



## SCOTTISH EXECUTIVE

Health Department  
Directorate of Service Policy & Planning

St Andrew's House  
Regent Road  
EDINBURGH  
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Dear Colleague

### GENERAL DENTAL SERVICES

1. **AMENDMENT NO 89 TO THE STATEMENT OF DENTAL REMUNERATION AND THE SCOTTISH MINISTERS' DETERMINATION: PAYMENTS IN CONSEQUENCE OF SUSPENSION UNDER AN INTERIM SUSPENSION ORDER OF THE NHS TRIBUNAL**
2. **ERRORS IN AMENDMENT NO 89**
3. **DETERMINATION XIV - PRACTICE ALLOWANCES - CALCULATION OF GROSS EARNINGS**
4. **PATERNITY AND ADOPTIVE LEAVE**

### Summary

1. This letter advises NHS Boards, NHS Trusts and Practitioner Services of the publication of an amendment to the Statement of Dental Remuneration, [Amendment No 89](#), and Amendment No 14 to the Scottish Ministers' Determination: Payments in Consequence of Suspension under an Interim Suspension Order of the NHS Tribunal. It also advises of errors contained in Amendment No 89, provides guidance on the calculation of gross earnings in respect of a General Dental Practice allowance and provides an update on the introduction of paternity and adoptive leave.

### Background

2. [NHS: 2003 PCA\(D\)7](#), issued on 23 May, advised of the introduction of Amendment No 88 to the SDR, which provided for a 2.25% increase in the fee-scale. Amendment No 88 was issued pending the outcome of decisions on any recommendation from the Doctor' and Dentists' Review Body (DDRB) for general dental practitioners.
3. The DDRB has now reported and the Scottish Executive has accepted in full the DDRB recommendations in respect of general dental practitioners.

21 July 2003

### Addresses

#### For action

Chief Executive, NHS Boards  
and NHS Trusts

Director,  
Practitioner Services

#### For information

Chief Executive,  
Common Services Agency

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## Action

4. NHS Boards, NHS Trusts and Practitioners Services are asked to note:
  - 4.1 that with effect from 1 August 2003 the revised SDR comes into force, including a 3.225% increase in the fee-scale for all courses of treatment started **on or after 1 August 2003**. The Memorandum to this letter provides more information;
  - 4.2 that errors occurred in Amendment No 89. Replacement pages are attached to the Memorandum to this letter and should be substituted for the corresponding pages in Amendment No 89;
  - 4.3 the guidance on the calculation of gross earnings in respect of a General Dental Practice allowance (Part I of Determination XIV) contained in the Memorandum to this letter.
  - 4.4 the information about paternity and adoptive leave contained in the Memorandum to this letter.
5. Practitioner Services will pay supplements with regard to payments in respect of courses of treatment started between 1 April 2003 and 31 July 2003 inclusive to implement the fee increase of 3.225% from 1 April 2003. These supplements will be at the following rates:
  - 5.1 3.225% for courses of treatment started in April and May and continuing care and capitation payments for these months;
  - 5.2 0.95% for courses of treatment started in June and July and continuing care and capitation payments for these months.
6. These supplements will be applied to gross fees including the patient charge element. There will be no retrospective adjustment to patient charges. The new patient charges should be used for courses of treatment starting on or after 1 August 2003.
7. NHS Boards and Primary Care Trusts are asked to note the new rates of remuneration for salaried dentists and to make any necessary backdated payments.
8. NHS Boards and Trust Chief Executives are reminded of the need to ensure that they make their Hospital and Community Dental staff aware of the new scale of fees, which they require to calculate the proper patient charge for certain dental appliances.
9. A copy of the SDR, Amendment No 89, and the Memorandum to this letter are being sent directly to general dental practitioners and salaried dentists.

10. Supplies of Amendment No 89 will be sent under separate cover to NHS Boards and Primary Care Trusts for their own use and for new dentists joining their lists.

Yours sincerely

DR HAMISH WILSON  
Primary Care Division

**DENTISTS  
NATIONAL HEALTH SERVICE  
GENERAL DENTAL SERVICES**

- 1. AMENDMENT NO 89 TO THE STATEMENT OF DENTAL REMUNERATION AND AMENDMENT NO 14 TO THE SCOTTISH MINISTERS' DETERMINATION: PAYMENTS IN CONSEQUENCE OF SUSPENSION UNDER AN INTERIM SUSPENSION ORDER OF THE NHS TRIBUNAL**
- 2. ERRORS IN AMENDMENT NO 89**
- 3. DETERINATION XIV - PRACTICE ALLOWANCES - CALCULATION OF GROSS EARNINGS**
- 4. PATERNITY AND ADOPTIVE LEAVE**

1. An amended Statement of Dental Remuneration, Amendment No 89, and Amendment No 14 to the Scottish Ministers' Determination: Payments in Consequence of Suspension under an Interim Suspension Order of the NHS Tribunal are attached.

2. Amendment No 88 to the SDR, which provided for a 2.25% increase in the fee-scale, was issued on 23 May with the Memorandum to NHS: 2003 PCA(D)7. Amendment No 88 was issued pending the outcome of decisions on any recommendation from the Doctor' and Dentists' Review Body (DDRB) for general dental practitioners.

3. The DDRB has now reported and the Scottish Executive has accepted in full the DDRB recommendations in respect of general dental practitioners.

**Amendment No 89 to the Statement of Dental Remuneration**

**Fee Increase**

4. The DDRB recommended that the remuneration for general dental practitioners should be increased by 3.225% from 1 April 2003. They also recommended that the commitment payments scheme is increased from 1 April 2003 so as to be a third higher than the rates applying from 1 April 2002.

**Changes to Determinations I to IX and XI**

5. Figures have been calculated and uprated following the normal conventions. Other changes are as follows:

**Determination I (Scale of Fees - August 2003)**

6. The new fee scale will apply to all courses of treatment **started on or after 1 August 2003**. Practitioners Services will pay supplements with regard to payments in respect of courses of treatment started between 1 April 2003 and 31 July 2003 inclusive to implement the fee increase of 3.225% from 1 April 2003. These supplements will be at the following rates:

6.1 3.225% for courses of treatment started in April and May and continuing care and capitation payments for these months;

6.2 0.95% for courses of treatment started in June and July and continuing care and capitation payments for these months.

#### Determinations II to IX and XI

7. Payments and earnings levels for the year 2003/04 have been revised to reflect the 3.225% increase from 1 April 2003.

#### Determination IV (Vocational Training Allowances)

8. An increase in the vocational trainer's grant for Scotland has been agreed with the professions' representatives. With effect from 1 August 2003 vocational trainers will be entitled to a grant of £926 per month. The payment of the difference between the current trainer's grant of £643 per month and the new grant of £926 will be dependent on the trainer meeting the conditions of the assessment system required by NHS Education for Scotland (NES). Where a trainer does not meet the conditions of the assessment system he/she will be required to repay to NES a proportion of the grant paid. The amount that NES can recover cannot exceed 30% of the grant paid, this being the difference between the current trainer's grant and the increased grant for Scotland.

#### Determination IX (Commitment Payments)

9. The current Commitment Payment Scheme is being increased by a third.

#### Determination XIV (Practice Allowances)

10. It has been agreed with the professions' representatives that:

10.1 the gross earnings of vocational trainees should not be included in the calculation of the average gross practice earnings for the payment of a General Dental Practice (GDP) allowance; and

10.2 vocational trainees should not be included in the number of dentists within the practice on 1 April in the year the claim is made;

10.3 the time limit for submitting applications for a GDP allowance should be extended to 6 months;

10.4 a new vocational training practice (VTP) allowance should be introduced.

11. The changes at paragraph 10 above will take effect from 1 April 2003. Practitioner Services has been asked to recalculate, where appropriate, any claims for a GDP allowance which they have received which include vocational trainees in the calculation.

12. The new VTP allowance will be £1,500 per trainer. Trainers will not require to submit an application for a VTP allowance. The allowance will be paid automatically by Practitioner Services to all vocational trainers, on behalf of the practice, who employ vocational trainees on 1 August 2003 and in each subsequent year.

### **Errors in Amendment No 89**

13. Errors occurred in Amendment No 89. Replacement pages are attached and should be substituted for the corresponding pages in Amendment No 89.

### **Determination XIV (Practice Allowances) - Calculation of Gross Earnings**

14. Dentists are asked to note that only the following payments, grants and allowances should be included in the gross earnings when calculating the average gross practice earnings for a General Dental Practice allowance (Part I of Determination XIV);

- Item of service fees
- Continuing care and capitation payments
- Seniority payments
- Vocational trainer's grant
- Continuing professional development allowance
- Remote area allowance
- Recruitment and retention allowance
- Clinical audit allowance
- Fees for undertaking surgery inspections on behalf of a NHS Board/Primary Care Trust
- Dental Practice Adviser's allowance.

### **Paternity and Adoptive Leave**

15. Ministers announced on 25 March that paternity and adoptive leave would be introduced from 1 April 2003. Payments for paternity and adoptive leave will be introduced later this year and more information about these payments will be provided at that time.

### **Enquiries**

16. Any enquiries arising from this Memorandum should be taken up with your NHS Board/Primary Care NHS Trust.

SCOTTISH EXECUTIVE HEALTH DEPARTMENT  
21 July 2003

## AMENDMENT NO. 89

### STATEMENT OF DENTAL REMUNERATION

PURSUANT TO REGULATION 22(3)  
OF THE NATIONAL HEALTH SERVICE  
(GENERAL DENTAL SERVICES) (SCOTLAND)  
REGULATIONS 1996, AS AMENDED,  
SCOTTISH MINISTERS HAVE  
AMENDED ON 1 AUGUST 2003  
THE STATEMENT OF DENTAL REMUNERATION,  
AND HEREBY PUBLISH THE AMENDMENT

## AMENDMENT NO. 89

1. This amendment shall take effect from the date set out below.
  - (i) The revised Determination I and Part III of Determination XIV shall take effect from 1 August 2003;
  - (ii) The revised Determinations II to XIII and Parts I and II of Determination XIV shall take effect from 1 April 2003.
2. The amendment shall not affect any rights or liabilities acquired or incurred under or by virtue of any provision of the Statement of Dental Remuneration amended or replaced by this amendment.

# Statement of Dental Remuneration

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## Section XIV—Additional Payments

### 74. Additions in respect of earlier payments

Where the Board sends to the CSA an authorisation of payment under Determination I on or after:

- (a) 1 April 2003, but before 1 August 2003, in respect of a contract or arrangement entered into on or after 1 April 2003, but before 1 June 2003, the CSA shall pay the dentist an additional sum equal to 3.23% of the amount of payment so authorised;
- (b) 1 June 2003, but before 1 August 2003, in respect of a contract or arrangement entered into on or after 1 June 2003, but before 1 August 2003, the CSA shall pay to the dentist an additional sum equal to 0.95% of the amount so authorised; or
- (c) 1 April 2003, but before 1 June 2003, in respect of a contract or arrangement entered into before 1 April 2002, the CSA shall pay to the dentist an additional sum equal to 3.6% of the amount of the payment so authorised.

### 75. Scale additions:

Where the Board sends to the CSA an authorisation of payment under Determination I dated on or after 1 August 2003 in respect of a contract or arrangement entered into or made:

- (a) before 1 April 1999, the CSA shall pay to the dentist an additional sum equal to 14.1% of the payment so authorised.
- (b) on or after 1 April 1999 and before 1 April 2000, the CSA shall pay to the dentist an additional sum equal to 11.19% of the payment so authorised.
- (c) on or after 1 April 2000 and before 1 April 2001, the CSA shall pay to the dentist an additional sum equal to 7.64% of the payment so authorised.
- (d) on or after 1 April 2001 and before 1 April 2002, the CSA shall pay to the dentist an additional sum equal to 3.6% of the payment so authorised.
- (e) on or after 1 April 2002 and before 1 April 2003, no additional payment will be made.
- (f) on or after 1 April 2003 and before 1 June 2003, the CSA shall pay to the dentist an additional sum equal to 3.23% of the payment so authorised.
- (g) on or after 1 June 2003 and before 31 July 2003, the CSA shall pay to the dentist an additional sum equal to 0.95% of the payment so authorised.
- (h) on or after 1 August 2003 no additional payment will be made.

### Proviso to Item 75

No additional payments under item 75 will be made on payments on account already paid by the CSA pending completion of care and treatment.

# Statement of Dental Remuneration

## DETERMINATION IV VOCATIONAL TRAINING ALLOWANCES

### Interpretation

1.—(1) In this Determination, unless the context otherwise requires:—

"dental list" means a dental list prepared by a Health Board or a primary care NHS trust in accordance with regulation 4(1A) of the National Health Service (General Dental Services) (Scotland) Regulations 1996;

"EEA" means European Economic Area;

"trainee" means a dentist who is employed by a trainer as an assistant in accordance with paragraph 2 of this Determination;

"trainer" means a dentist who employs a trainee as an assistant in accordance with paragraph 2 of this Determination.

(2) In this Determination, a reference to a numbered paragraph is to the paragraph bearing that number in this Determination and a reference in a paragraph to a numbered sub-paragraph is to the sub-paragraph bearing that number in that paragraph.

### Entitlement

2.—(1) A trainer who satisfies the conditions specified in sub-paragraph (2) and who makes a claim to NHS Education for Scotland in accordance with paragraph 5 shall be entitled to the allowances specified in paragraph 3.

(2) The conditions referred to in sub-paragraph (1) are:—

- (a) the trainer's name is included in the dental list of a Health Board or a primary care NHS trust;
- (b) the trainer's application to act as a trainer in a vocational training scheme for general dental practice has been approved by the Postgraduate Dental Dean;
- (c) the trainer has engaged a trainee under a contract of employment as an assistant in his dental practice for a period of one year's full time employment (or an equivalent period of part-time employment) or for such additional period, not exceeding three months' full-time employment or the part-time equivalent, as the Postgraduate Dental Dean has authorised as necessary for the completion of vocational training and the trainee is for the time being employed by the trainer under such a contract;
- (d) the trainer has agreed to pay the trainee a monthly salary at the rate specified in respect of the remuneration of the trainee in this Determination'; and
- (e) the trainer agrees to meet all the conditions of the assessment system required for satisfactory completion as set down by NHS Education for Scotland.