



NHS England/British Dental Association clarification

NHS England and the Office of the CDO published the fifth in a series of regular updates to general dental practices and community dental services regarding the emerging COVID-19 situation on 13th July 2020.

Following discussion between NHS England and the BDA, this side letter sets out a shared understanding around some of the issues covered in the letter.

Abatement reconciliation

The letter indicates on **page 3** that the abatement for the period between 1st April and 7th June 'will be enacted through reconciliation over the period to 31 March 2021'. Our joint expectation is that the abatement will be reclaimed by commissioners gradually over the second half of the financial year.

Definition of patient care activity

The letter says on **page 4** that "*any practice not delivering the equivalent of at least 20% of usual volumes of patient care activity will be deemed to be non-compliant with the above criteria*".

In this context, patient care is defined as:

All clinical contact that dentists or dental care professionals have with patients either face to face, by telephone or video consultation counted by the BSA via completed courses of treatment or via the COVID-19 triage portal.

Should a practice have evidence of exceptional circumstances such that prohibit tolerance achievement then contractors should engage with the relevant regional team to discuss alternative arrangements.

NHS BSA will be issuing a step by step guide so that practices can see at a glance historic activity volumes.

In the unlikely circumstances that contract holders do not want to sign up to the proposed variation and accept the 20% threshold, their contract will revert to pre-existing regulations and contractual arrangements for the relevant period.

The assessment to be made in this context will be all clinical contact that dentists or dental care professionals have with patients either face to face, by telephone or video consultation from 20th July and recorded within the 1st October NHSBSA pay schedule. This would be compared to the equivalent volume of patient contact provided by the contractor in the corresponding period in 2019.

The activity of all dental performers will count towards this target, inclusive of foundation dentists.

For new contracts that have been mobilised outside of the 2019 reference period the average number of courses of treatment during the lifetime of the new contract will be applied, pro-rata for the 20th July to 1st October pay schedule period.

Other contracts

Discussions are on-going around how the arrangements to apply to orthodontic contracts and for practices involved in dental contract reform.

Staffing assurance

The letter sets out a requirement for a declaration over the continued engagement of staff through contracts and direct employment. For the avoidance of doubt, this principle (and the associated assurance mechanism) applies to all individuals providing a service in the practice whether directly employed, employed as a locum or engaged through a contract for provision of service on any basis. This applies to all staff groups including dentists, dental hygienists, dental therapists, dental nurses, non-clinical and administrative staff.

**NHS England and British Dental Association
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