

## **GDC consultation – Corporate Strategy 2020-22**

### **Dental Defence Union response**

DDU has responded to all questions with dento-legal implications but we have not responded to every consultation question. We consider this response to be a public document.

#### **1. Please provide your views on the objectives we have identified to support the achievement of strategic aim 1.**

There are a number of objectives that DDU believes will be helpful to our members and their patients from a dento-legal perspective and we look forward to working with the GDC on this important aspect of its corporate strategy.

DDU is especially supportive of the GDC's commitment to sharing learning with its registrants and other audiences. We support the GDC's recognition that when things go wrong it may not be the competence or experience of the dentist that is in question but that there are often a number of other contributory factors. We also support the GDC's commitment to explore further the impact of human factors on dental practice and its undertaking to inform and educate professionals about circumstances that may increase the risk of errors, with the aim of helping registrants to avoid them and to continue to practise safely.

DDU also supports the GDC's commitment to understand better the information it gathers from its fitness to practise processes and to share insights from that information with the profession and others. The information in the GDC's FTP database is invaluable in terms of assisting dentists to understand how things go wrong and why, and helping them to learn from past incidents to improve their practice so they can ensure they continue to treat patients safely.

We note the GDC's comments about the way it currently describes its mission and agree it does not describe accurately how the GDC is intending to change the way it fulfils its role. Regulation carries with it a stigma and is perceived as being punitive, even if that is not the intent. While there will always be a few registrants who will attract the GDC's most severe sanctions, they are, rightly, applied to only a small percentage of registrants each year. The GDC must be able to hold registrants accountable, but we welcome the change of emphasis

towards learning from what goes wrong and sharing that learning in order to assist registrants to continue to practise safely.

**2. Please provide your views on the objectives we have identified to support the achievement of strategic aim 2.**

DDU agrees that an effective complaints procedure should aim to and achieve resolution of patients' complaints locally, in a reasonable timeframe, and to the satisfaction of complainants. We also agree that effective complaints handling may prevent unnecessary referrals to the GDC and welcome the GDC's commitment to continue working with dental defence and other organisations to highlight to dentists and DCPs the importance of effective complaints handling. It is important to support all registrants to ensure patients receive a timely response that addresses their queries and concerns and we will support the GDC in continuing its work on this.

We welcome the commitment in the first bullet point to work jointly with the four nations and regulators and others to develop a coherent and accessible system for resolving complaints, improving signposting and routing complaints effectively. Work has already begun on this through the RDSPB and DDU will continue to contribute on behalf of members. It is important for patients to understand where and how to raise concerns so they can be addressed most effectively and it is equally important to eliminate unnecessary duplication which can create multiple jeopardy for dentists.

**3. Please provide your views on the objectives we have identified to support the achievement of strategic aim 3.**

Timeliness is an important factor in fitness to practise procedures – for registrants and complainants - and we welcome the GDC's commitment to further improve the timeliness of its FTP procedures. Organisations like the DDU can and do contribute constructive feedback based on our experience of assisting members with FTP procedures and we will continue to provide information and ideas to assist the GDC with this essential work.

DDU recognises the importance of ensuring feedback includes identifying matters that can and should be remedied, as well as highlighting examples of best practice. We will continue to assist the GDC to improve its performance by sharing with it information drawn from our members' experience in a timely and constructive way.

DDU supports the separation of a regulator's adjudication function from the investigation and prosecution functions. We worked closely with the GMC when the medical regulator separated these functions, and with the MPTS during the development and implementation phases of the adjudication tribunals. We have considerable experience of the practicalities (for registrants and other parties) of the separation of these functions, including benefits and pitfalls, and look forward to sharing this experience with the GDC to assist it to evaluate these options.

We note and welcome the undertakings set out in the section on deploying the GDC's powers appropriately and effectively and look forward to exploring with the GDC the potential for a broader range of resolutions and assisting it to evaluate the potential effect on registrants and others.

**4. Please provide your views on the expenditure plans associated with strategic aim 3.**

There is not enough detail provided at this stage about the broader range of resolutions that may be considered or at what stage in the procedure they may be deployed. Some of the options will have greater cost implications than others and the eventual cost will depend on which of them are used, how they fit within the procedure, and how effective they are. Given this uncertainty, we are unable to comment on the projected expenditure plans at this stage.

**5. Please provide your views on the objectives we have identified to support the achievement of strategic aim 4.**

On behalf of our members DDU is frustrated at the slow pace of regulatory reform and has been active in making representations to DHSC on the importance of putting in place a legislative structure for regulators that allows them the flexibility they need to update and improve their FTP and other procedures in a timely manner. Drawing on the DDU's experience of assisting members with FTP and other procedures, we can support the GDC in its work to influence regulatory reform, using our members' experience as an evidence base. We will continue to stress the importance of the need for legislative change while at the same time supporting the GDC to identify how to work most effectively within its current framework. Our comments in respect of strategic aim 3 are also relevant here.

The GDC has a valuable database of evidence drawn from its FTP procedures and we welcome its commitment to maximising the use of that material, for example to identify

areas of risk and share them with registrants to assist them to continue to practise as safely as possible.

**6. Please provide your views on the expenditure plans associated with strategic aim 5.**

We note the GDC's commitment to developing its approach to cross-skilling GDC staff to allow greater agility and discretion in the deployment of resources to match workload priorities. We welcome the commitment to ensuring its staff have appropriate training, skills and competence to undertake their roles and will continue to contribute feedback from our experience of assisting DDU members to inform this process.

**7. Is the rationale for the proposed distribution of costs between dentists and DCPs sufficiently clear?**

Yes.

**8. Are our assumptions in relation to our income and expenditure sufficiently clear?**

Yes.

**9. Do you have any further comments in relation to our proposed activity and expenditure plans?**

No.

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