



GDPC Responses to LDC Conference Motions 2010

PCT transparency and fairness for practitioners

Dorset LDC

This Conference deplores the increased risk of contractual breaches under the new contracting arrangements and believes as a result that it is in the interest of all parties for the local dispute resolution process to be as fair and efficient as possible to reduce the risk of complex proceedings.

This Conference notes, however, the inherent bias toward PCT officials within Contract Dispute Resolution Committees.

This Conference proposes, therefore, that local PCT Contract Dispute Resolution Committees must:

- be independently chaired
- be balanced evenly between PCT officials and practitioners

❖ *GDPC recognises the concerns of LDCs in this area. GDPC will take action with the Department of Health in addressing the partiality of the Contract Dispute Resolution Committees and will continue to demand that clarity to NHS contracts is developed and the potential for breaches is minimised.*

Ring-fencing dental budgets

Leicestershire LDC

This conference regrets that ring fencing for dental funding will cease in April 2011. Without protection for dental funding conference believes it is possible that PCTs will reduce their spending on NHS dental services. This conferences demands that ring fencing for dental budgets be continued past 2011.

Norfolk LDC

This Conference is deeply concerned that many PCTs are failing to spend their full allocation of NHS dental funds. The funding of NHS dentistry was ring-fenced by the Department of Health specifically because of the importance of protecting NHS dental services for patients.

To ensure the continuation of these important services, this Conference calls for PCTs to provide accurate information to LDCs to support them in safeguarding NHS dentistry at a local level.

- ❖ *GDPC shares the concerns of LDC Conference on this issue and regards the use of money retrieved from dental contracts by PCTs for other purposes as completely unacceptable. GDPC shares the view that ring-fencing of dental budgets should continue beyond 2011 as it is clear that dental budgets are not of a level to achieve quality dental care for everyone. To ensure that ring-fencing is robustly enforced at the highest levels, GDPC will contact the Minister directly. GDPC is of the view that it is particularly important to protect dental budgets at a time when contracts may be changed by the new government.*

Inspection processes and decontamination

Somerset LDC

This Conference regrets the imposition of HTM 01-05 in its present form. We believe many of the elements of the document have no evidence base and we urge the department of health to reconsider its decision to impose the document in its entirety without referral for NICE scrutiny.

This Conference, therefore, calls for submission of HTM01-05 to NICE for a review of the evidence base.

Avon LDC

This Conference deplores the imposition of HTM 01-05 guidance document, as the evidence base has yet to be established.

This Conference demands that the Department of Health withdraws the document, halting the implementation of essential compliance pending the outcome of a review of the evidence base.

Birmingham LDC

This Conference calls on GDPC to negotiate with the Department of Health a single inspection of practices for compliance with Care Quality Commission, PCT clinical governance and cross-infection surveys to limit disruption to practices.

- ❖ *GDPC shares the concerns of LDCs about the lack of evidence base for HTM 01 05. It is clear, however that the guidance will not be reviewed by NICE as the Minister has rejected calls for its re-evaluation. GDPC will demand that the Department of Health ensures that only those essential and evidenced aspects of the guidance are required by PCTs, and that CQC does not regard compliance with any other part of the guidance as*

necessary for patient safety. The Remuneration subcommittee has established a decontamination working group to assess the costs of compliance and the practical implications for services.

- ❖ *GDPC believes that CQC registration and inspection are an unnecessary additional burden for practitioners and have expressed this view to the new Minister. GDPC will demand that all elements of practice regulation and inspection be carried out at a single time to minimise service disruption and inconvenience to practitioners and patients.*

LDCs supporting dental charities

Norfolk LDC

The British Dental Guild and Dentists' Health Support Programme provide differing but vital support for the profession. As LDCs see a marked drop in the voluntary levies, their ability to support these bodies dwindles.

This Conference calls for the GDPC to produce clear guidance on the regulations, in relations to LDC levy, and how levy money can be used to support the work of these essential organisations.

- ❖ *GDPC supports the LDCs' position and has produced new guidance to assist them in this matter.*

Practice sale and 'goodwill'

Northamptonshire LDC

This Conference notes that practitioners invest a great deal of money and time in their practice, in order to be able to provide NHS services.

This Conference, therefore, calls on the Department of Health to ensure that adequate compensation for practitioners is provided where the transfer of contracts has been prohibited by PCTs.

Birmingham LDC

This Conference demands that the GDPC negotiate with the Department of Health the removal of Clause 12 from contracts, allowing contract transfers to be re-established and to allow future investments into dental practices as viable businesses.

- ❖ *GDPC continues to raise this issue with the Department of Health at every opportunity. Indications have been that DH recognises the significant value that practitioners invest in their practice and what this means to the NHS, and so we will continue to push for the unconditional transfer of contracts to be re-established. The reinstatement of the right to goodwill is a key component of GDPC's engagement with the Steele process.*

KPIs and contracts

Northamptonshire LDC

This Conference believes that all Key Performance Indicators are designed to lead to an improvement in health outcomes.

This Conference, therefore, demands that the funds associated with these measures must be provided in addition to the contract value.

Birmingham LDC

This Conference demands that the GDPC act on illegal contracting by PCTs, including demanding the BDA to pursue legal challenges, if necessary.

- ❖ *GDPC recognises the concerns of practitioners about the use of KPIs in contracts. Our representatives will continue to argue for indicator values to be based on clinically appropriate measures. Our representatives on the Steele process continue to assess the suitability and purpose of KPIs in the pilots. GDPC considers that any KPI that relies on patient action is unsuitable if linked with payment, and that KPIs should be remunerated in addition to the regular contract conditions.*
- ❖ *GDPC does not condone PCTs acting outside of the regulations and has raised, and will continue to raise, this issue with the Department of Health to ensure that PCTs stop issuing illegal contracts. The matter of legal action by the BDA has been referred to the BDA's Executive Board.*

The Executive Board has sent the following response:

- ❖ *As a member organisation, the Association has a duty to consider each case on its merits when deciding whether to take legal action against PCTs. Where contracts are concerned, action must be taken on the basis of a specific case or cases where the contractor is willing to pursue it and when it is in his and members' interests to do so.*

GDC registration

Birmingham LDC

This Conference requests GDPC engage the GDC to change removal from the register for late payment of registration fees, for cases with mitigation.

- ❖ *GDPC recognises practitioners' concerns about the re-registration timing and that the punitive measure taken that can have disproportionate repercussions for the practitioner.*

Representatives from GDPC will meet with the GDC to discuss this and alternative alert and payment systems.

Funding GDPC Representatives

This Conference believes that LDC Conference should fund loss of earnings expenses for the LDC Conference representatives to the GDPC.

❖ *GDPC welcomes LDC Conference's support for the representatives of LDCs on GDPC.*

EMERGENCY MOTIONS

Care Quality Commission registration – emergency motion

This Conference notes that:

- (a) dental practices are currently regulated by seventeen separate bodies;
- (b) the amount of time practitioners devote to regulatory red tape and paperwork is already excessive and rising every year.

This Conference believes that unnecessary bureaucracy undermines patient care by diverting dentists' time and scarce NHS resources away from the frontline.

This Conference, therefore, calls for the new Government to save money and support patient care by withdrawing the requirements for dental practices to register with the Care Quality Commission before the beginning of the registration process in October.

❖ *GDPC recognises the unanimous support at LDC Conference for action to be taken on the impact of the CQC on practices. It too considers the CQC to be yet another level of bureaucracy which can have a negative impact on practitioners' abilities to provide care. GDPC will continue to pursue this with the new Minister and the Department of Health. In the meantime GDPC will continue to work with the CQC to ensure the minimum impact and cost to practitioners.*

GDC funding

Dentistry is no longer a self regulating profession because the GDC is no longer elected. This Conference demands that the profession either regains the power to elect the GDC or let the Department of Health pay for the GDC.

❖ *GDPC recognises that dentistry has a long and proud tradition of self-regulation and supports the re-establishment of this through the election of GDC members.*

Straw-polls

LDC Conference asked that the results of the following Straw-polls be sent to GDPC Executive for information.

Are delegates confident that non dentists will be able to judge the quality of care provided in dental practices?

Yes	5
No	139
Undecided	5

Are delegates now confident that the process of registering all dentists will be completed by April 2011?

Yes	14
No	126
Undecided	13

How confident are delegates that Professor Steele's recommendations will be implemented, now that we have a new Government?

Confident	15
Unsure	105
Not confident	49

How have PDS Plus contracts been received in your area?

Enthusiastically	3
Unenthusiastically	101
Uncertain	48

Given the impending cuts to the healthcare budget, do delegates feel that PCT commissioners will have the capacity necessary to carry out the micro-management of contracts, required under PDS Plus?

Yes	5
No	131
Undecided	8