

POLICY NOTE

THE NATIONAL HEALTH SERVICE (VOCATIONAL TRAINING FOR DENTISTS) (MISCELLANEOUS AMENDMENT) (SCOTLAND) REGULATIONS 2022

SSI 2022/170

The above instrument was made in exercise of the powers conferred by sections 2(5), 25(1) and (2), and 105(7) of the National Health Service (Scotland) Act 1978. The instrument is subject to negative procedure.

Purpose

These Regulations make amendments to The National Health Service (Vocational Training for General Dental Practice) (Scotland) Regulations 2004 to (a) change the employer of dentists undertaking Vocational Training from training practices to NHS Education for Scotland (NES) and (b) continue an exemption from vocational training for dentists holding certain European diplomas.

Policy Objectives

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 private dental services clinics where the employer is a Health Board). The amendments would mean that the employer of dental vocational trainees changes to NES.

Moving to a single point of contact for all vocational trainees on employment issues should allow for a more standardised and efficient HR service for trainees and for other stakeholders for managing vocational trainees employment queries and issues. Consistent application of NES employment policies to all vocational trainees ensures a fair and equitable approach can be applied where there are any employment issues. Closer NES involvement in supporting trainees with employment issues may also allow for earlier recognition and resolution of any problems.

NES already have tested policies, systems and processes in place which can be adopted and aligned to the needs of vocational trainees, this includes supporting more complex areas that can arise during the vocational training year including for example sickness absence, maternity leave, paternity leave and conduct issues.

Further benefits would be clarification of employment responsibilities and mitigation of risk whilst maximising digital solutions.

We are also taking the opportunity to broadly mirror changes made in other countries of the UK by exempting those dentists who hold a relevant European diploma from being required to do vocational training in Scotland. A relevant European diploma is defined in the Dentists Act 1984 (see section 15 and 53) as an appropriate European diploma or a qualification granted in a relevant European State, with a “relevant European State” meaning an EEA State or Switzerland. We are largely reinstating the position that was in place before Brexit, ensuring dentistry in Scotland continues to benefit from those dentists with this qualification joining the workforce.

Consultation

In relation to the change of employer, NES conducted a consultation with relevant groups in late 2018/early 2019, and communications were produced July 2019, which were circulated to interested parties. The consultation exercise indicated that stakeholders agreed that the change in employer to NES would be a positive change.

Impact Assessments

In relation to the change of employer, an EQIA was undertaken which will be published on the gov.scot website.

Financial Effects

No Business and Regulatory Impact Assessment (BRIA) is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

**Scottish Government
Health Workforce**

May 2022