BDA fights the good fight

Dentists up and down the country are eagerly waiting to see if the High Court is going to rule in favour of an appeal by the Department of Health, that gives health bosses the right to terminate dental contracts without cause or notice.

The DH lodged the appeal earlier this year after Eddie Crouch, an orthodontist in Birmingham, won a Judicial Review which said that primary care trusts were wrong to insert a clause in the NHS dental contracts allowing them to terminate the contract without cause or notice.

The DH was battling it out in the High Court against the British Dental Association (BDA) which is backing Dr Eddie Crouch, as Dental Tribune went to press.

A spokesman for the BDA said: ‘The judge has retired to make his decision. We have no idea yet as to when this is going to be.’

The BDA has challenged the legal appeal saying such notice clauses are unlawful and unreasonable.

Back in April 2006, South Birmingham Primary Care Trust included a without grounds termination clause in Dr Crouch’s contract.

If the DH wins the appeal, PCTs would have the power to end dentists’ contracts with as little as one day’s notice.

Peter Ward, chief executive of the British Dental Association, said: ‘Effectively the Department is saying that a primary care trust should be able to say to a dentist, your contract will come to an end tomorrow, just because we feel like it.’

Every right-minded person can see that this is totally unreasonable and would destroy the viability of family dental practices. How can dentists plan for the future if they have no security? A success for the Department of Health would be bad for dentists, bad for patients and disastrous for the health of the nation.’

A reversal of the original High Court judgment will apply to all Personal Dental Service agreements and will leave dentists in a very vulnerable position.

‘Botched’ reforms fail 1.2m people

More than 1.2m fewer people saw an NHS dentist in the two years up to June this year than in the last two years under the old dental contract, according to figures from the NHS Information Centre.

However the data also shows that NHS dentists are carrying out more treatments for the patient they see, with a rise of 1.4 per cent reported by the Information Centre.

June 2008, shows that in the two years up to the end of June 2008, 28.8m people - which equates to 52.7 per cent of the population, saw an NHS dentist.

The percentage of people seen by an NHS dentist varied from area to area with a higher percentage of people tending to see an NHS dentist in northern strategic health authority (SHA) areas compared with those in the south of England.

The report, NHS Dental Statistics for England: Quarter 1, 2008/09, shows the number of people who saw an NHS dentist fell by 1.2 million in the two years up to June compared with the previous two years.

The government claims that the super surgeries will have more treatments for the patient they see, with a rise of 1.4 per cent reported by the Information Centre.

The report, NHS Dental Statistics for England: Quarter 1, 2008/09, shows the number of people who saw an NHS dentist fell by 1.2 million in the two years up to June compared with the previous two years.

The government claims that the super surgeries will have more treatments for the patient they see, with a rise of 1.4 per cent reported by the Information Centre.
The ‘botched contract’ is forcing dentists to give back £120m to the NHS because halfway through the deal, targets agreed with local health authorities fell. There are now half of dental practices have fallen short of targets and will have to return any money back to their local health authority.

The British Dental Association fears these clawbacks may put some practices out of business and could lead to more dentists quitting the NHS.

Figures obtained under the Freedom of Information Act by DPAS, provider of dental insurance that supports practices in order to prevent future practice-targeted plans, reveals that although thousands of patients are still on waiting lists for NHS treatment, five million fewer treatments were carried out in 2007-08 than were budgeted for by the health service.

In Leicester, for example, more than 90 per cent of UDA’s (units of dental activity) have not been delivered and 21 dental practices face repayments of £500,000 or more. Across the country, 90 per cent of primary care trusts responded to a survey that found a total of 41 UDA contracts were targeted where patients were missed by £500,000 or more.

Peter Ward, the chief executive of the BDA, said that dentists who failed to meet their targets in the first year were likely to have failed to do so again last year, creating a ‘roll-over effect’.

He said: ‘Once again this highlights problems with a target-driven contract that contains one crude measure of performance, which has long been critiqued by the profession and patient representative groups.’

Quentin Skinner, the chairman of DPAS, said: ‘For those dentists who fell rather short of the mark, the future for them in the NHS certainly looks bleak.’

**Social network site launch**

A trio of inspiring and innovative teachers won awards at this year’s Dental Defence Union Educational Awards.

Alison Grant at Bristol Dental School won the award for DCP (dental care professional) Teacher of the Year. Ms Grant said: ‘It’s great to receive this recognition. I was first inspired to go into dentistry by the enthusiasm of a hygienist who treated me as a teenager and I want to thank her. DCP teachers are not just teaching students to pass an exam; we are teaching them to become dental hygienists and I believe that communicating our enthusiasm is an essential part of this.’

The award for Dental Teacher of the Year was won by Professor Dayananda Samarawickrama at Barts and the London School of Medicine and Dentistry.

Professor Samarawickrama dedicated the award to his students, colleagues and school and said: ‘I have been humbled by this experience and I’m obviously very pleased to have won. My late father used to say that education is the best gift one can give so it is particularly nice to see that such a resource has been created and will be a huge benefit to dentistry students worldwide, allowing them to keep up to date, and compare practices and procedures, as well as getting first-hand advice from those in the know.’

However Barry Cockcroft, Chief Dental Officer claimed that ‘the access statistics are old’ and said: ‘They cover a two-period looking backwards that does not reflect the extra £200m investment in NHS dentistry this year and all the new NHS dental services that are opening now.’

He added: ‘Our latest figures show that there were 855 more NHS dentists in 2007/08 than in the previous year. There are now 2,000 more dentists than in 2006/07 and all the new NHS dental services are opening. We are now in a position to provide more NHS dental services for the first time since the NHS was created. But we have been working to make sure that the access to these services is good and we are now in a position to provide more.’

**DDU awards the innovative teachers**

**‘Botched’ reforms fail 1.2m people**

Clawback payments reach £120m

Mike Penning, Shadow Health Minister, said: ‘These figures show, yet again, why we need to rip up Labour’s botched contract and move towards a registration system based on clinical need, one that safeguards patient safety and is delivering dental ill health rather than reacting to it.’ The BDA requested an amnesty for dentists who had completed a significant amount – but not all – of their units of dental activity (UDA) for 2006/07.

However the Department of Health has said it will not consider waiving financial clawbacks for dentists.