

EQUALITY IMPACT ASSESSMENTS – RESULTS

Title of Policy	THE NATIONAL HEALTH SERVICE (VOCATIONAL TRAINING FOR DENTISTS) (MISCELLANEOUS AMENDMENT) (SCOTLAND) REGULATIONS 2022
Summary of aims and desired outcomes of Policy	Currently dentists in vocational training are recruited and paid by NHS Education for Scotland (“NES”) and yet are employed by training practices (or for a very small minority, in public dental service clinics where the employer is the NHS Board). The proposal is that the employer should change to NES.
Directorate: Division: team	Directorate for Health Workforce, Health & Social Care Workforce Planning & Development Division, Medical Education & Training Team

Executive summary

Currently dentists in vocational training are recruited and paid by NES and yet are employed by training practices. In a very small minority (in 2021 the number was 2) they are employed in an approved public dental service clinic in which case the NHS Board is their employer.

The proposal is that the employer for all dentists in vocational training should change to NES.

The change of employer will take effect from 1 August 2022 which is the start date of the trainee cohort that year. The intention is to make the Amendment Regulations in advance of 1 August. This would allow contracts to be drawn up which would reflect that change. Current legislation states that a contract of employment should be in place on the first day of the post.

The current Vocational Trainee period will end on 31 July 2022. If any Vocational Trainee requires additional training, NES would seek to find a new location for training, and would then issue a new contract which would reflect the change in employer.

Background

NES has a pivotal role in the attraction and retention of dentists in training in Scotland, so it is important to them to always consider how they can improve the training and employment journey. NES has identified that streamlining the employment arrangements will improve the consistency of employment experience for dentists in training.

Following graduation from university, newly qualified dentists are required to satisfactorily complete a one-year programme of Vocational (Foundation) Training in an approved general dental practice or approved public dental service clinic in order to be eligible to hold a Health Board list number. NES is responsible for co-ordinating educational agreements between trainees and trainers and processing payroll information for all Vocational Trainees on behalf of the Dental Training Practices.

Therefore, currently dentists in vocational training are recruited and paid by NES and yet are employed by training practices (or in a very small minority in PDS clinics where they are employed by NHS Boards). The proposal is that the employer should change to NES.

The Scope of the EQIA

In approaching this EQIA we considered the impact that the policy change would have. The policy is not a major one in terms of scale or significance and is unlikely to have a major impact on equality groups. Therefore this EQIA is light touch as it affects a small number of people and has a minor impact.

Key Findings

This policy involves moving dental trainees from a number of different employers who all have varying terms and conditions to NES an NHS employer with tried and tested policies. NES is subject to the Public Sector Equality Duty created under the Equality Act 2010.

Each protected characteristic as listed within the Equality Act 2010 is considered individually below:

PROTECTED CHARACTERISTIC	COMMENT
Age	NES has a specific Equality & Diversity in employment policy which works to advance equality of opportunity including related to age.
Disability	NES has a Disability, Long-term Conditions, Mental Health and Neurodiversity Network which helps to meet the needs of different groups and encourage participation. NES has disability policy and procedures in place with a view to tackling prejudice and promoting understanding of disabled employees and ensuring appropriate reasonable adjustments are in place where required.
Gender Reassignment	Alongside the overall Equality & Diversity in Employment policy, NES has an LGBTQ+ Network which works to advance equality of opportunity by encouraging participation, tackle prejudice and promote understanding.
Pregnancy & Maternity	NES has a well established Parents and Carers Network which works to remove any disadvantage to this group and promote understanding. They also have a maternity and breastfeeding support policy to advance equality of opportunity for this group.
Race	NES has an Under-represented Ethnic Minority Network as well as an Equality & Diversity in employment policy. These work to eliminate unlawful discrimination and advance equality of opportunity.

Religion or Belief	The overall Equality & Diversity in employment policy that NES as the new employer has works to advance equality of opportunity and eliminate unlawful discrimination against protected groups and this includes religion or belief.
Sex	Moving to an NHS employer means that trainees will benefit from the overall Equality & Diversity Policy which NES has developed. More specifically they also operate a Gender Based Violence Policy which works to promote understanding and minimise disadvantage.
Sexual Orientation	The NES LGBTQ+ Network helps to eliminate unlawful discrimination and advance equality of opportunity, whilst promoting understanding and tackling prejudice.
Marriage & Civil Partnership	The overall Equality & Diversity in employment policy that NES operates would advance equality of opportunity for this protected group.

Recommendations and Conclusion

Moving to a single point of contact for all dental vocational trainees on employment issues should allow for a more standardised and efficient HR service for trainees and for other stakeholders for managing employment queries and issues. This will include monitoring of discrimination cases, so these can be removed or minimised in order to create an environment in which individual differences and the contributions of staff are recognised and valued.

Under the current system dental vocational trainees had potentially inconsistent arrangements and the proposal is to move to an NHS employer who is obliged to comply with the Public Sector Equality Duty laid out in The Equality Act 2010. NES have proven, consistent arrangements and we would anticipate a positive impact on the protected characteristics.

The change should promote equality by providing access to NES's policies and networks and we therefore conclude that we should proceed with the policy change.

Authorisation

I am satisfied with the equality impact assessment that has been undertaken for The National Health Service (Vocational Training for Dentists) (Miscellaneous Amendment) (Scotland) Regulations 2022 and give my authorisation for the results of this assessment to be published on the Scottish Government's website.

Name: Stella Smith

Position: Head of Medical Education and Training Unit, Health Workforce

Authorisation date: 16 May 2022