Council Member Recruitment 2020

Appointment Brief for Candidates
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Introduction – Welcome from the Chair, Bill Moyes

I am delighted that you are considering applying to join the General Dental Council (GDC), and I hope the attached pack will provide you with all the information you need to understand what the GDC is, what we do, and what would be required of you as a Council member.

As the regulator, the GDC plays a crucial role in ensuring that the public are protected, and that they have confidence in dental services.

You have to be registered to practise dentistry in the UK, and we register the whole dental team, which makes us different to the other healthcare regulators. That’s over 112,500 dental professionals, including dental nurses, clinical dental technicians, dental hygienists, dental technicians, dental therapists, orthodontic therapists and dentists.

And it’s a big business. The UK dental sector is estimated to be worth around £7.1 billion (according to a report by Laing Buisson in January 2019), with more people interacting with dentistry than any other part of the healthcare system. In 2017/18 NHS dental services in England were accessed by 51% of the adult population (that’s 22 million people) and 59% of children (that’s 6.9 million children).

The nation’s oral health appears to be improving overall, however there are still significant areas of concern. Health inequalities remain in many areas, and there have been reports recently of the difficulties people have encountered trying to get access to an NHS dentist in many parts of the UK. Almost a third of adults still have tooth decay, and although significant investment, across all four nations of the UK, has already gone into programmes aimed at improving oral health for children, this too remains an area of concern.

I have been Chair of the GDC for over six years now, and in that time the Council has overseen an extensive programme of improvements. The GDC in 2020 is a quite different organisation to the one it was when I joined in 2013.

However, we are still in a period of significant change. The environment the GDC operates within is complex. The level of NHS funding for dentistry, and the different health systems across the UK are becoming increasingly divergent. In addition, we know that the decision for the UK to exit the EU will have significant implications for the NHS workforce, for regulation broadly and for the regulation of the dental team specifically. However, I remain confident that we are well placed to address these challenges.

The landscape of dental services provision is changing, with corporates and groups now accounting for around 24% of all NHS dental provision, an increase from only 7% ten years ago.

We are also seeing changes to the way dentistry is being delivered with new technology and new channels for the delivery of dental services increasing all the time. As the regulator, we have to understand how these changes affect how we regulate the professions to ensure that public safety and confidence is maintained.

The people who work in dentistry are also changing and over 90% of registered dental care professionals and 50% of registered dentists are now female.
Finally, we are seeing changes in the working environment, with increasing numbers of dental professionals looking for a different work-life balance. They are less inclined to want to own and run their own practice, and more are deciding to work part-time rather than full-time.

Recent years have also seen a real shift in the way we regulate the professions. We have moved away from a focus on enforcement to one that focuses on prevention and right-touch regulation, whilst at the same time ensuring that our approach to regulation always has patient safety and public confidence at the heart of everything we do.

From the launch our corporate strategy ‘Patients, Professionals, Partners and Performance’ in 2016, through to the publication of ‘Shifting the balance; a better, fairer system of dental regulation’ in 2017, and now through to our new corporate strategy, Right time, right place, right touch, published in November 2019, public safety and confidence have remained central to our policies and processes.

The publication of our Corporate Strategy 2020-2022: Right time, right place, right touch sets out the ambitious plans we have to continue to transform how we regulate the professions. To achieve our aims, we must have the right people, with the right skills and experience.

The Council is looking for three new members and we are looking for individuals who can bring their knowledge, skills, experience and enthusiasm to support and complement the existing members. The statutory requirement is that we have a mix of non-registrant and registrant members from across the four nations. The vacancies we are recruiting for now are to replace existing Council members who have come to the end of their terms, and we are looking for both registrant and non-registrant members. Whilst we welcome applications from across the UK, we are particularly looking for individuals from Northern Ireland and Wales as two of our vacancies must be filled by individuals who live or work mainly in these countries.

We are keen to attract a wide range of candidates who bring the skills, experience, breadth of view and diversity of outlook that reflects the opportunities and challenges faced by the GDC, reflects the profession we regulate and also the public we serve.

I look forward to receiving your application.

Dr William Moyes
Chair
About the General Dental Council

Who we are and what we do

The GDC was established in 1956. We are the UK-wide statutory regulator of around 112,500 members of the dental team, including over 42,000 dentists and 70,000 dental care professionals (DCPs) – dental nurses, clinical dental technicians, dental hygienists, dental technicians, dental therapists, and orthodontic therapists.

We play a key role in the healthcare architecture, working on behalf of the public to support a system in which dental professionals provide good quality care and practise to the highest possible standard. We are different to other health regulators in that we regulate the whole dental team.

Our overarching purpose when exercising our functions (which are set out in the Dentists Act 1984 and updated by the Health and Social Care (Safety and Quality) Act 2015) is ‘the protection of the public’, which involves the pursuit of the following objectives:

- To protect, promote and maintain the health, safety and well-being of the public;
- To promote and maintain public confidence in the professions regulated [under this Act]; and
- To promote and maintain proper professional standards and conduct for members of those professions.

This is a very broad remit and Parliament has given us a range of powers and responsibilities to help us achieve this including:

- Setting and assuring standards of quality in dental education;
- Maintaining registers of dentists and dental care professionals who meet the registration requirements;
- Setting and promoting professional standards; and
- Investigating allegations of impaired fitness to practise and taking appropriate action.
We recognise that creating an environment that supports professional behavior in the public interest requires all those involved in dentistry to work together effectively, and we are committed to working collaboratively with others to achieve this.

We employ around 360 staff, headed up by our Chief Executive and Registrar and the Executive Management Team. We work closely with around another 460 associates who help us deliver a range of activities, including fitness to practise and appeal panels and education quality assurance. We also run the Dental Complaints Service (DCS), which resolves complaints between private patients and dental professionals.

We are overseen by a non-executive Chair and Council, composed of 12 members, six of whom are non-registrant members and six are registered dental professionals. It is a legal requirement that at least one member of the Council (lay or registrant) must live or work, wholly or mainly, in each of England, Wales, Scotland and Northern Ireland.

The current three vacancies are for one lay and two registrant Council members. Of those three posts, the GDC also needs to satisfy the requirement for one Council member to live or work, wholly or mainly, in Northern Ireland, and one in Wales.

The requirement for living or working in Wales or Northern Ireland can be filled by either a lay or a registrant Council member.

Details of the current Council members can be found here: https://www.gdc-uk.org/about-us/who-we-are/who-we-are/who-we-are

The GDC is based in two locations: Wimpole Street in London, which is our registered office and headquarters, and Colmore Square in Birmingham where around two-thirds of our staff are based.

We receive no financial support from the Government to carry out our regulatory responsibilities. The majority of our income comes from the payment of an annual retention fee (ARF) by dental professionals, who have to be registered to work in the UK. In 2018 the GDC had an annual income of £47 million.

Our vision

A system of regulation which:
- Supports the provision of safe, effective oral health care;
- Promotes and embeds clear standards of clinical competence and ethical conduct; and
- Embodies the principles of right-touch regulation: proportionality, accountability, consistency, transparency, targeted and agility.

Our values

Our organisational values that guide how we operate are:
- Fairness - we treat everyone we deal with fairly
- Transparency – we are open about how we work and how we reach decisions
- Responsiveness – we listen and adapt to changing circumstances
- Respect – we treat everyone with respect
GDC Corporate Strategy 2020 -2022: Right time, right place, right touch

Launched in November 2019 our three-year strategy Right time, right place, right touch sets out how we plan to deliver our statutory functions so that we can ensure that dental services in the UK are of the highest quality and are recognised as such.

Building on the vision set out in ‘Shifting the balance: a better, fairer system of dental regulation’, published in 2017, it highlights our continued focus on upstream regulation and prevention, our continued work to support local issues resolution, and our commitment to ensuring that our enforcement activity is evidence-based and proportionate. It also seeks to make more transparent the relationship between our regulatory activity, our costs and the fees we set.

There are five strategic aims that are at the core of our strategy:

**Strategic aim 1:** operate a regulatory system which protects patients and is fair to registrants, while being cost-effective and proportionate; which begins with education, supports career-long learning, promotes high standards of care and professional conduct and is developed in the light of emerging evidence and experience.

**Strategic aim 2:** work with the professions and our partners to ensure that patients and the public are able to raise concerns with the agency best placed to resolve them effectively and without unnecessary delay.

**Strategic aim 3:** use evidence, research and evaluation to develop, deliver and embed a cost-effective and right-touch model for enforcement action.

**Strategic aim 4:** maintain and develop the regulatory framework.

**Strategic aim 5:** continue to develop an outcomes-focused, high-performing and sustainable organisation.

Achieving these aims will require us to continue to transform our working practices by embedding the following ways of working in everything we do:

- **Working collaboratively** – developing and maintaining effective partnerships with relevant organisations and the professions.
- **Being evidence-led** – using research to support and inform proportionate decision making and to focus our activity and resources.
- **Making the best use of resources** – constantly challenging ourselves and our operating practices to ensure value for money.
- **Being inclusive** – seeing the value and importance of diversity and acting to ensure that this is reflected in our work.

**Useful reading**

Corporate Strategy 2020-2022: Right time, right place, right touch

Annual Report and Accounts 2018
Shifting the balance: a better, fairer system of dental regulation

Moving Upstream

Standards for the dental team

Scope of Practice
Who we are looking for

Since 2017, the Council has been joined by seven new colleagues, and we are looking for three more to join in 2020. Those joining us will be strategic thinkers who can quickly build relationships, challenge constructively and focus on the key issues to ensure the GDC continues to improve the service provided to the public.

Council member role description and person specification

Key Responsibilities

Council members collectively are responsible for:

1. Setting the strategic direction of the GDC within its statutory framework
   - Taking responsibility for corporate strategy, business plans and budgets and the development of the framework for reviewing policy and operational performance;
   - Ensuring that the GDC focuses on its statutory duties of patient safety and public confidence in dental services;
   - Evaluating the effectiveness of the Council in fulfilling its statutory purpose;
   - Overseeing the development of policy and taking major policy decisions.

2. Ensuring that the public and stakeholders have confidence in the GDC in conjunction with the Accounting Officer
   - Ensuring that the GDC has measures in place to engage with stakeholders and with other relevant organisations and government agencies in the four countries of the UK;
   - When appropriate, acting personally to support and promote the interests of the GDC.

3. Providing challenge and scrutiny of the GDC’s operations, ensuring that they are aligned with the organisation's strategic direction
   - Holding the Executive to account for the management of day to day operations;
   - Holding the Executive to account for ensuring that the GDC’s operations are organised in ways which facilitate the delivery of core functions to best effect, and that this is kept under review as circumstances change.

4. Setting a positive tone, behaviour and culture for the organisation
• Ensuring that the Council models the principles of public life and the GDC’s leadership behaviours;

• Providing constructive and effective challenge.

Council members must be committed to patient safety and public confidence in dental services, which is the primary statutory purpose of the GDC. They must have the confidence to speak out and challenge, working effectively with fellow Council members, the Executive and stakeholders.
**Essential Criteria**

Council members must be able to demonstrate:

1. A demonstrable commitment to patient protection and supporting confidence in public services;

2. Demonstrable experience of contributing to an organisation operating within a statutory framework, in an environment that is impacted by and impacts upon government policy;

3. The ability to work effectively with the executive to challenge, support and hold the executive to account for the delivery of the corporate strategy;

4. The capacity to understand the organisational and business issues facing the GDC, and the skills required to analyse, interrogate and scrutinise performance data;

5. Demonstrable experience of contributing constructively to collective decision-making processes, respecting and listening to others and earning the respect of colleagues; and

6. A personal commitment to good governance, and of upholding the recognised principles of public life, and a commitment to equality, diversity and inclusion.

**Desirable Criteria**

1. An understanding of finance, operational process, and key performance indicators, and experience of having managed or operated at board level in a commercially focussed organisation (lay candidates only); and/or,

2. An understanding of organisational development and people services, and experience of having been a board level leader in these professions (lay candidates only).

3. At least one of the two registrant members appointed will ideally be a Dental Care Professional (registrant candidates only).
Terms of appointment

Please note that the GDC is only able to recommend a candidate for appointment. Appointments, including start dates and terms of office, are made by the Privy Council. Therefore, you may not hear the outcome of your interview until the end of July 2020.

Remuneration

£15,000 per year.

Council members are eligible to claim expenses, at rates set by the GDC, in accordance with the GDC’s expenses policy for Council members.

Time commitment

A minimum of 36 days per year (including reading and preparation time for meetings and attendance at training)

Council members also sit on one or more of the Council’s Committees.

There are approximately seven Council meetings a year, often with a Council workshop held the day before the Council meeting. The majority of Council meetings are held at the GDC’s offices in central London, with at least one meeting a year in the Birmingham office, and the Council has also met in Edinburgh and Cardiff over the last couple of years.
Development and appraisal

An induction programme will be provided upon appointment. Members are also be expected to participate in a programme of development and to take part in an appraisal process.

Standards in public life

You will be expected to demonstrate high standards of corporate and personal conduct. The successful candidate must subscribe to our Code of Conduct (appendix 1).

Applicants must also observe the standards of probity required by public appointees outlined in the Principles of Public Life.


Eligibility and disqualification

There are three vacancies to be filled with this recruitment process.

We are seeking two new members who are registered with the GDC and one lay member.

Of those three appointments, one new member must live or work, wholly or mainly, in Wales, and one in Northern Ireland. This criterion may be fulfilled by either a lay or registrant member.

A dental professional (registrant) member is someone who is currently registered with the GDC, has met their CPD requirements and made an indemnity declaration. Applicants must not be subject to current fitness to practise proceedings.

All applicants should be aware that Council members who are subject to an investigation or proceedings concerning their fitness to practise by the GDC or other licensing bodies may have their membership of Council suspended by the Privy Council while those proceedings are underway. You cannot be a member of the Council at the same time as being a member of any of its statutory committees¹. In addition, you cannot be a member of the Council of more than one health regulator.

The General Dental Council (Constitution) Order 2009 sets out the disqualification criteria for Council members (appendix 2).

Further advice about disqualification for appointment can be given by Katie Spears, Interim Head of Governance, 0207 167 6151 or kspears@gdc-uk.org

¹ Investigating Committee; Interim Orders Committee; Professional Conduct Committee; Health Committee; Professional Performance Committee; Registration Appeals Committee
Recruitment Process

The timetable for the recruitment process is as follows:

- Closing date – Noon, 21 February 2020
- Preliminary interviews – 23 March – 10 April 2020
- Final interviews – weeks commencing 18 and 25 May
- Take office – 1 October 2020

Council members may hold office for a maximum of eight years in any twenty years. This appointment will be for a first term of office of either three or four years.

Re-appointments can be made at the end of the first period of office, subject to satisfactory performance appraisal and the needs of the Council. However, a degree of change is often sought and there should be no expectation of automatic reappointment.

The Appointments Process

The GDC, like other healthcare regulators, is responsible for managing the process of appointment and reappointment of Council members and Chairs in line with the requirements of their legislative frameworks. The campaign will be run in line with the Professional Standards Authority (PSA)’s published best practice, which sets out four principles of a good appointments process:

- merit
- fairness
- transparency and openness
- inspiring confidence

The GDC is required to provide the PSA with evidence that these principles have been followed in the recruitment process. The Privy Council will consider advice from the PSA on the process that the GDC has used before making their decision to appoint.

The selection panel (see below) will be responsible for long listing candidates, short listing candidates for final interviews, undertaking final interviews and making recommendations to the Council. The Council will then recommend successful candidates to the Privy Council for appointment.

The members of the selection panel are as follows:

1. Ann Brown (Chair of the Selection Panel)

Ann is a senior Global Professional Services consultant with considerable experience supporting and advising Nominations Committees, Board Effectiveness Reviews, Executive selection and Board sponsored leadership development and succession planning.
Ann is also an experienced non-executive, with current roles including as a Board member at the City & Guilds, where she also chairs the Remuneration Committee, as a Commissioner for the Princess Royal Training Awards, in addition to her role with the GDC as the independent member of Remco. Ann is also a Lecturer for the Moscow Business School.

Throughout her career, Ann has held senior HR positions for KPMG, Nationwide, Capgemini and the Colt Group (among others) where she has gained significant experience delivering transformational change, implementation of People strategies and HR systems, performance management, total reward, employee engagement, recruitment models and solutions to improve business performance.

Ann is also a qualified business coach for senior leadership teams to address business performance issues and executive leadership development and is a Chartered Fellow of the Institute of Personnel and Development.

2. William Moyes (Chair of the Council)

William Moyes has been both Chair of the Council and a lay Council member since 1 October 2013. Having completed a Ph.D. in theoretical chemistry at the University of Edinburgh, William entered the fast-stream of the UK Civil Service in 1974. His 20-year career in the Civil Service was spent mainly in policy-making roles in Whitehall and in the Scottish Office.

After leaving the Civil Service, he spent six years in the Bank of Scotland Group, ultimately as Head of Infrastructure Finance. In 2000 he became Director-General of the British Retail Consortium, the representative body for the retail sector. Between 2004 and 2010 he was the founding executive chairman of The Independent Regulator of NHS Foundation Trusts (“Monitor”), which authorised foundation trusts and regulated their finances and governance. More recently he has held a number of non-executive director posts and is also Chairman of the Gambling Commission.

3. Sheila Kumar (Council Member)

Sheila is the Chief Executive of the Council for Licensed Conveyancers (CLC), an independent specialist regulator of conveyancing and probate lawyers. Prior to joining the CLC, Sheila was Group Director of Regulation at the Equality and Human Rights Commission, leading the development of the Equality and Human Rights Commission as a modern regulatory body.

Sheila is a qualified lawyer with a strong and extensive background in regulation, she led the team at the Ministry of Justice involved in the independent review by Sir David Clementi of regulation in the legal sector (the Clementi review), which became enshrined in law in the 2007 Legal Services Act. With a significant portfolio of senior experience across Whitehall, amongst other roles she has held positions as Head of Competition and Head of Consumer Protection. Sheila has also been Director of Change, Delivery and Performance Excellence at the Law Society, developing the model for the separation of regulation and representation.

4. Jacqui Francis (Independent Panel Member)

Jacqui is an independent consultant with 15 years’ experience of providing independent scrutiny of senior recruitment and selection exercises. Recent examples of her work include appointments to the Bar Standards Board, General Medical
Council, General Chiropractic Council, Port of Tyne, Social Work England and the Food Standards Agency.

Jacqui also holds a number of non-executive positions, including as a Trustee for the Birmingham Catholic Diocese, a Selection Panel Member of the Judicial Appointments Commission, a Citizen Representative to the Birmingham City Council Independent Remuneration Panel, and a Lay Member of the Birmingham & Solihull Advisory Committee.

Previous roles have included, West Midlands Strategic Management Board for Multi-Agency Public Protection Arrangements, Associate Non-Executive Director Heart of Birmingham (HOB) PCT, where she was a member of Equality and Human Rights Committee 2011 and as an Adviser / Independent Panel Member to the West Midlands Police Authority where her work included ensuring Independent Member appointments were made on merit and followed the Nolan Principles. Jacqui is also an Accredited Independent Public Appointments Assessor.

The recruitment process will proceed as follows:

- Stage 1: Submission of CV, application form and diversity monitoring form
- Step 2: Longlisting, when selected candidates have a preliminary interview
- Step 3: Shortlisting, when candidates are further scrutinised against the person specification
- Step 4: Informal conversations with Chief Executive and Registrar
- Step 5: Final formal interviews with selection panel

As noted above, short listed candidates will have the opportunity to speak to the Chief Executive and Registrar, Ian Brack, prior to final panel interviews. This is for information only, as the Chief Executive and Registrar does not have a role in the appointments process.

How to apply

Saxton Bampfylde Ltd is acting as an employment agency advisor to General Dental Council on this appointment.

Candidates should apply for this role through our website at www.saxbam.com/appointments, using code AZNF.

Click on the 'apply' button and follow the instructions.

The closing date for applications is 12 pm on Friday 21 February 2020. Applications received after this time will not be considered.

If you require information in a different format please also contact Belinda.Beck@saxbam.com.

Please can you let us know if you require any reasonable adjustments to be made to assist you in completing the application form, attending the interview, or any reasonable adjustments that would need to be made to the role or the working environment if your application is successful.

Saxton Bampfylde GDPR personal data notice
According to GDPR guidelines, we are only able to process your Sensitive Personal Data (racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life, or sexual orientation) with your express consent. You will be asked to complete a consent form when you apply and please do not include any Sensitive Personal Data within your CV (although this can be included in your covering letter if you wish to do so), remembering also not to include contact details for referees without their prior agreement.

* The equal opportunities monitoring online form will **not** be shared with anyone involved in assessing your application. Please complete as part of the application process.

Once the closing date for applications has passed, applications will be evaluated according to the person specification and the Selection Panel will identify the candidates to be invited to the next stage of the process.

To apply for this role, we ask that you send to us:

- a short CV covering your qualifications, career history and other relevant activity and public appointments,
- a completed Council member application form, and
- a diversity monitoring form. Please note that this information will not be assessed as part of your application or made available to the selection panel.

Please do not write a supporting statement, as this will not be part of the selection process.

**How we will handle your application**

The selection process will be evidence led. Your application will be assessed only against the criteria set out in the person specification. It is important that you complete the application form in as much detail as possible within the word limit constraints. Your response to each section of the application form should provide specific and detailed examples to demonstrate how you meet each criterion (including what you did to achieve a specific result).

**Conflicts of interest**

It is particularly important to declare any conflict of interest that could be considered relevant to the GDC at the application stage of the process. This includes close relationships with other Council or Committee members or members of the interview panel.

Any other actual or perceived conflicts of interest will be fully explored by the selection panel at the interview stage. If you are successful in being appointed, you should note particularly the requirement to declare any conflict of interest that arises in the course of GDC business and the need to declare any relevant business interests, positions of authority or other connections with organisations relevant to the business of the GDC. Interests relating to other connected persons (defined as a person with whom you have a personal or business relationship), which could be perceived as influencing your position must also be declared.

**Travel expenses**
The GDC will reimburse travel expenses in line with corporate policy.

**If you have a complaint**

The General Dental Council is committed to processes and procedures that are fair, transparent and free from discrimination. Complaints about any aspect of the appointments process for the Council member roles will be monitored, recorded, and promptly handled.

If you have any complaints about the way your application has been handled, please contact Katie Spears, Interim Head of Governance. Katie can be contacted by telephone at 020 7167 6151 or by email at kspears@gdc-uk.org.. Complaints will be acknowledged as soon as possible and responded to within 20 working days.

Following investigation of the complaint, if an applicant remains dissatisfied with the response provided by or on behalf of the GDC, they can raise their concerns with the Privy Council. The Privy Council is responsible for appointing the Council members. Please contact: Privy Council Office, Room G/04, 1 Horse Guards Road, London, SW1A 2HQ, Telephone: 020 7271 3292, Email: enquiries@pco.gov.uk.

**Use of your personal information**

**Data Protection**

We will treat all your data in accordance with the Data Protection Act 2018. Information be shared with the Professional Standards Authority and the Privy Council as required as part of the appointments process.

All documentation relating to the recruitment campaign will be kept for a period of two years for audit purposes and then securely destroyed. The only exception to this is aggregate diversity data which will be kept so that it can be compared with subsequent recruitment campaigns.

**Monitoring information**

The diversity monitoring form, which is completed as part of your application, is not used in the selection process. It is not seen by the panel assessing your application. We use this data to monitor and review the diversity of candidates we attract and those we appoint. Due care will be taken to ensure that individuals cannot be identified, but this may not be possible if a small number of candidates apply.

**Ministerial appointments**

We ask that candidates give full information about any ministerial appointments they hold. You should also include details of any current NHS board appointments you hold. Please ensure that you include full details of the body to which you have already been appointed, the period of appointment and annual remuneration or daily fees paid.

**Equal, Diversity and Inclusion**

The GDC is committed to promoting equality of opportunity and values diversity of culture among our council members. We strongly encourage applications from all suitably qualified individuals. We will seek to ensure that all applicants are treated fairly, with respect and without bias.
Code of Conduct for Council Members

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<tr>
<td>Author</td>
<td>Head of Governance</td>
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<td>Approved by Council</td>
<td>25 July 2019 - updated</td>
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<td>Effective from</td>
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1. **Policy Statement**

1.1. The General Dental Council (GDC) is committed to providing a high-quality service and our Council members are vital to achieving this objective. Whilst carrying out their duties Council members are expected to conduct themselves in a way that adheres to the GDC’s values and leadership values set out in section 2 below.

1.2. Council members must treat others with respect and comply with the seven principles of public life. These are set out in Annex 2 of the Managing Interests Policy for Council members and Associates, which is included within the GDC’s Governance Manual.

1.3. Council members have a duty to act in good faith, a duty of care to the GDC, a duty of confidentiality and a duty to act within their powers.

1.4. It is the responsibility of each Council member to ensure that they fully comply with their letter of appointment/agreement, and with all aspects of this code of conduct. Council members must also ensure that they comply with the policies contained in the governance manual, including those on managing conflicts of interests, gifts and hospitality and anti-fraud and anti-bribery, and any other policies which Council from time to time approves.

2. **Definitions**

2.1. The GDC’s values are:

- Fairness – we will treat everyone we deal with fairly.
- Respect – we treat dental professionals, our registrants and our employees with respect.
- Responsiveness – we can adapt to changing circumstances
- Transparency – we are open about how we work and how we reach decision

2.2. The Council’s leadership behaviours are:

- Demonstrating Trust and Respect
- Positive Leadership
- Promoting Collaboration
- Raising Performance
- Clarifying the Vision

3. **Purpose**

3.1. As a regulator, the GDC establishes standards for the conduct, performance and ethics of the dental team. Council members must maintain similarly high standards.

3.2. The Code of Conduct and role descriptions define the standards required of Council members. The Council member role description is attached at Annex 2.
4. **Scope**

4.1 This policy applies to Council members and to the following Associates:

4.1.1 members of the Statutory Panellist Assurance Committee;

4.1.2 external or independent members of Council committees as defined in the Standing Orders of Council.

5. **Confidentiality**

5.1 In accordance with the principles of transparency and the standing orders, where possible the work of the Council is carried out in public, but some matters are private and kept confidential.

5.2 Council members are bound by a duty of confidentiality which is set out in their agreement with the GDC. This duty remains in force after their term comes to an end and/or their agreement has been terminated.

5.3 Council members must comply with their duties under the Freedom of Information Act 2000 and Data Protection Act 1998 which are set out in the information security guidance set out in the Governance Manual.

5.4 Council members will regularly, in the course of their duties, be party to discussions or information of a confidential nature. The effective operation of the Council depends on these confidences being maintained during and after their association with the GDC. Any matters of a confidential nature must strictly remain so outside the confines of the meeting or hearing in which they arise, and Council members should avoid discussing these unless it is necessary for the business of the GDC that they should do so. Any such discussions should take place in a confidential setting.

5.5 Unless required by law to do so, Council members must not disclose confidential information to anyone who is not another Council member or a member of the Executive without the consent of the Chair of Council, or if there is a conflict, the Chair of the Audit Committee. The Chair of Council or Chief Executive will take appropriate advice on any request for disclosure.

5.6 Unless required by law to do so, Associates must not disclose confidential information to anyone outside the committee on which they serve without the consent of the chair of that committee. The chair will take appropriate advice on any request for disclosure.

5.7 Council members must comply with the Information Security Policies.

6. **Equality and Diversity**

6.1 The GDC is committed to promoting equality and diversity. The Equality and Diversity Policy provides a clear framework for translating this commitment into action. This means actively promoting a culture that values difference and acknowledges that people from different backgrounds and experiences can bring valuable insight into the workplace.

6.2 The GDC aims to be an inclusive organisation, where equality and diversity is encouraged, respected and built upon. As an organisation, we recognise the importance of recruiting and retaining a diverse workforce that is broadly reflective of the communities we serve.

6.3 Council members should comply with the Equality and Diversity Policy. Any equality and diversity issues will be dealt with under the relevant procedures.
7. Induction and development

7.1 Council members are required to meet the standards of education and training set by the GDC, including attending and completing any reasonable training and development which the GDC requires.

7.2 Council members will be required to participate in regular appraisals which may identify further training opportunities.

7.3 It is the responsibility of Council members to inform a member of the Executive Management Team if they feel that they need further guidance or training to carry out their role.

8. Attending meetings

8.1 It is expected that Council members will attend all Council meetings, and all meetings of committees of which they are a member unless unable, with good reason, to do so. In addition Council members, may also be required to attend external meetings on the Council’s behalf. Council members who are unable, with good reason, to attend a meeting should inform the Governance Team as soon as possible in advance of the meeting.

8.2 Where a Council member’s inability to attend a series of meetings is likely to affect the ability of the Council to perform its statutory functions that member should work with the Chair of Council to consider any action needed. Section 6(g) of The General Dental Council (Constitution) Order 2009 provides that the Privy Council may remove a member whose level of attendance at meetings falls below a minimum level of attendance acceptable to it, having regard to the Council’s own recommended minimum level and whether or not there were reasonable causes for the member’s absences. The Council generally requires a minimum of attendance at 65% of Council meetings (which for the purposes of this paragraph does not include Council away days and additional meetings of Council members), though this figure may include, at the Chair of Council’s discretion, other meetings which the member is obliged to attend (e.g. committee meetings).

9. Preparation for meetings and provision of information

9.1 Council members must read their papers in preparation for meetings, hearings etc. and are expected to take all reasonable steps to keep themselves up to date with Council, committee and other relevant business.

10. Taking a decision

10.1 Section 1 of the Dentists Act 1984 as amended provides that when exercising their functions the Council shall:

- Have proper regard for the interests of persons using or needing the services of registered dentists or registered dental care professionals in the UK;
- Have proper regard for any differing interests of different categories of registered dentists or dental care professionals;
- Have a general concern to promote high standards of education at all its stages in all aspects of dentistry;
• Have a general concern to promote high standards of professional conduct, performance and practice among persons registered under the Act.

10.2 Council members are appointed to carry out the GDC’s statutory regulatory functions. They are not representatives and they must take decisions in accordance with paragraph 10.1 above.

11. Collective responsibility
11.1 Once a quorate decision of the Council is taken, all Council members are collectively responsible for it even if they have voted against it, abstained from voting or were absent when the decision was taken. All Council members are bound by a decision of Council made in good faith (whether by a unanimous or majority vote) and may not obstruct the execution of that decision. The same principle applies to committees of the Council.

12. Demitting office
12.1 Retiring Council members should normally not assume paid employment with the GDC within one year after demitting office. Except for decisions reserved to Council or delegated to SPC, final appointment decisions remain with the Chief Executive Officer, who may shorten the restriction period where there is a strong reason to do so.

12. Relationship with registrants
12.1 The actions of Council members can undermine public confidence in the regulation of dentists and dental care professionals and failure to act appropriately can lead to their suspension or removal.

12.2 In particular Council members must ensure that they do nothing to compromise themselves or the GDC by doing anything which could influence or may be perceived as influencing the GDC’s fitness to practise proceedings on behalf of an individual registrant. If any other matter is raised with a member by an individual registrant, they should bear in mind their obligations under this code and the Managing Interests’ Policy, and if necessary, should discuss the matter with the Chair of Council.

13. Declaration of and managing interests and gifts and hospitality
13.1 Council members are required to be familiar with and adhere to the GDC’s policies on managing interests, gifts and hospitality and anti-fraud and anti-bribery.

13.2 Council members must be aware that the GDC is funded by registrants’ fees, and they have a duty to use the GDC’s resources prudently.

13.3 Council members must not receive any financial or non-financial benefit relating to their position as a member that is not explicitly authorised in their appointment letter/agreement (e.g. Fees for attending meetings/training and incurred expenses).

13.4 If Council members are offered a payment for speaking as agreed on behalf of the GDC they should notify the Chair of Council. The fee offered by the organisation should be paid to the GDC and the Council member should then claim an attendance fee from the GDC where appropriate.
14. Dealing with stakeholders

14.1 Public statements made by Council members are likely to be construed by the public as the opinion of the GDC. The term “public statement” may cover a wide range of circumstances, including but not limited to, speeches, media articles, press statements and postings on social media.

14.2 Council members should not make public statements relating to the Council or the topics in the GDC’s field of interest without authority from the Chair to do so. While such authority may be general (for example, for a Council member to engage in a series of social media postings) as well as specific, it must be in place. Any request from a third party to a Council member to make a public statement should be referred in the first instance to the GDC’s communications team who will co-ordinate advice. Any public statement must be in keeping with relevant GDC policies, which the team communications can advise on. The GDC will provide whatever briefing is necessary to a Council member when they are authorised to speak on its behalf.

14.3 Council members should bear in mind paragraph 14.1 above and take care even when expressing personal views about the Council or topics in the GDC’s field of interest, including conversation with third parties.

14.4 Council members shall not, in any advertising or other promotional material, make any reference to their relationship with the Council nor use the name, logo or style of the Council on any publication or document except with the prior written consent of the Council. The Communications Team can support Council members with this, once written consent has been authorised.

15. Interaction with staff and colleagues

15.1 Council members must treat their colleagues, staff and others they come into contact within the course of their work with the GDC with dignity and respect and in accordance with the principles set out in this code of conduct.

16. Raising concerns

16.1 The GDC is committed to maintaining the highest standards of honesty, openness and accountability. Council members have an important role to play in achieving this goal and are strongly encouraged to raise any concerns that they may have.

16.2 For any concerns or complaints that relate to a Council member’s individual relationship with the GDC, then they should refer to the policy for individual concerns or complaints by Council members.

16.3 If a Council member has a concern about wrongdoing within the GDC that is in the public interest, then they should refer to the whistleblowing policy for Council members and Associates and associated guidance. The GDC will ensure that, if a Council member raises a genuine concern, they will not suffer a detriment or adverse treatment as a consequence; it does not matter if there is no proof or the concern is later proved to be mistaken.

17. Complaints, concerns, or capability

17.1 The policies for dealing with complaints or concerns about Council members set out the procedure to be followed in dealing with a complaint against or a concern about a Council
member where it is alleged or appears that the conduct of the Council member has fallen below the standards expected. The policies apply equally in circumstances where a concern about conduct has come to the GDC’s attention without a complaint being made.

17.2 The capability policies for Council members and Associates set out the procedure to be followed in dealing with a situation where concerns have been raised that the performance of a Council member has fallen below the standards expected. The policies are intended to be supportive and proportionate and assist the Council member to reach the necessary standards.

17.2 If the Council member is a registrant dentist or dental care professional, the following legislation and policy framework will take precedent as necessary over the policies:

- GDC Standing Order for Conduct of Business 2015
- GDC (Constitution) Order 2009 (as amended)
- Guidance on registrant Council Members and FTP Processes

18. Council members and conflicts of interest in fitness to practise (FTP) matters

18.1 In order to help Council members, especially registrants, who may be approached about the GDC’s FTP procedures, the Executive has drafted some general rules (taken from the Code of Conduct) and scenarios have been drafted. If you are in any doubt, please speak to the Chief Executive or the Head of Governance. This guidance is available at Annex 1.

18.2 For more information about conflicts of interest, both in relation to FTP and other matters, the managing interests’ policy is included in the governance manual.

19. Review

19.1 This document will be reviewed every two years. The Head of Governance will be responsible for the review.

19.2 Amendments will be approved by the Council.

20. Related Policies

- Managing Interests Policy for Council members and Associates
- Policy on Gifts and Hospitality for Council members and Associates
- Anti-Fraud and Anti-Bribery Policy for Council members and Associates
- Policy for Individual Concerns or Complaints by Council members and Associates
- Whistleblowing Policy for Council members and Associates
- Policy for Dealing with Complaints or Concerns about Council members and Associates
- Capability Policy for Council members and Associates
- Guidance on registrant Council members and FTP processes
- Information Security Policies for Council members and Associates
21. Annexes

21.1  Annex 1 - Council members and conflicts of interest in FTP matters

21.2  Annex 2 - Council member role description and person specification
Annex 1 - Council members and conflicts of interest in FTP matters

In order to help Council members, especially registrants, who may be approached about our FTP procedures, we set out below some general rules (taken from the code of conduct) and scenarios. If you are in any doubt, please speak to the Chief Executive or the Director of Fitness to Practise.

**General dos and don’ts**

**You should never:**

- Discuss an FTP case with a member of a statutory committee (that is, the Investigating Committee, Interim Orders Committee, Professional Conduct Committee, Health Committee, Professional Performance Committee and Registration Appeals Committee).
- Make any public comment on an ongoing FTP case (including any mention in electronic media).
- Discuss an ongoing FTP case with a member of staff, save that you may refer any questions you have regarding potential conflicts of interest to the Chief Executive or the Director of Governance and HR/Director of Fitness to Practise.

**You should:**

- Tell the Chief Executive if there is media or other public interest in a case, so he/she can arrange an appropriate GDC response.

**Approaches about a current or potential FTP cases**

**If you are approached by a registrant (including a member of your staff) or member of the public about a current case:**

- Directly or indirectly, to discuss an actual or potential FTP case
- To give advice regarding an FTP case
- To ask if an FTP case could be expedited

then you should:

- Refuse to discuss the case, and
- Explain you are unable to discuss the matter because you have a conflict of interest, and
- Direct them to their defence organisation or lawyer, and
- Consider whether the matter affects your own practice. If it does or may affect your practice you should consult the Chair as to the best course of action.

**If you are approached by a member of a statutory committee about a current case, then you should:**

- Report the potential breach of the code of conduct by the member to the Director of Fitness to Practise, who will refer it to the Chair of the Appointments Committee.
Approaches about concluded FTP Cases

If you are approached by a registrant or member of the public about a concluded case, then you should:

- Refuse to discuss the outcome of a case, and
- Explain you are unable to discuss the matter because you have a conflict of interest and
- Direct them to their defence organisation or lawyer if the complaint is regarding the correctness of the decision,
- Listen to complaints about procedure only if a complaint is raised regarding the GDC’s processes. In such a case, you should follow the procedure below (“Approaches and complaints about the FTP process”).

If you are approached by a member of a statutory committee about a concluded case, then you should:

- Refer the member to the Chief Executive or the Director of Fitness to Practise (provided that you are sure that the matter is not ongoing and concerns the GDC’s FTP processes),

Approaches and complaints about the FTP process

If you are asked for information e.g. regarding the GDC’s FTP process by a registrant or member of the public then you should:

- Direct them to the relevant member of staff. For registration, fitness to practise and hearings matters this will be the Director of Registration and Operational Excellence/ Director of Fitness to Practise as appropriate.

If you are approached by a registrant (including a member of your staff) or member of the public about an issue that may require investigation in connection with the GDC’s handling of a case, then you should:

- Refuse to discuss the case, and
- Explain you are unable to discuss the matter because you have a conflict of interest, and
- Direct them to their defence organisation or lawyer, or
- If they are unrepresented tell them to contact the relevant director (provide the name and contact details if you are able) or, if that is not felt to be appropriate, the Chief Executive.

If it is a complaint about the GDC’s FTP processes (e.g. the length of time a case is taking, rudeness or inefficiency of staff) then you should:

- Tell the complainant about our complaints procedure available on the GDC website, which states that they should raise this in the first instance with the relevant director and, if they are not satisfied, with the Chief Executive.
• If the issue is regarding a current case, they should be warned that it may not be possible for the Chief Executive to deal with any complaint until the matter is at an end.

If you, as a Council member, have queries about the appropriateness or efficiency of the GDC’s processes generally (not those of an individual case) then you should

• Raise them with the Chief Executive.
• If after that you are still concerned, you should raise your concerns with the Chair of Council and the Chair of the Audit and Risk Committee.
2009 No. 1808

HEALTH CARE AND ASSOCIATED PROFESSIONS

The General Dental Council (Constitution) Order 2009

Made 6th July 2009
Laid before Parliament 9th July 2009
Coming into force in accordance with article 1(1)

At the Council Chamber, Whitehall, the 6th day of July 2009
By the Lords of Her Majesty's Most Honourable Privy Council

Their Lordships make the following Order in exercise of the powers conferred by section 1(2A) of, and paragraph 1B of Schedule 1 to, the Dentists Act 1984¹ and article 7(2) of the Health Care and Associated Professions (Miscellaneous Amendments and Practitioner Psychologists) Order 2009.

Notes
¹ Section 1(2A) was inserted by S.I. 2001/3926 and substituted by S.I. 2005/2011, and paragraph 1B of Schedule 1 was inserted by S.I. 2009/1182.

Extent
Preamble: United Kingdom

PART 1

Introductory

Law In Force

1.—— Citation, commencement and interpretation

(1) This Order may be cited as the General Dental Council (Constitution) Order 2009 and—
(a) apart from article 5(h), comes into force on 1st October 2009;
3. **Terms of office of members**

(1) The duration of the term of office of each member of the Council is to be determined by the Privy Council, on appointment.

(2) No member of the Council may hold office as a member of the Council for more than an aggregate of 8 years during any period of 20 years.

(3) For the purposes of the computation of years under paragraph (2), service as a member of the Council before 1st October 2005 is to be discounted.

**Commencement**

Pt 2 art. 3(1)-(3): October 1, 2009 (SI 2009/1808 Pt 1 art. 1(1))

**Extent**

Pt 2 art. 3(1)-(3): United Kingdom

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4. **Education and training of members**

The Council shall make provision in standing orders with respect to the requirements with regard to education and training of members of the Council.

**Commencement**

Pt 2 art. 4: October 1, 2009 (SI 2009/1808 Pt 1 art. 1(1))

**Extent**

Pt 2 art. 4: United Kingdom

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5. **Disqualification from appointment as a member**

A person is disqualified from appointment as a member of the Council if that person—

(a) has at any time been convicted of an offence involving dishonesty or deception in the United Kingdom and the conviction is not a spent conviction;

(b) has at any time been convicted of an offence in the United Kingdom, and—

(i) the final outcome of the proceedings was a sentence of imprisonment or detention, and

(ii) the conviction is not a spent conviction;
(ii) the erasure of the person's name from a register held by the licensing body or a decision that had the effect of preventing the person from practising the profession licensed or regulated by the licensing body, or
(iii) a decision that had the effect of only allowing the person to practise that profession subject to conditions, and those conditions have not been lifted;

(j) has at any time been subject to any investigation or proceedings concerning the person's fitness to practise by the Council, in the course of which or where the final outcome was that—

(i) the person's registration in the register was suspended (including by an interim suspension order or an order for immediate suspension) and that suspension has not been terminated,
(ii) the person's name was erased from the register (for a reason connected to the person's fitness to practise), or
(iii) the person's registration in the register was made conditional upon their compliance with any requirement (including by an order for interim conditional registration or an order for immediate conditional registration) and that requirement has not been lifted;

(k) has at any time been subject to any investigation or proceedings relating to an allegation that the person's entry in the register was fraudulently procured, the final outcome of which was the erasure of the person's name from the register;

(l) is or has been subject to any investigation or proceedings concerning the person's fitness to practise by—

(i) any licensing body, or
(ii) the Council,

and the Privy Council is satisfied that the person's membership of the Council would be liable to undermine public confidence in the regulation of registered dentists and dental care professionals; or

(m) has at any time been convicted of an offence elsewhere than in the United Kingdom and the Privy Council is satisfied that the person's membership of the Council would be liable to undermine public confidence in the regulation of registered dentists and dental care professionals.

Notes
1 Section 7 was repealed by the Charities and Trustee Investment (Scotland) Act 2005 (asp 10), Schedule 4, paragraph 7(b).
2 Schedule 4A was inserted by section 257 of, and Schedule 20 to, the Enterprise Act 2002 (c.40).
3 (N.I. 19); Schedule 2A was inserted by S.I. 2005/1455 (N.I. 10).
4 (N.I. 4); relevant amendments were made by S.I. 2005/1454 (N.I. 9).
5 Section 429(2) was amended by the Enterprise Act 2002 (c.40), Schedule 23, paragraph 15.
6 Words substituted by Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012/3006 Pt 2(3) art.13(3)(v) (December 1, 2012: substitution has effect subject to transitional provisions specified in SI 2012/3006 arts 35, 100 and Pt 4)
(2) A member who becomes, or may be about to become, a person to whom paragraph (1)(b) to (f) applies must notify the Privy Council and the Council in writing of that fact as soon as the member becomes aware of it.

(3) Any member or employee of the Council may notify the Privy Council if they are of the view that the Privy Council may need to exercise its functions under paragraph (1).

(4) The chair shall notify the Privy Council if the chair is aware that—
   (a) a member has become, or may be about to become, a person to whom paragraph (1)(b) to (f) applies; and
   (b) that member has not notified the Privy Council in writing of that fact and the chair is not satisfied that the member will do so immediately.

Notes
1 Paragraph 1A was inserted by S.I. 2009/1182.

Commencement
Pt 2 art. 6(1)-(4)(b): October 1, 2009 (SI 2009/1808 Pt 1 art. 1(1))

Extent
Pt 2 art. 6(1)-(4)(b): United Kingdom

7. — Suspension of members from office

(1) The Privy Council may suspend a member from office by a notice in writing served on the member—
   (a) if the Privy Council has reasonable grounds for suspecting that the member has become a person to whom article 6(1)(b)(ii) to (d) applies, for the purposes of determining whether or not the member has become such a person;
   (b) while the Privy Council is considering whether or not it is satisfied as to the matters set out in article 6(1)(g) to (i);
   (c) if the member is subject to any investigation or proceedings concerning the member's fitness to practise by—
      (i) any licensing body, or
      (ii) the Council,
   and the Privy Council is satisfied that it would not be appropriate for the member to continue to participate in proceedings of the Council while the investigation or proceedings concerning the member's fitness to practise is or are ongoing;
   (d) if the member is subject to any investigation or proceedings concerning whether the member's entry in the register was fraudulently procured or incorrectly made and the Privy Council is satisfied that it would not be appropriate for the member to continue to participate in proceedings of the Council while the investigation or proceedings concerning the member's entry in the register is or are ongoing; or
   (e) if the member is subject to any investigation or proceedings in the United Kingdom relating to a criminal offence, or elsewhere than in the United Kingdom relating to an offence
PART 3

Chair of the Council

[8.— Appointment, term of office and cessation of office of the chair

(1) The Privy Council must, as one of its functions relating to the appointment of members of the Council, appoint the chair of the Council.

(2) The Privy Council may appoint a person to be the chair of the Council ("the appointee")—
   (a) when it appoints the person to be a member of the Council; or
   (b) whom it has already appointed as a member of the Council.

(3) The Privy Council must, upon making the appointment, determine the term of the appointee's office as chair and that term cannot last beyond the date on which the appointee's term of office as a member of the Council is due to expire (irrespective of whether or not the appointee is thereafter reappointed as a member of the Council).

(4) An appointee ceases to be chair upon—
   (a) ceasing to be a member of the Council;
   (b) resigning as chair, which the appointee may do at any time by a notice in writing to the Council;
   (c) suspension of the appointee's membership of the Council by the Privy Council; or
   (d) a vote to terminate the appointee's appointment as chair by a majority of all the other members of the Council.

1 Substituted by General Dental Council (Constitution) (Amendment) Order 2012/1655 art.2(3) (October 1, 2013)
(e) if the Council votes (by a majority at a quorate meeting) to terminate the member's appointment as deputy chair.

Commencement
Pt 3 art. 10(1)-(3)(e): October 1, 2009 (SI 2009/1808 Pt 1 art. 1(1))

Extent
Pt 3 art. 10(1)-(3)(e): United Kingdom

PART 4
Proceedings of the Council

Law in Force

11. Quorum of the Council

Notes

1 Figure substituted by General Dental Council (Constitution) (Amendment) Order 2012/1655 art.2(4) (October 1, 2013)

Commencement
Pt 4 art. 11: October 1, 2009 (SI 2009/1808 Pt 1 art. 1(1))

Extent
Pt 4 art. 11: United Kingdom

Law in Force

12.— Effect of vacancies etc. on the validity of proceedings
(1) The validity of any proceedings of the Council shall not be affected by—
   (a) any vacancy among the members of the Council;
   (b) any defect in the appointment of a member of the Council;
   (c) a member whom the Privy Council must remove from the Council under article 6(1)(b) to (f) participating in the proceedings;
   (d) a member whom the Privy Council has removed under article 6(1) having participated in the proceedings; or
   (e) a member who has been provisionally suspended by the Council under its standing orders or suspended by the Privy Council under article 7(1) or (2) having participated in the proceedings.
appoint a deputy chair to serve during an absence of a chair that is likely to be for more than one month or one meeting, or if the position of chair is vacant (article 10).

There are also provisions relating to the proceedings of the GDC. Its quorum is 13, and there are special provisions to prevent the GDC's proceedings being invalidated by matters such as a vacancy or a defect in the appointment of a member (articles 11 and 12).