General Dental Council

The Regulation of Independent Clinics in Scotland

The General Dental Council

Health and Sport Committee meeting - 11 February 2016

About the GDC

The General Dental Council (the GDC) is the statutory regulator of dental professionals for the United Kingdom and its main objective is to protect patients and the public. The GDC registers the following groups of dental professionals who make up the Dental Team:

- Dentists; and
- dental care professionals, namely
  - clinical dental technicians;
  - dental hygienists;
  - dental nurses;
  - dental technicians;
  - dental therapists; and
  - orthodontic therapists.

The GDC sets the standards for dentists and dental care professionals, provides guidance and takes action against those registrants who breach our standards throughout Fitness to Practise process. Patients are at the forefront of the GDC’s work. The GDC’s ethical guidance Standards for the Dental Team provides our registrants with a set of principles and values to work with when making decisions. As well as following any supplementary guidance we provide to registrants, they are required to comply with a requirement to find out about laws and regulations affecting their work and to follow them.

The GDC also sets standards for the education and training of dental professionals and requires all registrants to undertake Continuing Professional Development in order to keep their skills and knowledge up to date.

Response to questions

The GDC notes the timescales available to provide this evidence and we limit our responses to the following questions.

1. Do you support the new regulations?

The GDC supports legislation that complements our core functions as detailed above. The GDC also notes that under the proposals Scotland will have a “system” or “entity” regulator with responsibility for the inspection of solely private dental practices.
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The GDC welcomes the inclusion of dental care professionals (DCPs) as a possible factor in expanding patient choice and access.

4. Do you agree with basing the definition of ‘independent clinic’ on the healthcare professional providing the service rather than basing it on a specific procedure or specific ‘cosmetic’ treatments and do you agree with the range of healthcare professionals identified?

The GDC registers and regulates individuals – dentist and dental and dental care professionals. This proposal would appear to enhance the close working relationships that we seek with “system” regulators. In terms of the The Protection of Vulnerable Groups (Scotland) Act 2007, we note the reference to checking the “suitability” of a provider at a clinic. Health professional regulators work closely with organisations responsible for vetting and barring and it is important that we continue the close working practices to share relevant information, enhance patient safety and reduce possible duplication.

5. Will the regulations result in a lowering of risk to members of the public who have treatments carried out?

The inspection or solely private dental practices will complement existing arrangements for the majority of dental practices that carry out any aspect of NHS treatment that are subject to inspection by local health boards.

6. Could the legislation and the new requirement to register (including costs associated with registration) have any unintended consequences (such as on smaller one premise businesses, or unintentionally divert people to those businesses who are not registered such as salons (and which don’t have to accommodate the additional costs for registration)?

The GDC notes that the proposed fees will be in addition to professional regulatory fees and therefore represent an additional cost of regulation.

The GDC has a dedicated team who consider allegations of illegal practice reported to it. They consider allegations of the commission of an offence by a person under certain sections of the Dentists Act 1984 (the “Dentists Act”).

The purpose of enforcement by the GDC is to:

• Protect members of the public;

• Promote and achieve sustained compliance with the Dentists Act in the public interest;

• Ensure that persons who fail to comply with the Dentists Act are held to account, which may include bringing alleged offenders before the courts in England and Wales, or recommending prosecution in Scotland or Northern Ireland.
Future engagement

It is important that there is a close working relationship between the different bodies concerned with regulation in healthcare and the GDC is (and has been for many years) working closely with Healthcare Improvement Scotland to ensure that each organisation can share information relevant to the work of the other.

The GDC seeks to form active and meaningful partnerships with key stakeholders and looks forward to further engagement through our Director for Scotland and his senior colleagues.

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