



SCOTTISH EXECUTIVE

Health Department
Directorate of Primary Care and Community Care

Primary Care Division
St Andrew's House
Regent Road
EDINBURGH
EH1 3DG

Dear Colleague

29 December 2005

GENERAL DENTAL SERVICES

Addresses

Summary

For action
Chief Executives,
NHS Boards

1. This letter advises NHS Boards and Practitioner Services of an amendment to the Statement of Dental Remuneration (SDR), Amendment No 99, which takes effect from 1 September 2005.

Director,
Practitioner Services

Action

For information
Chief Executive,
NHS National Services Scotland

2. NHS Boards and Practitioner Services are asked to note the amendment to Determination XIV (Practice Allowances) to the SDR, details of which are provided in the Memorandum to this letter.

Enquiries to:

Lynne Morrison
Primary Care Division
1st Floor East Rear
St Andrew's House
EDINBURGH
EH1 3DG

3. Copies of the Memorandum to this letter are being sent under separate cover for **urgent** distribution to all dentists on NHS Board lists.

Tel: 0131-244 2466
Fax: 0131-244 2326
email:

Yours sincerely

Lynne.A.Morrison@scotland.gsi.gov.uk
<http://www.scotland.gov.uk>

DR HAMISH WILSON



**DENTISTS
NATIONAL HEALTH SERVICE
GENERAL DENTAL SERVICES**

1. This Memorandum advises dentists of an amendment to Determination XIV (Practice Allowances) of the Statement of Dental Remuneration (SDR), Amendment No 99, which takes effect from 1 September 2005.

Amendment to Part I of Determination XIV – General Dental Practice Allowance

2. The Deputy Minister for Health and Community Care's letter to Dentists of 29 November advised that the general dental practice (GDP) allowance would be doubled to 12% of gross earnings for those practices which meet the new definition of NHS commitment, as detailed in that letter. This change is brought into effect by the attached Amendment No 99 to the SDR. Changes within the Determination are sidelined.

3. All practices will continue to be entitled to receive a GDP allowance each quarter calculated as 6% of the accumulative gross practice earnings. Those practices which meet the new definition of NHS commitment will in addition to this 6% be entitled to receive an additional 6% of accumulative gross practice earnings for each quarter that they meet the conditions of entitlement to payment.

4. The conditions of entitlement to the additional GDP allowance are set out in paragraph (2)(4) of the attached revised Determination and are that:

- (a) the practice is an NHS committed practice;
- (b) the dentists within the practice maintain or increase the number of patients accepted for care and treatment under capitation and continuing care arrangements with them at 1 October 2005; and
- (c) the dentists within the practice meet, and continue to meet, their NHS terms of services, as set out in Schedule 1 to the NHS (General Dental Services) (Scotland) Regulations 1996.

An "NHS committed" practice is defined in paragraph 1(1) of the attached revised Determination as a practice from which:

- (a) the dentists provide general dental services to all categories of patients;
- (b) the dentists have an average of at least 500 patients per dentist accepted for care and treatment under capitation and continuing care arrangements of which at least an average of 100 per dentist must be fee paying adults; and

(c) the dentists have average gross earnings of £50,000 or above per dentist in the period of 12 months immediately preceding the last day of the quarter for which the allowance is payable.

5. Provision has been made to enable those dentists who are 90% or more committed to the NHS but whose patient registration figure and gross earnings bring the average patient registration figures and gross earnings of the dentists within the practice as a whole below that required to be entitled to payment of an additional GDP allowance to apply for consideration for payment. Such dentists will be required to complete a new application form GP229 (Application from a part-time dentist in respect of an additional general dental practice allowance), copy attached, containing a declaration:

- of the proportion that his/her gross NHS earnings bore to his/her total earnings in the year prior to the one in which the additional allowance is payable; and
- that, if requested to do so by the Common Services Agency, he/she will provide an accountant's certificate certifying the proportion that his/her gross earnings bore to his/her total earnings in the year prior to that in which the additional allowance is payable.

6. Dentists who are 90% or more committed to the NHS will be deemed to have 500 registered patients, including 100 fee paying adults, and gross earnings of £50,000 when calculating the average registration figure and gross earnings of the dentists within the practice for payment of the additional GDP allowance.

7. A separate claim form will require to be submitted for each year that such dentists wishes consideration for payment of an additional GDP allowance.

8. The additional GDP allowance will be payable for each quarter that the practice meets the conditions of entitlement. The payment will cease for any quarter that the conditions are not met. If the practice meets the conditions of entitlement in a subsequent quarter then the additional allowance will again be payable.

9. The CSA may waive the stopping of the additional GDP allowance in any quarter that the practice does not meet the conditions of entitlement where it considers that failure to meet the conditions was because of exceptional circumstances.

10. The first additional GDP allowance will be made in the December 2005 schedule paid in January 2006.

11. Any enquiries arising out of this Memorandum should be taken up with your NHS Board.

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 September 2005 the Statement of Dental Remuneration.

Amendment No 99

1. This amendment shall take effect from the date set out below:
 - (i) The amendment to Determination XIV shall take effect from 1 September 2005.
2. This amendment shall not affect any rights or liabilities acquired or incurred under or by virtue of any provisions of the Statement of Dental Remuneration amended or replaced by this amendment.
3. The attached replacement pages 133 to 140 should replace pages 133 to 138 in Amendment No 94. Existing corresponding pages should be destroyed.

Statement of Dental Remuneration

DETERMINATION XIV PRACTICE ALLOWANCES

Interpretation

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

"assistant" in relation to Part I has the meaning given in regulation 2(1) of the National Health Service (General Dental Services) (Scotland) Regulations 1996 but excludes those assistants who are vocational trainees;

"accumulative gross practice earnings" means the gross earnings of all of the dentists on the dental list within the practice and all of the assistants within the practice for the preceding 3 scheduled payments prior to the quarter end in respect of which the allowance is to be paid;

"the CSA" means the Common Services Agency for the Scottish Health Service constituted under Section 10 of the National Health Service (Scotland) Act 1978;

"category of patients" in relation to Part I means:

(a) exempt patients, ie children under 18, those aged 18 in full-time education, pregnant women and nursing mothers;

(b) fully or partially remitted patients, ie those patients and their partners in receipt of income support, income-based jobseekers' allowance, pension credit guarantee credit, NHS Low Income certificates HC2 and HC3 holders and those patients and their partners entitled to, or named on, a NHS tax credit exemption certificate; and

(c) fee paying adult patients ie those patients who do not fall within either category (a) or category (b),

and "categories of patients" shall be construed accordingly.

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

"dentist" in relation to Part I means a registered dental practitioner and includes a dentist who is an assistant;

"dentist" in relation to Part II and III means a registered dental practitioner and excludes a dentist who is an assistant;

"designated dentist" means that dentist, excluding a dentist who is an assistant, deemed designated and recorded by the CSA on the last day of the quarter in which the payment is to be made;

"financial year" means the period beginning on 1 April in one year and ending on 31 March in the next year;

"the GDS Regulations" means the National Health Service (General Dental Services) (Scotland) Regulations 1996, as amended;

"gross earnings" in relation to Part I means the dentist's gross earnings, excluding any remuneration by way of salary as a salaried dentist, from the provision by him in person of general dental services under the National Health Service (Scotland) Act 1978, including;

- Item of service payments
- Continuing care and capitation payments
- Seniority payments
- Vocational trainers grant
- Continuing professional development allowance
- Remote area allowance
- Recruitment and retention allowance
- Clinical audit allowance
- Maternity payments, paternity payments and adoptive leave payments
- Fees for undertaking practice inspections
- Dental Practice Adviser allowance
- NHS Board lead general dental practitioner allowance
- NHS Education for Scotland adviser remuneration
- CPD tutors or directors remuneration
- Regional Dental Officer remuneration
- Items of service fees for providing NHS general dental services within the Scottish Prison Service.

"a practice" means a single geographical location from which general dental services are provided, this location being the practice address on a Health Board list;

"NHS committed practice" in relation to Part I means a practice from which:

- (a) the dentists provide general dental services to all categories of patients
- (b) the dentists have an average of at least 500 patients per dentist accepted for care and treatment under capitation and continuing care arrangements (full or part-time) of which at least an average of 100 per dentist must be fee paying adults; and
- (c) the dentists have average gross earnings of £50,000 or above per dentist (full or part-time) in the period of 12 months immediately preceding the last day of the quarter for which the allowance is payable.

"NHS earnings" in relation to Part II means the gross earnings, excluding any remuneration by way of salary, of all of the dentists within the practice from the provision by each such dentist in person of general dental services under the National Health Service (Scotland) Act 1978

"quarter" means a period of 3 months ending on 30 June, 30 September, 31 December and 31 March;

"total earnings" in relation to Part II means the gross earnings, excluding any remuneration by way of salary, of all of the dentists within the practice from the provision of dentistry by each such dentist in person;

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

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

"vocational training practice" means a practice which has a trainer who employs a trainee;

"year" in relation to Part I means the period beginning on 1 April in one year and ending on 31 March in the next year;

"year" in relation to Part III means the period beginning on 1 August in one year and ending on 31 July in the next year.

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

Part I - General Dental Practice Allowance

Conditions of Entitlement

2.—(1) Subject to the conditions of sub-paragraph (3) the CSA shall pay in accordance with paragraph 3(1) an allowance to a designated dentist within a practice to help address the increasing practice requirements in relation to the provision of high quality premises, health and safety, staffing support and information collection and provision.

(2) Where the conditions specified in sub-paragraph (4) are satisfied by the dentists in a practice in respect of which an allowance under sub-paragraph (1) is payable to the designated dentist, the CSA shall pay to the designated dentist within the practice an additional allowance in accordance with paragraph 3(2).

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

- (a) the names of the dentists in respect of which the claim is being made are, with the exception of those dentists who are assistants, included in the dental list of the Health Board in whose area the practice is situated;
- (b) the names of any dentists who are assistants, in respect of which the claim is being made, and who provide general dental services within the practice have been notified to the Health Board in whose area the practice is situated; and
- (c) the practice has been satisfactorily inspected by the Health Board in whose area the practice is situated within the 3 years prior to that in respect of which the allowance is to be paid.

(4) The conditions referred to in sub-paragraph (2) are that during the period for which the additional allowance is payable:

- (a) the practice is an NHS committed practice;
- (b) the dentists within the practice maintain or increase the number of patients accepted for care and treatment under capitation and continuing care arrangements with the dentists within the practice at 1 October 2005; and
- (c) the dentists within the practice meet, and continue to meet, their NHS terms of service, as set out in Schedule 1 to the GDS Regulations.

Payments

3.—(1) The amount of allowance to be paid in terms of paragraph 2(1) where the dentists within the practice satisfied the conditions in paragraph 2(3) will be 6% of the accumulative gross earnings of the dentists in the practice.

(2) The amount of additional allowance to be paid in terms of paragraph 2(2) where the dentists within a practice satisfied the conditions in paragraph 2(4) will be 6% of the accumulative gross earnings of the dentists in the practice.

(3) The allowance and any additional allowance shall be payable quarterly in the month following the quarter to which the calculation is made.

(4) The allowance and any additional allowance shall be paid to a designated dentist within the practice on behalf of all of the dentists at the practice.

Conditions for part-time dentists

4.—(1) Where the dentists within a practice are not entitled to payment of an additional allowance under paragraph 3(2) due to one or more dentists within the practice not fully contributing to meeting the conditions in head (b) and (c) or head (c) only of the definition of NHS committed practice the dentists within the practice may nonetheless be entitled to be considered for payment of an additional allowance provided that:

(a) the dentists within the practice who do not meet the conditions in head (b) and (c) or head (c) only of the definition of NHS committed practice otherwise meet the definition of an NHS committed practice and the conditions of entitlement in paragraph 2; and

(b) the dentists within the practice who do not meet the conditions in head (b) and (c) or head (c) only of the definition of NHS committed practice meet the conditions set out in sub-paragraph (2).

(2) The conditions referred to in sub-paragraph (1) are that –

(a) at least 90 percent of the dentist's earnings from practising as a dentist in the year prior to that in which the additional allowance is payable was attributable to gross earnings in which case the dentist will be deemed to have gross earnings of £50,000 and to have 500 patients, including 100 fee paying adults, accepted into continuing care and capitation arrangements; and

(b) each dentist completes and submits to the CSA a form provided to him, for that purpose, by the Health Board together with:

(i) a declaration in writing of the percentage of his gross earnings in relation to his total earnings from practising as a dentist in the year prior to that in which the additional allowance is payable (which must not be less than ninety percent); and

(ii) a declaration in writing, that if requested to do so by the CSA he will provide to the CSA at his own expense within three months of the request being made a certificate signed by an accountant certifying the proportion that his gross earnings bore to his total earnings from practising as a dentist in the year prior to that in which the additional allowance is payable.

Change of Circumstances

5. —The designated dentist for the practice shall notify the CSA within one month of any change in circumstances of any of the dentists included in the calculation of the allowance which may affect entitlement to a practice allowance under paragraph 3(1), and of any circumstances which may affect entitlement to an additional allowance under paragraph 3(2).

Failure to Meet Conditions of Additional Allowance

6.—(1) Where a practice fails to meet the conditions set out in paragraph 2(4) the additional allowance payable under paragraph 3(2) will cease during the period of non-compliance with these conditions.

(2) The CSA may waive the ceasing of the additional allowance in any case where it considers that the failure to meet the conditions set out in paragraph 2(4) was because of exceptional circumstances.

Part II - Sedation Practice Allowance

Conditions of Entitlement

7.—(1) A dentist who satisfies the conditions specified in sub-paragraph (2) and who makes a claim on behalf of a practice to the CSA in accordance with paragraph 8 shall be entitled to an allowance as ascertained in accordance with paragraph 7.

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

- (a) the names of the dentists in respect of which the claim is being made are included in the dental list of the Health Board in whose area the practice is situated;
- (b) the practice undertook, in the year prior to that in respect of which the allowance is to be paid, a minimum of 50 sedation treatments under general dental services, of which at least 30 must be intravenous where different sedation techniques are used; and
- (c) the practice has been satisfactorily inspected by the Health Board in whose area the practice is situated within the 3 years prior to that in respect of which the allowance is to be paid.

Amount of Allowance

8.—(1) Subject to sub-paragraph (2), the amount of allowance to be paid where a dentist has satisfied the conditions in paragraph 6 and made a claim in accordance with paragraph 8 shall be:

- | | | |
|------|----------------------|---------------|
| (i) | Relative Analgesia | £2,000.00; or |
| (ii) | Intravenous Sedation | £1,500.00 |

less any abatement in accordance with sub-paragraph (3).

(2) Only one allowance under either sub-paragraph (1)(i) or (ii) shall be payable. The allowance to be paid shall be determined by the sedation techniques used by the practice in the year prior to that in respect of which the allowance is to be paid. Where the practice used:

- (a) only relative analgesia then the allowance at sub-paragraph (1)(i) shall be payable;
- (b) only intravenous sedation then the allowance at sub-paragraph (1)(ii) shall be payable;
- (c) both relative analgesia and intravenous sedation then, provided that the practice provided at least 20 relative analgesia sedations, the allowance at sub-paragraph (1)(i) shall be payable. Where the practice provided less than 20 relative analgesia sedations then the allowance at sub-paragraph (1)(ii) shall be payable.

(3) The abatement to be applied is the amount in column 2 of the Table below corresponding to the proportion in column 1 of that Table which the practice's NHS earnings bear to its total earnings in the financial year prior to that in respect of which the allowance is to be paid.

TABLE

<i>Column 1</i> <i>Percentage which the practice's NHS earnings bear to total earnings</i>	<i>Column 2</i> <i>Percentage of Practice Allowance to be abated</i>
50% or more	nil
25% or more but less than 50%	50%
Less than 25%	100%

(4) Where a practice provided more than 250 sedations in each of the 2 years prior to that in respect of which the allowance is to be paid an additional allowance will be payable. Subject to sub-paragraph (2), the additional allowance payable will be:

£1,000.00

less any abatement in accordance with sub-paragraph (3).

(5) The allowance shall be paid to one dentist within the practice on behalf of all of the dentists at that practice. Only one allowance shall be payable to a practice in a year.

(6) Where a dentist provides sedation services under general dental services from more than one practice the NHS and total earnings of the practice shall be determined by the relevant earnings of each practice.

Claim for Allowance

9.—(1) Where there is more than one dentist on a dental list within a practice any application shall be made by one dentist on behalf of all of the dentists within the practice but the conditions in paragraph 6, and 8 will apply equally to all of the dentists.

(2) One dentist shall make a claim, on behalf of the whole practice, for an allowance under paragraph 7 to the CSA, on a form supplied by the Health Board, in which he shall state the percentage of the practice's NHS earnings from the provision of general dental services in relation to the practice's total earnings for the financial year prior to that in respect of which the allowance is to be paid. He shall include with the claim a declaration that he shall make the practice available for a two yearly sedation practice inspection.

(3) The dentist making the claim and who is receiving the allowance shall notify the CSA within one month of any change in the circumstances of any of the dentists included in the claim which may affect entitlement to a practice allowance under paragraph 7.

(4) A claim for an allowance under sub-paragraph (1) shall be made within 3 months of the start of the financial year.

Part III - Vocational Training Practice Allowance

Conditions of Entitlement

10.—(1) The CSA shall, where a dentist who is a trainer has satisfied the conditions specified in sub-paragraph (2), pay to the dentist on behalf of the vocational training practice an allowance as specified in paragraph 10.

(2) The condition referred to in sub-paragraph (1) is that the dentist has employed a trainee in the year in which the allowance is to be paid.

Amount of Allowance

11.—(1) The amount of allowance to be paid where the dentist has satisfied the condition in sub-paragraph 9(2) shall be:

£1,500.00.

(2) Only one allowance shall be payable to a trainer in a year.

Part IV – Application of Determination

12. —This Determination shall take effect from:

- (i) 1 April 2005 in respect of Part I other than paragraphs 2(2), 2(4) 3(2), (4), 4 and 6 which shall take effect from 1 September 2005; and
- (ii) 1 April 2003 in respect of Parts II and III.

NATIONAL HEALTH SERVICE

APPLICATION FROM A PART-TIME DENTIST IN RESPECT OF AN ADDITIONAL GENERAL DENTAL PRACTICE ALLOWANCE

Full details of the general dental practice allowance are set out in Part I of Determination XIV of the Statement of Dental Remuneration. Please read that Determination before you fill in this form.

If you meet all of the conditions of entitlement set out in paragraph 2(4) of Determination XIV except those in head (b) and (c) or head (c) only of the definition of NHS committed practice you can be deemed to have average gross earnings of £50,000 and to have 500 patients, including 100 fee paying adults, accepted into continuing care and capitation arrangements so long as at least 90% of your earnings from dentistry in the year prior to that in which the additional allowance is payable was attributable to gross earnings, as set out in Determination XIV.

PART 1 PERSONAL DETAILS

1. Surname 4. List Number(s) for Practice

2. Other Name(s)

Grid of 5 boxes

3. Address for practice in respect of which claim is being made

Grid of 5 boxes

.....

Grid of 5 boxes

.....

Grid of 5 boxes

.....

PART 2 DECLARATION

I declare that:

- *with the exception of the conditions set down in head (b) and (c) of the definition of NHS committed practice I meet all of the conditions of entitlement for consideration for an additional general dental practice allowance; or
*with the exception of the conditions set down in head (c) only of the definition of NHS committed practice I meet all of the conditions of entitlement for consideration for an additional general dental practice allowance; and
at least 90% of my earnings from the practice of dentistry in the year prior to the year in which the additional general dental practitioner allowance is payable were attributed to gross earnings, as defined in Determination XIV. My gross earnings for the relevant year were% of my total earnings;
if requested to do so by the CSA I will provide within 3 months of the request being made and at my own expense a certificate signed by an accountant stating the percentage that my gross earnings bore to my total earnings in the year prior to that in which the additional allowance is payable;
all of the information I have provided in this form is correct and complete and I understand that if it is not action may be taken against me.

SignatureDate

* Delete as appropriate.