registrants who have trained outside of the UK

This project has been rescoped to include a wider programme of how we engage with all new registrants. This work will be delivered in 2020. This includes our commitment around first-tier complaint resolution to develop tailored welcome packs for each of the individual registrant groups, which include information and advice on the standards, guidance and sources of useful information, which could include the principles of good customer service and complaints handling.

Develop our approach to CPD

In developing a model of lifelong learning, we carried out research in 2019 which included a literature review and workshops with key stakeholders to:

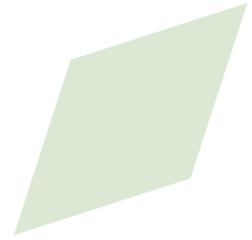
- Review and test research findings.
- Explore ideas and further develop our thinking.
- Assess lifelong learning models in more depth.

Our findings suggested that reform is needed, particularly in terms of a more flexible system, one that allows for different types of learning (such as peer learning and reflection) and the differing needs of all members of the dental team and patients.

We used the research to produce proposals for reform that we used to produce a discussion document on in the summer of 2019. We have now analysed the responses to the consultation and are planning the next practical steps which we will take in 2020.



First-tier complaints resolution



What we proposed

- Develop tailored welcome packs for each of the individual registrant groups which include information and advice on the standards, guidance and sources of useful information, which could include the principles of good customer service and complaints handling.
- To continue to develop a profession-wide complaint handling initiative to strengthen first-tier complaint resolution.
- Promote, embed and encourage customer service and complaint handling in all stages of education, training and CPD and encourage dental professionals to seek help and advice when appropriate.
- Explore ways to work with the profession to encourage the use of feedback and complaints for learning and service improvement.
- Review the Dental Complaints Service (DCS).

What we delivered

Profession-wide complaint handling initiative

We committed to supporting the delivery of the profession-wide complaint handling initiative and helped establish the working group in 2018. The working group has continued to grow, from 28 members to 37, demonstrating the commitment across dentistry to improve the local resolution of complaints.

Promote customer service, feedback and complaint handling in all stages of education, training and CPD.

Whilst our research has indicated improvements with regards to patients knowing how and where to complain locally, we still have work to do to change the culture around complaints. We want to get to a position where complaints are viewed as valuable feedback, which can be used to support improved practice and that they are something to be welcomed, not feared.

Therefore, we continue to work with the profession-wide complaints handling working group to improve signposting across the system so that concerns that can't be resolved locally, can be managed by the organisation that is best-placed to respond. We hope to see organisations from across dentistry continue to work together to this end, and for increasingly strong leadership to emerge.

Encourage the use of feedback and complaints for learning and service improvement.

The profession-wide complaint handling initiative working group has developed a joint statement on handling patient feedback and concerns, followed by a leaflet and poster providing advice for dental patients on how to raise concerns. Over the last year, members of the working group have been focused on making the advice and materials available to patients and dental professionals in every clinical setting providing dental care.

We have made good progress on our values-based care project, which looks at how dentists, working alongside other members of the dental team, can be supported to deliver dental care in a way that embraces both clinical need and a patient's individual preferences.

We have developed a range of resources to support this activity. The next stage of development will be trialling the resources in dental practices, with patients and members of the dental team.

Review of the DCS

As a result of the first phase of the review in 2017, the DCS made significant changes to the way in which it was structured in 2018. This included moving offices from Croydon to Wimpole Street, to cut the costs of renting accommodation. The DCS also restructured its operations and expanded the service offered. As a result, costs fell by 40% whilst service levels were maintained.

There have been significant changes in both the way in which dentistry is practised and the nature of patient expectations. We need to ensure that the service provided reflects this. We also need to look more closely at how that service fits into the wider complaints handling structure, and who is best placed to operate it.

We are now undertaking a second, more strategic review of the DCS. This will build on the operational improvements already delivered, and consider how the service can be part of an effective system-wide approach to complaint handling. We anticipate that the recommendations from this second review will be published in 2021.



Working with partners

What we proposed

- Explore the potential for effective clinical governance to play a more central role in learning and quality improvement and explore the development of indicators of patient protection.
- Develop guidance for employers, reflecting the need for the employer to ensure that the Standards for the Dental Team are embedded within a professional's practise.

We want the guidance to be informed by the sector and intend to collaborate closely with dental professionals and stakeholders, to ensure it is delivered effectively and that any guidance complements existing resources or advice.

What we delivered

Explore the development of indicators of patient protection

We are now publishing regular insights from fitness to practise concerns to help practitioners learn and improve their practice and support improvement in clinical governance, which are the systems designed to improve the quality and accountability of healthcare. These insights can help practitioners to learn from the experience of others.

Importantly, we are sharing information about the types of concerns that lead to investigations being opened, as well as what types of things get closed at the earliest stage of our process. This feedback enables practitioners to reflect on their own practice and ensure quality improvement.

We have also been working with organisations across the dental sector to help practitioners be better able to respond to, and learn from, feedback and complaints at the practice level. Helping practitioners manage and resolve complaints themselves can increase the opportunities they have for learning and improving practice.

Develop guidance for management of dental professionals

We are developing guidance to address how managers and employers of dental professionals can take an active role in promoting professionalism within dentistry and support their staff to deliver high quality care. This guidance should be relevant regardless of the size of the setting.





Refocusing fitness to practise

What we proposed

- Review all our public facing information, including that hosted by partner organisations, where possible.
- Implement online tools for 'self-filtering' of complaints, in line with other regulators.
- Develop and deploy an explanation of 'impaired fitness to practise' that makes a clearer link to patient risk and public confidence in dental services.
- Ensure that the emphases in the tests applied at the triage and assessment stages align with our statutory objectives.
- Review all guidance material for fitness to practise decision makers to ensure that seriousness is properly and fully embedded within it.
- Carry out an end to end review of the fitness to practise process.
- Develop a comprehensive model for the resolution of complaints and concerns about dentistry in each of the four countries of the United Kingdom.

What we delivered

Review all our public facing information

We have revised our written communications to make the language more neutral and the content easier to understand. We have simplified the letters sent when we receive a concern, removed much of the legal language and made it clear what the recipient needs to do next.

We sought feedback from dental professionals, patients and key stakeholders on the revised tone and content of some of our key letters which we knew, based on previous feedback, were both lengthy and confusing. We received positive feedback on the new versions, as well as helpful suggestions for change, many of which were incorporated in subsequent versions. We

benchmarked our original letters against Flesch Reading Ease scores to ensure that there was demonstrable improvement with the revised versions.

We revised the content on our website and improved the navigation between pages to improve the user journey. We recognise that this is not the end of the process and we are committed to revising all our communications on a regular basis.

'Self-filtering' of complaints

In addition to the signposting tool we introduced last year, we have made further improvements to our online triage form in order to encourage those raising concerns to provide us with as much information as possible from the outset. We direct those who are considering raising a concern to use this form, wherever possible, and we also encourage our partners to do the same.

The benefits of collecting information in this way include reducing unnecessary delays and reducing the complaints or concerns best dealt with by an alternative agency or approach. Obtaining all the information that we need from the outset means we can make decisions quickly and prevent the need to postpone our decision making until we receive further information.

Explanation of impaired fitness to practise

We have begun developing a set of principles to guide our regulatory decision-making, which will help the public and practitioners to better understand our approach to fitness to practise issues. The principles will also support the work of internal decision makers.

Ensure that the emphases in the tests applied at the triage and assessment stages align with our statutory objectives

Preventing and minimising risk of harm to patients or to public confidence in dentistry is central to our fitness to practise processes. Our threshold tests were reviewed as part of the end to end review of fitness to practise, which resulted in

revision of the Initial Assessment Test, to include direct reference to patient harm and public confidence.

The next stage of this work is being supported by cross regulatory research into the concept of seriousness in fitness to practise cases. We are working with the Nursing and Midwifery Council (NMC) to complete the research, which will involve a number of other healthcare regulators. The objectives of the research include developing an understanding of how the concept of seriousness, in relation to misconduct, is defined and applied by professional regulators, and to identify the considerations that influence that application, as well as to achieve a clearer understanding of the similarities and differences in approaches across regulation and reasons for these.

The research will conclude this year and we will provide feedback on the learning from the research as it progresses.

Review all guidance material

The learning from the research into the concept of seriousness will inform a range of improvements to our fitness to practise process that are already underway, including the review of our decision-making guidance. This review will get underway once we have established our principles of regulatory decision making.

End to end review

The first phase of the end to end review of our fitness to practise process, initiated in 2017, is now complete. We have made significant changes in order to improve both the efficiency and timeliness of our process. While we have some early positive indicators emerging from the improvements we have made, we recognise that realising the full impact of the changes will take time, in part because of the relocation of the work from London to Birmingham.

Seeking feedback from others has been a key part of reviewing our processes. We have listened to the views of our stakeholders and have engaged with them throughout the development of our initiatives. We have seen real benefits in adopting this collaborative approach to our work.

We commissioned further qualitative patient research in March 2019 to seek views on some of the improvements we have made, including the move from individual case worker to team-based case management and the improvements made to our communications.

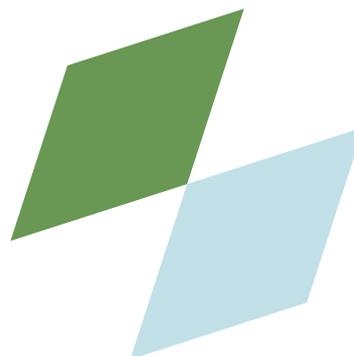
Comprehensive model for the resolution of complaints

We have carried out an exercise to map the dental complaints landscape to help guide complainants to the organisation best suited to handle their complaint, and to identify any gaps or barriers. This included identifying potential escalation routes and the organisations who may be involved at different stages of the varied complaint journeys available across this complex system.

As discussions with partners and stakeholders developed, it became clear that there was consensus that the system was complex and confusing. Therefore we decided that there would be no benefit to producing a visual map of the system as it is, as it would not help people navigate it.

Instead we decided that we needed to focus on improving our existing triage tool to help people navigate the system. We are exploring opportunities to improve the support offered to those making their way through the system, be they patients, dental professionals, organisations, students or whistleblowers.

We also recognise the need to improve signposting to organisations which can provide support to those facing a complaint, to further enable registrants to handle complaints locally. As we work to improve this signposting tool, we are liaising with stakeholders from across the dental sector to ensure the pathways are robust.



What's next?

As we bring our Shifting the balance work programme to a close and move into the next stage of our work to reform dental regulation, much progress has been made and we are in a much better place than we were. But we cannot rest on our success. We have delivered a lot in 2019, but there is always more to be done to ensure public protection.

Our Costed Corporate Plan 2020 indicates how and when we intend to deliver the objectives laid out in our strategy. Some of the main areas where work is continuing are:

- materials for new registrants
- our process for life long learning
- the work of the profession-wide complaints handling group to encourage feedback and
- guidance for managers of dental professionals.

As well as continuing to develop these projects we must also turn our attention to the new challenges that are facing dentistry. Our 2018/19 Patient and public survey highlighted that two in five (39%) of respondents either strongly agreed or tended to agree that they expected more from dentists than other healthcare professionals because they pay for treatment. These findings highlight the pressure on the dental team. When factoring in the ageing population, dental contract reform and the exit from the European Union with its associated challenges, there is much that we now need to focus on to ensure we maintain the high standards of care in dentistry.

These challenges, along with the environment that we now find ourselves in, are detailed in our new [Corporate Strategy 2020–2022: Right time, right place, right touch](#). Our detailed work programme for the next three years is available in our [Costed Corporate Plan 2020](#) which provides details of our work programme, including the costs associated with the work.

To demonstrate progress and provide transparency we will be reporting each year against the Plan, replacing our Moving upstream report from 2021.







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