Setting Up On Your Own
Hiring staff and engaging associates and hygienists

Hiring the correct staff with the correct capabilities is essential for your practice to run efficiently and effectively. When taking on new staff, there are many laws, rules and regulations that you need to follow. This may seem daunting but complying with the rules and regulations and looking after your staff will ensure that your business is effective and profitable.

There is no regulated hiring process in the UK and you are able to adopt whatever system you like when hiring new staff. However, the key rule is that the hiring process should not discriminate against any protected characteristics e.g. disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation.

Additionally, dental practices have a responsibility to ensure that appropriate CRB checks on applicants for any position within the practice that qualifies for such a check is carried out. In addition to dentists, this is likely to include health visitors, nursing staff, dental technicians and so on. This may in certain circumstances also include front office reception staff - depending on their duties - which can vary greatly depending on the size of the practice. The requirement for a check and the level of check is dependent on the roles and responsibilities of the job and the type of contact with vulnerable groups.

For any relevant positions, current registration (and any conditions) with the relevant regulator ie the General Dental Council, should be checked together with their CRB check. The employer should ensure that the employee can work in the UK and keep copies of proof (passport/visa etc) as failure to have such proof can, should the employee be found not to be entitled to work, lead to substantial fines for employers. You will also need to register as an employer with HMRC.

Under section one of Employment Rights Act 1996, employers are obliged to provide employees whose employment is to continue for more than one month with a written statement of certain terms of their employment. This must be given to the employee no later than two months after their employment begins. It is better however to provide a written contract of employment.

More often than not the employment relationship is left undocumented. Employers will therefore rely on verbal understandings and agreements as developed over the working relationship. Employers may be reluctant to introduce written contracts to their staff not only because they are time-consuming to prepare and implement but also for fear of alienating staff by presenting a formally written document which can be perceived to be inflexible. It is undeniable however that a written contract of employment is paramount to any employer/employee relationship. All employers should have a written contract of employment so that they can be certain about the terms on which their employees operate. The value of any written documentation is simple – it enables parties to have a clear understanding of what has been agreed thereby cutting down on disagreements at a later date.

You will also need to decide which would be the best option for you, part time or full time employees? Terms of employment for a part time employee should be no less favourable than for a full time employee (albeit proportional) unless it is objectively justifiable not to offer same (or better) terms. If there is a difference, this must be clearly documented.

In addition to hiring employees, you may look to engage self employed persons such as dental hygienists or associates. In much the same way as employing staff, you should also have written agreements in place with self-employed persons.

You will need to ensure that you have adequate HR policies and procedures in place so that there is a clear and well defined written framework enabling staff to be aware of the operation of the practice. This is usually contained in an Employee Handbook and Office Manual and will include matters such as grievance procedures, general practice information, health & safety, training, equality and diversity etc. A copy should be provided to each employee when they commence their employment.

About the author

Puja Patel is a member of the Commercial Team at Lockhartes and works primarily in advising dentists, dental care professionals and corporate bodies on the commercial aspects of dentistry.

To book your place on one of PFM Dental’s verifiable CPD courses please email mandy.wraige@pfmdental.co.uk or call Mandy on 0845 2414480.