



Dear Colleague

## AMENDMENT NO. 161 TO THE STATEMENT OF DENTAL REMUNERATION

1. This letter advises NHS Boards and Practitioner Services of an amendment to the Statement of Dental Remuneration (SDR).

### Summary

2. This amendment does the following:
  - Determination I for General Dentistry has been amended, effective from 1 November 2023.
  - An update to Determination V - Maternity Payments, Paternity Payments and Adoptive Leave Payments, and Determination VI - Long Term Sickness Payments, effective from 1 July 2022. Full details are provided in the Annex to this Memorandum.
  - An update to Determination VII - Continuing Professional Development (CPD) Allowances, effective from 1 September 2023.
  - An update to Determination XIV – Practice Allowances, specifically Part II, removal of Sedation Practice Allowance, effective from 1 November 2023.

21 September 2023

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#### Addresses

##### For action

Chief Executives, NHS Boards

Directors of Dentistry

##### For information

Chief Executive,  
NHS National Services Scotland

Chief Executive,  
NHS Education for Scotland

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#### Enquiries to:

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- An update to Determination XVI – Enhanced Skills Allowances, specifically Enhanced Skills in Domiciliary Care, effective from 1 November 2023.

### **Action for Boards**

3. NHS Boards are asked to issue the Memorandum to this letter to all dentists and dental bodies corporate on their dental lists. NHS Boards should note that they are the contact point for any enquiries resulting from the publication of the amendment regulations or payment reform and advise dentists of the local contact point for such enquiries.

### **Action for Practitioner Services**

4. Practitioner Services are requested to make payments based on the Amendments to the SDR as detailed in the Memorandum, with consideration of coming-into-effect dates of each Amendment. In particular the coming-into-effect dates of the changes to:
  - Determination V - Maternity Payments, Paternity Payments and Adoptive Leave Payments, and Determination VI - Long Term Sickness Payments, effective from 1 July 2022.
  - An update to Determination VII - Continuing Professional Development (CPD) Allowances, effective from 1 September 2023.

Yours sincerely,



TOM FERRIS  
Chief Dental Officer

**DENTISTS/DENTAL BODIES CORPORATE  
NATIONAL HEALTH SERVICE  
GENERAL DENTAL SERVICES**

**PAYMENT REFORM AND CHANGES TO CERTAIN ALLOWANCES  
AMENDMENT NO. 161 TO THE STATEMENT OF DENTAL REUMERATION**

1. Amendment No. 161 to the Statement of Dental Remuneration (SDR) provides for the following:
  - Determination I for General Dentistry has been amended, effective from 1 November 2023.
  - An update to Determination V - Maternity Payments, Paternity Payments and Adoptive Leave Payments, and Determination VI - Long Term Sickness Payments, effective from 1 July 2022. Full details are provided in the Annex to this Memorandum.
  - An update to Determination VII - Continuing Professional Development (CPD) Allowances, effective from 1 September 2023.
  - An update to Determination XIV – Practice Allowances, specifically Part II, removal of Sedation Practice Allowance, effective from 1 November 2023.
  - An update to Determination XVI – Enhanced Skills Allowances, specifically Enhanced Skills in Domiciliary Care, effective from 1 November 2023.
2. A copy of the full Amendment No. 161 can be viewed at: <https://www.scottishdental.org/>.
3. Dentists and dental body corporates should direct any enquiries relating to the publications referred to in this memorandum to their health board contact.

**New Determination I for General Dentistry**

Background

4. The Minister for Public Health and Women’s Health wrote to the sector on 27 July 2023 introducing a new General Dentistry section of Determination I of the SDR (Payment Reform).
5. The foundation of the reform builds on the commitments from the Oral Health Improvement Plan (2018), which was developed following one of the biggest consultations with the dental sector in recent times. The new fee structure comprises of 45 broad care and treatment items intended to make the clinical delivery of care to patients easier, while continuing to ensuring dentists can offer a comprehensive range of NHS treatments. The intention of payment reform is to move away from a system that is overly bureaucratic to one that offers much more clinical discretion for dentists; it reflects the start of a journey where in each step we empower dentists in how they provide NHS dental care to patients.
6. Payment reform is also the first step towards a truly modern NHS dental service which appropriately assesses, responds to and supports the oral health needs of every patient in Scotland. Through the fee structure there will be increased incentives to ensure dentists focus on prevention as well as disease, reflecting modern dentistry. Patients

will benefit from treatment items being brought in line with current best practice guidance, particularly around periodontal treatment, helping maintain and improve oral health. The reform also provides greater visibility of NHS care to patients through the reduced range of treatment items, meaning the new system will be much easier for patients to understand.

7. Fee levels set in the new Determination I are an attempt by Government to reflect the market conditions that currently prevail in the sector. The Government’s stated ambition as set out in the First Minister’s Policy Prospectus is to sustain and improve patient access. This can only be achieved with a new suite of fees set at a level to encourage the dental sector to increase NHS provision.

#### Amendment Regulations

8. Dentists should be aware that Amendment Regulations (amending the National Health Service (General Dental Services) (Scotland) Regulations 2010) have been made to support payment reform and will come into force on 1 November 2023. A separate letter from the CDO describing the full range of changes made by the Amendment Regulations accompanies this Memorandum as part of the covering email from your NHS Board.
9. One of the key changes in the Amendment Regulations is to replace the capitation and continuing care arrangement with a single capitation arrangement from 1 November 2023. For the purpose of the new Statement of Dental Remuneration, the new capitation arrangement and payment levels will continue to be defined by the same age-related categories presently in use. Full detail is provided in Section X – Additional Payments, Determination I.
10. Dentists will not be required to transfer patients to the new capitation arrangement on 1 November as this will be done automatically.

#### Deprivation and Additional Support Needs Enhancements

11. The new capitation arrangement also retains additional payments made for patients with additional support needs; for patients’ whose postcode of residence is in a SIMD 1 area; and the deprived areas enhancement on item of service fees. Payments will be made under the following new item codes:

<b>ENHANCEMENT</b>	<b>NEW CODE</b>	<b>PREVIOUS CODE</b>
Additional support needs	Item 10-(b)	Items 41(b) and 45(c)
Resident in SIMD 1 areas	Item 10-(c)	Items 41(e) and 45(d)
Deprived areas fee enhancement	Item 10-(d)	Item 77

#### Patient Charge

12. Patient charge will continue to operate as normal, reflecting the increase in fees under the payment reform. Patients who are required to pay a patient charge for NHS dental care and treatment will continue to pay 80 per cent of the gross fee cost up to a maximum patient charge of £384 per course of treatment.

13. Examinations, both items 1(a) and 1(b), will continue to be free to all patients from 1 November reflecting this long-standing policy commitment. All patients up to and including 25 years of age will continue to be eligible for free NHS care and treatment, as well as certain patients in receipt of passported benefits, nursing mothers and pregnant women.

#### Prior Approval

14. As notified in PCA(2023)4 the prior approval limit will increase to £600 for courses of treatment started on, or after, 1 November 2023. This reflects the increase in fees in the new Determination I and applies across both general and orthodontic provision.
15. Also confirmed in the same communication but reiterated here for completeness is the removal of discretionary items for general dentistry, and the removal of prior approval for the following items:
  - composite fillings for people who are pregnant or have given birth in the last 12 months;
  - splints; and
  - internal bleaching.
16. Orthodontic items that require prior approval will continue to require prior approval from 1 November 2023. There are no changes to orthodontic specific items or orthodontic specific discretionary codes in the changes to Determination I.

#### Pay Award (2023/24)

17. As notified in PCA(2023)4 and set down in the new Determination I the new suite of fees include a 6 per cent pay award uplift (this has also been applied to the orthodontic items). From 1 November the pay award will be applied to gross item of service fees and capitation payments and will be included in the November 2023 paid December 2023 schedule. Backdated payments on gross item of service fees, capitation and continuing care payments made between 1 April 2023 and 31 October 2023, will be made in the December 2023 paid January 2024 schedule.
18. The pay award has also been applied to the VT salary, with effect from 1 April 2023.

#### Transitional Arrangements

19. The transitional arrangements were set out in PCA(2023)4: Any active courses of treatment opened before 1 November 2023, but not completed must remain open until the course of treatment is complete. These claims should then be submitted for payment in the normal manner, and they will be paid at the SDR rate relevant to the date of acceptance of the treatment.
20. For certain items of treatment an incomplete fee can be claimed where a patient stops attending for at least 2 complete calendar months. Incomplete fees will now be paid at 70% of the item fee, rather than having different fees for different stages. If a patient later returns for treatment then a balancing fee of 30% of the item fee will be paid upon completion of the course of treatment.

21. For courses of treatment where an incomplete fee has been claimed prior to 1 November 2023, if the patient returns after 1 November then the balancing fee can be claimed at the current SDR rate (Amendment No. 160) under new item 39. Prior approval will also be required in these circumstances.

#### **Bridging Payments**

22. The bridging payments (currently set at an additional 10% on the item of service fee) will cease for all treatments opened on, or after, 1 November 2023. The last bridging payment will be included in the October 2023 paid November 2023 schedule.
23. A manual payment will be made in February and May 2024 to reconcile any courses of treatment where an additional 10% should have been applied to item of service fees for existing courses of treatment submitted after the October paid November schedule.

#### **System Suppliers**

24. Practitioner Services have been working apace with system suppliers to support payment reform from 1 November. Systems suppliers will contact practitioners if there are any relevant technical updates on transition arrangements in advance of 1 November.

#### **Education and Training Opportunities**

25. An FAQ has been published on the Scottish Dental website to address some common questions about the new Determination I. In addition to this, a suite of educational and training material will be released on Turas, including videos which explain what you need to know for each section of the Determination I for the go live date of 1 November 2023. This material will be available during the course of next week and notification will be received from NES when it is live. Webinar sessions will be held on 12 and 25 October and NES will advise on the booking process. Further webinars will follow after 1 November and information on these will be provided in due course.
26. In order to support attendance at these sessions an Extraordinary CPD Allowance has been added to Determination VII, coming into effect from 1 September 2023. This will pay £500 to all dentists who are listed on sub-part A of the dental list on completion of all live and recorded mandated elements (being the on-line videos and webinars) of the Payment Reform training on the Turas website. However, all GDC-registrants will receive verifiable CPD hours.
27. A claim made for the Extraordinary CPD Allowance does negate any claims made against the CPD allowance. The Extraordinary CPD Allowance is also not subject to abatement.
28. A change has also been made to the general CPD allowance to reinstate the additional CPD payment for remote dentists.

#### **Sedation Allowance**

29. We have replaced the Sedation Allowance (part II, Determination XIV) with new fees at Section VI of Determination I. In view of the improved fee offer the Sedation Allowance has been removed with this change coming into effect from 1 November 2023.

30. A sedation allowance can still be claimed, in the usual way, for 2023/24 if a practice has completed the required number of sedations between April 2023 and 31 October 2023. Any sedations carried out from 1 November 2023 will not count towards the required number of sedations.

### **Enhanced Skills in Domiciliary Care**

31. We have increased the amounts for the Care and Treatment Allowance for Enhanced Domiciliary Care Dentists. This is in view of the improved fee offer for ordinary domiciliary care at Section VIII, Determination I. The amounts of the Care and Treatment Allowance have been increased in line with the improved fee offer for ordinary domiciliary care, to preserve the relationship between enhanced and ordinary domiciliary care. This change will take effect from 1 November 2023.

Primary Care Directorate  
21 September 2023

## Update to Determination V- Maternity Payments, Paternity Payments and Adoptive Leave Payments; and, Determination VI - Long Term Sickness Payments

1. Amendment No. 161 to the SDR also advises of an update to Determination V – Maternity Payments, Paternity Payments and Adoptive Leave Payments, and Determination VI – Long Term Sickness Payments, which is effective from 1 July 2022.
2. When a dentist is on a period of maternity leave, adoptive leave, or long term sickness absence, their earnings during this period may affect the level of their quarterly commitment payment. Therefore, an amendment has been made to Determination V and Determination VI to introduce an additional payment for contractors in receipt of maternity, adoptive leave, or long term sickness payments, should their quarterly commitment payment level be impacted by the period of absence.
3. The amount of the additional payment will be the difference between the dentist’s actual quarterly commitment payment for the relevant earnings period during which the absence occurred, and the quarterly commitment period for the relevant earnings period immediately prior to the start of their absence.
4. The additional payment will be in respect of a maximum of two quarterly commitment payments and will only apply to the first two quarterly commitment payments impacted by the absence. If the quarterly commitment payment is not affected by the period of absence then the additional payment will not apply.
5. Examples are provided below to illustrate a number of possible scenarios.
6. **Example 1:** a dentist takes leave from the start of April until the end of September and is in receipt of maternity payments during this period. Their relevant earnings for the period were:

	Relevant Earnings	Commitment amount based on relevant earnings
Oct-Dec 22	£ 35,000	level 8 - £1,173
Jan-Mar 23	£ 35,000	level 8 - £1,173
Apr-Jun 23	£ 17,000	level 3 - £588
Jul-Sep 23	£ 17,000	level 3 - £588

Due to the period of absence, their relevant earnings for April-September are reduced. This would mean that their quarterly commitment payment, calculated on the earnings from those months, would also be reduced, in this example to a level 3 payment of £588 instead of a level 8 payment.

Therefore, they would be entitled to an additional payment under Determination V. The total additional payment that they would receive would be: (difference between level 3 payment and level 8 payment) + (difference between level 3 payment and level 8 payment) = £1,172.



7. **Example 2:** a dentist takes a period of leave from the last week of March to the third week of September and is in receipt of adoptive leave payments. Their relevant earnings for the period were:

	Relevant Earnings	Commitment amount based on relevant earnings
Oct-Dec 22	£ 40,000	level 10 - £1,406
Jan-Mar 23	£ 32,000	level 7 - £1,055
Apr-Jun 23	£ 14,000	level 2 - £456
Jul-Sep 23	£ 20,000	level 4 - £704

Their relevant earnings for Jan-Mar, Apr-Jun, and Jul-Sep would affect all three quarterly commitment payments that are based on those earnings.

Therefore, they would be entitled to receive an additional payment under Determination V. The total additional payment that they would receive would be: (difference between level 7 and level 10 payment) + (difference between level 2 and level 10 payment) = £1,301.

Although the commitment payment based on their relevant earnings for Jul-Sep would also be affected, an additional payment can only be made for the first two quarterly commitment payments affected by the period of absence.

8. This change will be backdated to 1 July 2022. Any contractors that were in receipt of maternity, adoptive leave, or long term sickness payments, as at 1 July 2022, will be entitled to have an additional payment paid retrospectively, if the level of their commitment payment (from September paid October onwards) was affected by the period of absence.
9. The amendment to Determination V also clarifies that a condition of receipt of maternity and adoptive leave is to return to work for a minimum of 30 days *after* the end of the maternity and adoptive leave period, which can be up to a maximum of 12 months.

Primary Care Directorate  
21 September 2023