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ADVANCE LETTER DOS 2/2006

Gateway [6588]

15 May 2006

To: Chief Executives, Primary Care Trusts – *for action*.
Chief Executives, NHS Trusts - *for action*.

For information:

Finance Directors
HR Directors
Chief Executives, Strategic Health Authorities.

SHA Dental Leads
Clinical Directors of salaried primary dental care services

**Pay Scales and Allowances for dentists working in the Salaried
Primary Dental Care Services
(Community, PCT Dental Service and Salaried Personal Dental
Services dentists)**

Dear Chief Executive

1. This Advance Letter:

Gives the common pay scales and pay supplements for salaried dentists working in Community Dental Services (CDS), PCT Dental Services and under Personal Dental Service (PDS) Agreements, and confirms increases to London Weighting Allowance. Action is only required by those Trusts providing the above services. It advises employers of employment arrangements for dentists previously working under the old General Dental Service Regulations as salaried general dental practitioners (SGDP). It also introduces changes to the Terms and Conditions of Service relating to termination of employment and poor performance procedures. These changes follow discussions with representatives of the profession and are all effective from 1st April 2006.

GENERAL

2. Pay Scales for Community, PCT Dental Service and salaried Personal Dental Services dentists

Pay scales and pay supplements from 1st April 2006 are detailed in the Appendices attached to this letter.

3. Salaried general dental practitioners.

Until 31st March 2006 a small number of dentists were employed by PCTs under the old General Dental Service Regulations as salaried general dental practitioners (SGDP). Those Regulations ceased to have effect after 31st March. As already advised to PCTs in Dental Commissioning Factsheet 14 (Gateway 5917) ¹ these dentists should, with effect from 1st April 2006, be employed under the Terms and Conditions of Service for Administrative and Community Clinical Dental Officers of Regional and District Health Authorities (Health Boards) published in September 1987 and known as the “Red Book”. Such staff should be integrated with other salaried primary dental care staff providing dentistry under PCT Dental Service arrangements or PDS Agreements.

4. Maintaining high professional standards in the modern NHS.

A new disciplinary framework has been agreed for employed medical and dental staff to replace the previous processes based on circular HC(90)9, the “paragraph 190” appeals procedure and the “Three Wise Men” procedure under circular HC(82)13. The first two parts of the framework were initially published under cover of HSC 2003/012. The remaining three parts of the framework, and Directions ² to employing bodies, were published in February 2005. The complete framework and the Directions are available at the Department of Health website www.dh.gov.uk.

With effect from 1st April 2006 the framework is also implemented for all salaried primary dental care staff replacing the above processes and also replacing that contained in HM(61)112 which, although cancelled by HC(90)9 had still been held to apply to salaried dentists.

A new paragraph setting out revised arrangements for termination of employment has been inserted into the Handbook of Terms and Conditions of Service (the “Red Book”) and is reproduced at Appendix 3 to this Advance Letter. Paragraph 190 of those Terms of Service is cancelled.

In accordance with the PCT Dental Services Directions 2006, from 1st October 2006 at the latest all salaried primary dental care staff should be employed either in PCT Dental Services or under a PDS Agreement. Some staff will be employed from 1st April 2006 under one or other of those arrangements.

¹ Implementing Local Commissioning for Primary Care Dentistry: Factsheet 14 – Salaried Primary Dental Care Services. Gateway 5917. Department of Health, March 2006.

² Directions on Disciplinary Procedures 2005.

One consequence is that all the dentists working in those services will be on a Performers List of a PCT and subject to the regulatory procedures set out in the Performers List Regulations³. Employers should be aware that salaried primary care dentists are therefore potentially subject to the sanctions available in the Performers List system via the PCT responsible for the Performers List in question and through the Maintaining High Professional Standards procedures set out in HSC 2003/012 managed by the employing body, which will not necessarily be the same as the PCT responsible for the Performers List. It is essential that the PCT responsible for the Performers List, the employing body and the employee are clear about the procedures being used in a particular case of poor performance.

5. Action required as a result of this notification

PCTs and NHS Trusts providing primary dental care through community, PCT Dental Service and/or salaried personal dental services agreements are asked to give effect to the changes as soon as possible. Please ensure that the attention of Directors of Finance and Clinical Directors of salaried primary dental care services is drawn to this letter and appendices and that they bring it to the attention of all clinical dental staff of those services.

Appendices 1, 2 and 3 of this Advance Letter should be inserted into and retained in the “Terms and Conditions of Service for Administrative and Community Clinical Dental Officers of Regional and District Health Authorities (Health Boards)” published in September 1987 and known as the “Red Book”. The appendices supercede those previously contained within the Red Book. The “Red Book” should be amended to include the new paragraph 189 about termination of employment and to delete paragraph 190.

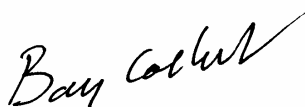
6. Agreement

The Secretary of State has approved the revised rates of remunerations set out in the attached replacement pages.

7. ENQUIRIES

Employees should direct their personal enquiries to their employing authority.
Enquiries by Primary Care Trusts and NHS Trusts should be taken up through the CDO’s office: CDO@dh.gsi.gov.uk

Yours sincerely



Dr Barry Cockcroft
Acting Chief Dental Officer (England)

This letter and its appendices may be freely reproduced by those to whom it is addressed.

³ The National Health Service (Performers Lists) Amendment Regulations 2005.

AL (DOS) 2/2006

The Secretary of State has approved the agreement reached between the Department of Health and the profession in the Joint Negotiating Forum as set out in the attached pages.

The Secretary of State for Health also hereby approves the said agreement with effect from 1 April 2006 in exercise of his powers under regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) Regulations 1991 (SI 1991 No 481).

Signed by authority of the
Secretary of State for Health

A handwritten signature in black ink, appearing to read 'Ben Dyson', with a stylized flourish at the end.

Ben Dyson
Head of Dental and Ophthalmic Services

15 May 2006

Appendix 1 to Advance Letter DOS 2/2006

| | Scales as at 1 April 2005 | Scales Payable from 1 April 2006 |
|--|-------------------------------|-------------------------------------|
| <u>Band 1:</u> Community Dental Officer/PCT | 0. 31,290 | 0. 32,041 |
| Dental Service dentist / Salaried Personal | 1. 33,901 | 1. 34,714 |
| Dental Service Dentist (Pay Code LA51)* | 2. 36,511 | 2. 37,387 |
| | 3. 39,122 | 3. 40,061 |
| | 4. 41,732 | 4. 42,734 |
| | 5. 44,343 | 5. 45,407 |
| | 6. 46,954 | 6. 48,080 ¹ |
| | 7. 49,564 | 7. 50,754 ¹ |
| <u>Band 2:</u> Senior Dental Officer/ Senior PCT | 0. 45,131 | 0. 46,215 |
| Dental Service dentist / Senior Salaried Personal | 1. 48,781 | 1. 49,952 |
| Dental Service Dentist (Pay Code LA61)* | 2. 52,430 | 2. 53,689 |
| | 3. 56,080 | 3. 57,426 |
| | 4. 59,729 | 4. 61,163 |
| | 5. 60,534 | 5. 61,987 ¹ |
| | 6. 61,338 | 6. 62,810 ¹ |
| <u>Band 3:</u> Assistant Clinical Director of Community | 0. 60,294 | 0. 61,741 |
| Dental Service/ PCT Dental Service / | 1. 61,242 | 1. 62,712 |
| Salaried Personal Dental Service | 2. 62,191 | 2. 63,683 |
| (Pay Code LA71)* | 3. 63,139 | 3. 64,654 |
| | 4. 64,087 | 4. 65,625 ¹ |
| | 5. 65,036 | 5. 66,597 ¹ |
| <u>Band 4:</u> Clinical Director of Community | 0. 60,294 | 0. 61,741 |
| Dental Service/PCT Dental Service/ Salaried | 1. 61,242 | 1. 62,712 |
| Personal Dental Service (Pay Code LA81)* | 2. 62,191 | 2. 63,683 |
| | 3. 63,139 | 3. 64,654 |
| | 4. 64,087 | 4. 65,625 |
| | 5. 65,036 | 5. 66,597 |
| | 6. 65,984 | 6. 67,568 |
| | 7. 66,948 | 7. 68,555 |
| | 8. 67,897 | 8. 69,526 ¹ |
| | 9. 68,845 ¹ | 9. 70,497 ¹ |

* These pay codes are used by approximately 50% of Trusts

¹ Performance based increment (PBI), see advance letter DOS 2/2001 Appendix 2 for guidance. Further enquiries should be dealt with at trust level.

Appendix 2 to Advance Letter DOS 2/2006

DETAILED RECOMMENDATIONS ON FEES AND ALLOWANCES PAYABLE TO CDS, PCT DENTAL SERVICE AND SALARIED PDS DENTISTS

The new levels of remuneration set out below operate from 1st April 2006.
The previous levels quoted are those currently in force.

1. The teaching supplement payable to assistant clinical directors in PCTs which include a dental teaching hospital is increased with effect from 1st April 2006, from £2,227 to £2,280 a year.
2. The teaching supplement payable to clinical directors in PCTs which include a dental teaching hospital is increased with effect from 1st April 2006, from £2,515 to £2,575 a year.
3. The supplement which is payable to clinical directors with responsibility for more than one salaried dental service is increased as follows:
 - a.) where a clinical director is responsible for two separate salaried dental services each managed by a separate NHS Trust or PCT, the supplement is increased with effect from 1st April 2006, from £1,625 to £1,664 a year; and
 - b.) where a clinical director is responsible for three or more separate salaried dental services each managed by a separate NHS Trust or PCT, the supplement is increased with effect from 1st April 2006, from £2,595 to £2,657 a year.
4. Clinical directors and assistant clinical directors on protected salary scales or continuing in posts pending decisions on Trust management structures and appointments, shall be paid teaching supplements, and salaries via pay scales for those salary scales.
5. The hourly fee for additional sessional employment payable under paragraph 72 of the handbook of terms and conditions of service is increased along with the allowance payable for occasional work under paragraph 81 of the handbook should be increased with effect from 1st April 2006, as shown in column 3 below. The current hourly rates are shown in column 2.

| 1 Grade | 2 Rates payable from 1.4.05 | 3 Rates payable from 1.4.06 |
|---|--------------------------------------|-----------------------------------|
| Dental Officer (Pay Code LA21)* | £25.95 | £26.57 |
| Senior Dental Officer (Pay Code LA31)* | £34.42 | £35.25 |
| Dental Surgeon Employed as part-time hospital consultant | £42.89 | £43.92 |

* These pay codes are used by approximately 50% of Trusts

6. The Fees for lectures with effect from 1st April 2006 are set out in column 3 of the table below.

| 1 Paragraph 170 (fees for lectures to non-medical and non-dental staff):- | 2 with effect from 1.4.05 £ | 3 with effect from 1.4.06 £ |
|---|--------------------------------------|--------------------------------------|
| a) for lectures given by Clinical Director or Assistant Clinical Director; and, | 54.83 | 56.15 |
| b) for lectures given by Clinical staff in pay bands 1-2. | 43.36 | 44.40 |
| Paragraph 172 (fees for a lecture on a professional subject to a group of doctors and/or dentists). | 69.32 | 70.98 |

7. The allowance for dental officers acting as trainers of vocational trainees, or who supervise undergraduate dental students, is increased with effect from 1st April 2006, from £1,780 to £1,823 a year.

8. The London Weighting Allowance is to remain at £2,162 per annum with effect from 1st April 2006.

Appendix 3 to Advance Letter DOS 2/2006.

Amendment to the handbook of Terms and Conditions of Service of Administrative and Community Clinical Dental Officers of Regional and District Health Authorities (Health Boards)” published in September 1987 and known as the “Red Book”. This amendment applies in England only.

Insert:

TERMINATION OF EMPLOYMENT (ENGLAND ONLY)

189. Disciplinary Matters.

In England, wherever possible, any issues relating to conduct and capability should be identified and resolved without recourse to formal procedures. However, should an employing authority consider that a practitioner’s conduct and capability may be in breach of the authority’s code of conduct, or that the practitioner’s professional competence has been called into question, the matter will be resolved through the authority’s disciplinary or capability procedures (which will be consistent with the “Maintaining High Professional Standards in the Modern NHS” framework), subject to the appeal arrangements set out in those procedures. Any allegations of misconduct against, or capability concerns about, a dentist in a recognised training grade should be considered initially as a training issue and dealt with via the educational supervisor with close involvement of the postgraduate dental dean from the outset.

190. Termination of employment: Representations against dismissal.

Deleted.