

**General
Dental
Council**

GDC consultation response

Welsh Government consultation:

**Welsh Language Standards (Healthcare
Regulators) Regulations**

Dated: 15 December 2020

Published 15 December 2020

© Copyright General Dental Council 2020

The General Dental Council is a public body created by statute.

This information is licensed under the Open Government Licence v3.0.

To view this licence visit:

www.nationalarchives.gov.uk/doc/open-government-licence/version/3/



This publication is available in clear print, large print, or audio formats on request.

This publication is available in Welsh and other languages on request.

All enquiries regarding this publication should be sent to:

General Dental Council
37 Wimpole Street
London
W1G 8DQ

Phone: 020 7167 6000

Email: information@gdc-uk.org

Web: gdc-uk.org

When you use this information under the Open Government Licence, you should include the following attribution: GDC consultation response: Welsh Language Standards (Healthcare Regulators) Regulations, licensed under the Open Government Licence:

www.nationalarchives.gov.uk/doc/open-government-licence/version/3/

Welsh Government

Consultation response: Welsh Language Standards (Healthcare Regulators) Regulations

The General Dental Council (GDC) is the UK-wide statutory regulator of around 113,000 members of the dental team.

Our primary purpose is to protect patient safety and maintain public confidence in dental services. To achieve this, we register qualified dental professionals, set standards for the dental team, investigate complaints about dental professionals' fitness to practise, and work to ensure the quality of dental education.

The Dentists Act 1984 provides the legislative framework for our work. Specifically, it gives us powers to:

- grant registration only to those dental professionals who meet our requirements on education and training, health and good character. Only those who are registered with us can practise dentistry in the UK.
- set standards for providers of dental education and training in the UK.
- set standards of conduct, performance and ethics for the dental team.
- investigate complaints against dental professionals and where appropriate take action through our fitness to practise process.
- require dental professionals to keep their skills up to date through our continuing professional development requirements.

We have offices in London and Birmingham. We have a UK-wide remit but do not currently have an office in Wales, although we do have one part-time member of staff based in Wales, who works from home. We have adopted the principle that in conducting our public business in Wales, we will treat the Welsh and English languages equally. Our Welsh language scheme identifies how we will administer this principle when providing services in Wales. In drawing up the measures set out in the scheme, we have taken account of what is appropriate in the circumstances and reasonably practical.

We welcome the opportunity to respond to this consultation. In particular, we are pleased that the standards proposed are less onerous on organisations like ourselves than the standards proposed in 2016. We are concerned however at the prospect of having to divert resources away from our main activities of protecting patients and regulating the dental profession to complying with new standards.

Question 1: Do you have any comments on the service delivery standards proposed in the regulations?

Most of the standards proposed relate to service delivery and therefore are likely to have the biggest impact on our work. We believe we are compliant with most of the standards but would like to make the following observations:

Standards 1 to 4 relate to correspondence. With Standard 3 regarding not treating the Welsh language 'less favourably than the English version', although we do not have a Welsh language translator employed by the organisation and contract this work out to a third party if required, we will ensure that all responses in Welsh are still responded to as speedily as possible. We feel that we currently comply with Standards 1,2. With regard to Standard 4, there may be

instances where the need to respond promptly for reasons of patient safety and public confidence means that we only respond in English in the first instance, with a translation to follow.

Standards 5 to 7 relate to telephone calls made and received by the GDC. We do not currently have any Welsh speaking staff employed by the organisation therefore we would find it very difficult to comply with these standards. When a call in Welsh is received from a member of the public, the caller will be offered the option of continuing the call in English or putting the query in writing so that it can be responded to in Welsh.

Standards 8 to 14 relate to meetings held by the GDC either in private, public or by invitation. The majority of these standards can be complied with without difficulty. For example, when the GDC holds a council meeting in Wales, any notice informing the public of the meeting would be produced bilingually. However, we find Standard 8 difficult to comply with. As mentioned, we do not employ a full time Welsh translator and have no Welsh speaking members of staff. We believe that the cost (to be met by registrants) to meet this standard when compared to the extremely low volume of requests we receive in this regard would be disproportionate. Standard 15 relates to publicity and advertising. We are able to comply with this standard.

Standards 16 to 17 relates to displaying material in public in Wales, for example at an exhibition. We are able to comply with these two standards.

Standards 18 to 21 relate to documents and forms. Standards 18 to 20 pose some problems for us. We do not have the resources to produce all documents across the organisation in Welsh as well as English and consider that it would not be proportionate for us to do so. Where we have a form or document that is specific to Wales it is produced bilingually and as such, we can comply with standard 21.

Standards 22 to 25 relate to legal proceedings. We have difficulty in complying with Standards 22 and 23. As an organisation without a base in Wales we do not believe it is proportionate to state in our guidance to registrants who may be facing fitness to practice proceedings that they may make representations to us in Welsh, as only a small proportion of our fitness to practise cases involve registrants based in Wales. If anyone involved in proceedings requests to speak in Welsh, we will make the suitable arrangements. (Standard 23).

In terms of Standard 23A we can comply with this standard. As mentioned earlier we do not employ a full-time Welsh translator however if a registrant informed us that they wished to use the Welsh language in any legal hearing we would arrange translation services.

Regarding Standards 24 and 24A, again we would not as a matter of course ask a registrant if they wished to receive copies of forms or documents in Welsh but on request, we would provide these in Welsh.

Regarding Standard 25, we are able to comply with this standard but again due to the necessity of employing a third-party translator there may be a delay.

Standards 26 to 27 relate to website and on-line services. We have three Welsh pages on our main website which comply with these standards.

Standard 28 relates to the use of social media such as Facebook and Twitter. If we are contacted in Welsh through these mediums, we will facilitate a response in Welsh.

Standards 29 to 30 relate to official notices. These two standards are not relevant to the GDC.

Standards 31 to 32 outline an organisation's obligation to raise awareness about any Welsh language services that it provides. In relation to Standard 31 we promote our Welsh language facility services on our Welsh language pages on our website. Regarding Standard 32, where practicable we comply in part with this standard.

Standard 33 relates to an organisation's corporate identity, and we comply with this standard. For example, any logo or corporate branding in use in Wales will be bilingual. Also, our annual report is presented to the Senedd bilingually.

Question 2: Part 3 of Schedule 1 to the Regulations includes interpretations for some of the Service Delivery Standards. Paragraph 16-37 explains how some of the standards work and if what circumstances they apply. Do you have any comments on the interpretation of standards as set out in Part 3?

Like other healthcare regulators responding to this consultation, we welcome this section and the clarification it provides.

Question 3: Do you have any comments on the policy making standards proposed in the regulations?

Standards 34 – 42 relate to an organisation's policy making process. Our Welsh language scheme states that as part of a proposal for a new policy, an equality and diversity impact assessment will be undertaken, which will include the impact of the proposed initiative on the delivery of our Welsh language services.

Questions 4: Do you have any comments on the operational standards proposed in the regulations?

As part of their induction, any new employee whose role will include responsibility for Welsh activities, will receive an update that explains that we have a Welsh language scheme (Standard 43). As we are based in London and Birmingham due to costs and proportionality it would not be realistic to comply with Standard 43 (c) 'provide training courses so that your employees can develop an understanding of how the Welsh language can be used in the workplace.' Any staff who have responsibility for Welsh activity will be offered appropriate training if required.

Our People Services team will ensure that those involved with recruitment and training in Wales are made aware of their obligations under the Welsh Language Scheme.

Regarding Standards 44 to 45A which deal with recruitment, we can comply with both standards when advertising for posts in Wales.

Question 5: Do you have any comments on the record keeping standards and standards dealing with supplementary matters proposed in the regulations?

Standards 46 to 51 deal with record keeping. Our Welsh language scheme sets out in detail under the sections 'Monitoring', 'Publicity for the Scheme' and 'Performance' how we will meet these obligations. Our compliance with the standards will be overseen by our Head of Welsh Affairs who was appointed in March 2020. We have been recording and reporting on our compliance with current Welsh language standards for nearly a decade and do not find it particularly onerous.

Question 6: We would like to know your views on the effects that these regulations would have on the Welsh Language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.

What effects do you think there would be? How could positive effects be increased, or negative effects be mitigated?

It is difficult to identify what effect these regulations will have on the Welsh language and specifically opportunities for employees to use Welsh. As already mentioned, we are based in London and Birmingham with just one part-time member of staff home based in Wales. We do not currently have any Welsh speakers working for us.

We do have a long standing Welsh language scheme in place which guides our operations in relation to the Welsh language. Even so, we receive very little correspondence or requests from either our registrants or from members of the public for our Welsh language services. We are updating our Welsh pages to include details of our Welsh Language Services.

Question 7: Please also explain how you believe the regulations could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.

No response.

Question 8: We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

It is difficult for us to fully calculate the impact the standards will have on us and the ability to be compliant, and as a patient safety organisation we would want to avoid incurring unnecessary costs that will inevitably mean having to divert resources away from other activities designed to protect patients and promote public confidence in dental services in Wales.

We would therefore welcome the opportunity to discuss this response and the areas where we have identified difficulties to enable us to better understand the potential implications and to assist us in meeting the objectives of the new standards.

Head of Welsh Affairs
General Dental Council