
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Dental Services Contracts) Regulations 2005 (the GDS Regulations), the National Health Service (Personal Dental Services Agreements) Regulations 2005 (the PDS Regulations), the National Health Service (Dental Charges) Regulations 2015 (the Dental Charges Regulations) and the Functions of the National Health Service Commissioning Board and the NHS Business Services Authority (Awdurdod Gwasanaethau Busnes y GIG) (Primary Dental Services) (England) Regulations 2013 (the BSA Functions Regulations).

Regulations 3 and 11 respectively amend regulations 2 of the GDS Regulations and the PDS Regulations to insert new definitions.

Part 2 amends the GDS Regulations. In particular, regulation 7 inserts a new regulation 24C to require the terms of a GDS contract to be varied in a case where the contractor and the Board elect to enter into a prototype agreement. A prototype agreement is an agreement made in accordance with the National Health Service (Dental Services) (Prototype Agreements) Directions 2015 and the GDS and PDS Regulations, which set out the framework for piloting new remuneration arrangements for contractors providing primary dental services. The piloted arrangements must come to an end on 31st March 2018.

Regulation 8 inserts the new Schedule 2A, which sets out the number of units of dental activity to be provided by a contractor providing primary dental services under a prototype agreement. Regulation 9 inserts new paragraph 43A into Schedule 3 to the GDS Regulations to impose new contractual terms on dental contractors who elect to enter into a prototype agreement. These terms require the contractors to collect data relating to private treatment provided to capitated patients, and to provide a privacy notice to all patients attending their practices informing them of this obligation.

Part 3 makes amendments to the PDS Regulations which mirror those made to the GDS Regulations.

Part 4 amends the Dental Charges Regulations and makes transitional provision relating to charges made under those Regulations. Regulation 19 inserts new definitions. Regulation 24 inserts new regulation 12A to provide that the additional charge known as a Band 1A charge of £18.80 will apply where an interim care course of treatment is provided to persons who received primary dental services either under a prototype agreement or a Capitation and Quality Scheme 2 Agreement. Regulation 25 revokes regulation 13A and 13B of those Regulations.

Part 5 amends the BSA Functions Regulations to reflect the introduction of the NHS Pension Scheme 2015.