

Response to the General Dental Council's consultation on updating its Scope of Practice guidance

May 2023

1. Introduction

- 1.1 The Professional Standards Authority for Health and Social Care promotes the health, safety and wellbeing of patients, service users and the public by raising standards of regulation and registration of people working in health and care. We are an independent body, accountable to the UK Parliament. More information about our work and the approach we take is available at www.professionalstandards.org.uk
- 1.2 As part of our work we:
- Oversee the ten health and care professional regulators and report annually to Parliament on their performance
 - Accredit registers of healthcare practitioners working in occupations not regulated by law through the Accredited Registers programme
 - Conduct research and advise the four UK governments on improvements in regulation
 - Promote right-touch regulation and publish papers on regulatory policy and practice.

2. General comments

- 2.1 We strongly welcome the GDC's aim of promoting greater flexibility and supporting dental professionals to work to their full potential. This is particularly important in light of the workforce challenges in the dental sector and the need to increase access to dental services. Effective team working and making greater use of existing roles were both addressed in our recent report '*Safer care for all - Solutions from professional regulation and beyond*'¹ and this guidance supports those objectives. We agree that in the longer-term the proposed Scope of Practice guidance should better enable professionals to adapt to future changes in dentistry. This change will also bring the GDC more in line with the approach taken by other regulators.
- 2.2 We welcome the GDC's engagement with partners and stakeholders in drafting the guidance and making it centred on protecting patients.
- 2.3 We have set out some queries in response to the individual questions about how the GDC will address some of the short-term practical challenges and risks in moving to the new approach.

¹ Professional Standards Authority, 2022, *Safer Care for All: solutions from professional regulation and beyond*, available at: [Safer care for all. Solutions from professional regulation and beyond \(professionalstandards.org.uk\)](http://www.professionalstandards.org.uk)

3. Detailed comments

Question 1: To what extent do you agree or disagree that the proposed Scope of Practice guidance protects patients by guiding dental professionals to practise safely within clear role boundaries?

- 3.1 Neither agree nor disagree.
- 3.2 We support the GDC's aim to give professionals guidance about how they should exercise their professional judgement in relation to their scope of practice.
- 3.3 We note that the GDC's research indicates that dental professionals have a good understanding of their own scope of practice, and rarely use the current guidance for this, however there is lower awareness of the scope of other members of the dental team. The GDC may wish to consider the clarity of the guidance to both to existing professionals and those who join the GDC's register in future.
- 3.4 We support the intention of the guidance to be supportive and enabling, rather than restrictive. Where the guidance invites registrants to consider whether they 'feel competent and confident' to carry out work (1.3), it may be appropriate to make clear the importance for public protection that professionals work within their competence at all times, and the adverse consequences that may follow departures from this, such as harm to patients and fitness to practise proceedings for registrants.
- 3.5 The GDC may wish to consider how clearly and comprehensively the boundaries of each of the seven roles are defined within the Scope of Practice guidance, in particular whether the language used is sufficiently clear and unambiguous to all users of the guidance. Having moved from a more prescriptive approach it may also be useful to clarify that the example tasks provided are indicative rather than comprehensive to avoid confusion.

Question 2. To what extent do you agree or disagree that the proposed Scope of Practice guidance supports and guides professional decision making?

- 3.6 Agree
- 3.7 We agree that empowering professionals to determine their own personal scope of practice (within set boundaries) should support professional decision making. Within this framework, it will be important that dental professionals have the competence and confidence not only to define their scope of practice, but also to articulate this to colleagues. As we outline in *Safer care for all*, 'safe care depends on effective teamwork – and that needs familiarity, each member understanding their respective roles'.²
- 3.8 The guidance notes that dentists must 'understand their colleagues' scope of practice' and that there 'should be mutual agreement between dentist and

² Professional Standards Authority, 2022, *Safer Care for All: solutions from professional regulation and beyond*, available at: [Safer care for all. Solutions from professional regulation and beyond \(professionalstandards.org.uk\)](https://www.professionalstandards.org.uk)

colleague regarding tasks that are delegated'. As the new guidance beds in, it will be important to ensure that everyone within the dental team understands that the scope of practice of colleagues is personal to them. Tasks can only be delegated where they fall within the individual's scope of practice, which may be different to the scope of practice of another individual with the same title. The GDC may wish to take steps to emphasise this point to registrants, as the GDC's own research has found that individuals within the dental team have a low awareness of the scope of practice of other roles within the team.

Question 3: To what extent do you agree or disagree that the proposed Scope of Practice guidance helps to enable the dental team and individuals to work to their full potential in a variety of settings?

- 3.9 Agree
- 3.10 We agree that the new Scope of Practice guidance should help professionals to work to their full potential, and we support this ambition. However, we know that some concerns have been raised about how indemnity providers will be able to adapt to the proposed approach.
- 3.11 Whilst the GDC's approach is to move away from a defined list of tasks each professional can undertake, it will be important for insurers and defence bodies to review their own approach while ensuring that dental professionals have appropriate cover for the work they undertake. We would encourage the GDC to work with insurers and defence bodies to ensure that the guidance is understood by them and that they are confident they can adapt to, and implement, the changes.

Question 4: To what extent do you agree or disagree that the proposed Scope of Practice guidance sets role boundaries while also being adaptive to changes in the dentistry environment?

- 3.12 Neither agree nor disagree.
- 3.13 Whilst we welcome the flexible and forward-looking approach the GDC is taking to scope of practice, we believe that more will need to be done to ensure that all members of the dental team understand how this is new approach will work both for themselves, their colleagues, and the team as a whole. It will need to be well understood where boundaries lie and how they will change (as per our response to question 1).

Question 5: To what extent do you agree or disagree that the proposed Scope of Practice guidance can support the future delivery of dentistry?

- 3.14 Agree.
- 3.15 We agree that a more flexible approach should prove better able to adapt to future changes in dentistry.

Question 6: In your view, what are the benefits associated with the updated Scope of Practice guidance?

- 3.16 We would hope that the new Scope of Practice guidance should prove better able to adapt to future changes and support everyone within the dental team

to work to their full potential. This is particularly welcome in light of the workforce challenges within the dental sector, and aligns with our recommendations in *Safer care for all*.³ Ensuring that all team members can work to their maximum capabilities should allow for more efficient working and, potentially, greater access for patients to dental services.

Question 7: In your view, what are the risks associated with the updated Scope of Practice guidance?

- 3.17 As outlined, we are strongly in support of the direction of travel, therefore the risks we have identified are likely to be a short-term consequence of the change in approach which we would expect the GDC to work to mitigate.
- 3.18 As outlined in response to question two, there is a risk that not everyone within the dental team will be familiar with their colleagues' individual scopes of practice. This could have consequences in terms of delegation, and DCPs will need to feel empowered to clearly articulate what they can and cannot do and other colleagues in the dental team must be confident that it is within scope if they are delegating tasks.
- 3.19 Further, in response to question three we identified the risk that insurers and defence organisations may find the new guidance difficult to implement. If this risk is not mitigated this could undermine the policy ambition and curtail the flexibility of dental professionals.
- 3.20 A further risk, which is acknowledged in the consultation document, is that the changes may make it more difficult to determine whether a registrant has acted outside their scope of practice within fitness to practise (FtP) proceedings. We would expect the GDC to closely monitor any adverse impacts on FtP proceedings and take steps to mitigate any that should arise.
- 3.21 Finally, the new approach may make it more difficult for patients to understand which dental professionals perform which tasks. We welcome the GDC's commitment to work with patient groups to provide information about the different roles within the dental team. Ensuring that patients, the public, and dental professionals themselves understand the boundaries of each role will be a key component in making this new approach work.

Question 8: Please tell us below about any improvements you think that we can make to the role descriptions for each member of the dental team.

- 3.22 We do not have specific comments about individual role descriptions, but we encourage the GDC to consider whether they are sufficiently clear and comprehensive, and to engage with relevant stakeholders about this.

³ Professional Standards Authority, 2022, *Safer Care for All: solutions from professional regulation and beyond*, available at: [Safer care for all. Solutions from professional regulation and beyond \(professionalstandards.org.uk\)](https://www.professionalstandards.org.uk)

Question 9: If you are aware of other uses of the Scope of Practice, by individuals or organisations, please tell us about any impacts you think the proposed changes will have

- 3.23 As outlined in response to question three, we understand that the Scope of Practice has been used by indemnifiers to define what tasks they will indemnify against for each dental professional role. Removing the list of tasks may not achieve the stated ambition if it leads to confusion about what professionals need to be covered for, or if indemnifiers continue to use a list and stipulate tasks as part of their cover therefore the GDC will need to engage with indemnifiers to mitigate this risk.

Question 10: Please tell us anything else that you think we should consider in relation to our proposal to update the Scope of Practice guidance

- 3.24 We do not have any further comments on the guidance.

Question 11: Please tell us about any impacts you think the updated Scope of Practice guidance will have on people with the following protected characteristics:

- Age
 - Disability
 - Gender reassignment
 - Marriage and civil partnership
 - Pregnancy and maternity
 - Race
 - Religion or belief
 - Sex
 - Sexual orientation
- 3.25 We are not aware of any differential impacts of the guidance on groups with protected characteristics. We would encourage the GDC to make a full assessment of impacts by means of an Equality Impact Assessment.

4. Further information

- 4.1 Please get in touch if you would like to discuss any aspect of this response in further detail. You can contact us at:

Professional Standards Authority for Health and Social Care
16-18 New Bridge St, Blackfriars, London, EC4V 6AG
Email: policy@professionalstandards.org.uk
Website: www.professionalstandards.org.uk
Telephone: 020 7389 8030