

HEALTH OVERVIEW AND SCRUTINY COMMITTEE: 4 MARCH 2020**REPORT OF NHS ENGLAND AND NHS IMPROVEMENT - MIDLANDS****DENTAL COMMISSIONING IN LEICESTER, LEICESTERSHIRE AND
RUTLAND****Purpose of Report**

- 1 The purpose of this report is to provide an overview of the NHS dental services commissioned in Leicester, Leicestershire and Rutland (LLR) and update on the current challenges and commissioning intentions to improve NHS dental services and oral health of the local population.

Background**National Context**

- 2 NHS England became responsible for commissioning primary, community and secondary care dental services since April 2013.
- 3 The government has made a commitment to oral health and dentistry with a drive to:
 - Improve the oral health of the population, particularly children;
 - Introduce a new NHS primary dental care contract;
 - Increase access to primary care dental services.
- 4 NHS England's clinical aim for each dental practice is to deliver high-quality NHS clinical services defined as:

“patient-centred and value for money primary care dental services, delivered in a safe and effective manner, through a learning environment, which includes the continuing professional development of dentists and other dental professionals”
- 5 NHS England and NHS Improvement has aligned to form seven new regional footprints. The new regional footprints were introduced on 1 April 2019, however, the final phase 3 organisational change programme will be complete by 31 March 2020. During the transition period, an internal restructure process is being undertaken to align staff to the new structures to work across the new regional footprints with effect from 1 April 2020. The regional office covering Leicester, Leicestershire and Rutland is within the Midlands Region.

Local Context

- 6 The new Midlands region will have two localities which are West and East Midlands. The East Midlands locality covers Lincolnshire, Nottinghamshire, Derbyshire, Leicester City, Leicestershire, Rutland and Northamptonshire. The Primary Care Commissioning team structure includes a Primary Care Dental and Secondary Care/Intermediate Minor Oral Surgery & Community Services teams to cover the East Midlands locality.
- 7 NHS England and NHS Improvement – Midlands is responsible for commissioning NHS primary, community and secondary care dental services.
- 8 In Leicester, Leicestershire and Rutland there are 163 contracts providing NHS dental services:
- 125 providing general dental services (9 are restricted contracts, for example children under the age of 18 years, 19 years if in full-time education and/or exempt patients and 11 contracts which are restricted, for example, children only);
 - 1 pilot contract providing general dental services;
 - 13 providing general dental and orthodontic services;
 - 7 providers providing orthodontic services;
 - 7 providers providing orthodontic pathway services;
 - 10 providers providing minor oral surgery services;
 - 1 Special Care Dentistry Service provider.
- 9 One provider is piloting a new prototype dental contract, which is testing a new remuneration system that blends activity and capitation (patient registration) aligning to financial and clinical drivers with a focus on prevention and continuing care.
- 10 There are five practices based in Leicester city (x2), Loughborough, Melton Mowbray and Oakham, which provide access to urgent and routine care over extended hours, for example 8am to 8pm, 365 days a year including all Bank Holidays. The 8 to 8 practices provide routine care to regular patients and urgent care to patients without a regular dentist or to patients with an urgent need when their regular dentist practice is closed.
- 11 The orthodontic pathway was originally commissioned as a pilot in 2008 to support reducing waiting times for patients who required specialist complex orthodontic treatment to support referrals into University Hospitals of Leicester, who had significant capacity pressures. The orthodontic pathway providers are specialists who assess all potential secondary care complex orthodontic referrals to determine if the case could be undertaken in primary care or referred them onto secondary care.
- 12 Secondary dental care services providing specialist services: orthodontics, oral surgery, maxillofacial services and restorative services are delivered by University Hospitals of Leicester (UHL).

NHS Dental Contract

- 13 In April 2006, NHS dental providers were transferred over to the new NHS dental contract. The new dental contracts are activity based and providers are required to deliver an activity target each financial year. General dental services contracts are monitored against delivery of their unit of dental activity (UDA) target and orthodontic contracts are monitored against delivery of their unit of orthodontic activity (UOA) target. Specialist services delivered in primary care, such as minor oral surgery and orthodontic pathway are commissioned on a cost per case basis.
- 14 Since April 2006, patients are no longer registered to a dental practice and are only attached to a dental practice when they are in an active course of treatment. However, practices usually hold a notional list to assist managing their capacity to provide dental services to regular patients/new patients seeking routine or urgent care. Practices' capacity to take on new patients can vary and is dependent on a number of factors. Patients can choose any geographical area to access services in NHS England and there are no restrictions on where patients can access NHS dental services.
- 15 Patients will be advised by the dental practitioner on their recall interval based on The National Institute for Health and Clinical Excellence (NICE) Clinical Guidance 19 Dental Recall, October 2004. Dental recalls are determined by the patient's oral health and other factors for example age, diet, oral hygiene, fluoride use, tobacco and alcohol. Recall rates for children up to age of 18 years can be every 3/6/9 or 12 months and adult recall intervals can be every 3/6/9/12/15/18 months to 2 years. It is important that young children (up to 2 years) attend a dentist for their first examination to commence monitoring their oral health.
- 16 Patient charges were changed with the introduction of the new contract and these were simplified into three treatment bands. NHS dental charges apply if a patient does not meet the exemption criteria. Patients will be charged for one completed course of treatment and the charge is determined by the treatment provided. The patient charges are:

Treatment Band	Type of Treatment	Patient Charge £
Band 1	This covers examinations, diagnosis (including radiographs), advice on how to prevent future problems, scale and polish if clinically necessary, and preventative care (e.g. applications of fluoride varnish or fissure sealant). This band also covers urgent dental care in a primary care dental practice such as pain relief or a temporary filling.	22.70
Band 2	This covers everything listed in Band 1, plus any further treatment such as fillings, root canal work or if your dentist needs to take out one or more of your teeth.	62.10
Band 3	This covers everything listed in Bands 1 and 2, plus crowns, dentures, bridges and other laboratory work.	269.30

Oral Health Needs Assessment

- 17 In 2015/16, Public Health England has developed, in conjunction with NHS England Central Midlands Local Office, an Oral Health Needs Assessment (OHNA) for the

North Locality covering Leicestershire, Rutland and Lincolnshire in consultation with the Local Authorities and Clinical Commissioning Groups. The ONHA is based on a point in time, is based on NHS dental activity delivered in 2013/14 and relates to patients resident in an area.

- 18 The OHNA reviews the demographics of the resident population, provision of services, and access to NHS dental services and makes recommendations for the commissioners to consider when developing the dental commissioning intentions to improve service provision. An access measure is used to determine the number of patients seen as a proportion of the resident population and access rates can be affected and influenced by many different factors, for example deprivation or prosperity of the resident population, lifestyle choices etc. It is important to note that a low access rate may not necessarily be solely due to a lack of provision as this can be affected by patient choice of accessing services outside the area or opting for private dental treatment. The OHNA identifies access rates for children under the age of 18 years and adults by Local Authority (LA) and recommended to commissioners to consider improving access in the following areas:
- Charnwood – Adults
 - Melton Mowbray – Adults
 - Rutland – Adults and Children
 - Leicester – Adults and Children
- 19 The Local Office reviewed the outcomes of the OHNA along with other intelligence, which includes patient engagement and consultation feedback to develop the dental commissioning intentions. Any new contract has to be awarded via a procurement process to comply with dental contract regulations, competition and procurement law requirements.

Dental Foundation Training

- 20 All newly qualified dentists are required to complete a one year dental foundation training following completion of their dental degree. The Foundation Training process is managed by Health Education England. Foundation dentists are assigned to accredited dental practices and have an identified mentor to support them through their foundation training process. Funding is provided to cover the costs of the Foundation Dentist and funding to support the accredited mentor. Twenty-three out of the 26 training places across Leicestershire and Lincolnshire were secured within Leicestershire practices.

Dental Commissioning Guides

- 21 The Dental Commissioning Guides provide a standardised framework for the local commissioning of dental specialties. They provide guidance to regional teams on improving access to care, based on needs that are criterion referenced, with demonstrable high value health outcomes experienced by patients.
- 22 Regional teams will work closely with the Managed Clinical Networks (MCN), the Regional Dental Public Health Consultants and Local Dental Network (LDN). The aim is to deliver the best patient journey possible, supported by mandatory specialist advice and/or access to care, that meets the needs of the local patient

population whilst achieving the nationally expected standards of care provision within existing resources.

23 The Dental Commissioning Guides have been developed nationally involving the dental profession and commissioners overseen by the Chief Dental Officer in England. The Dental Commissioning Guides published are:

- Special Care Dentistry (Adults);
- Orthodontics;
- Oral Surgery and Oral Medicine;
- Conscious Sedation in a Primary Care Setting;
- Commissioning Standard for Paediatric Dentistry.

24 Commissioning Guides for Restorative Services are in development and publication has been delayed.

Local Dental Network (LDN)

25 The Local Dental Network (LDN) for Leicestershire and Lincolnshire was established in 2013. The main aims and objectives of the LDN are to:

- Provide robust and quality clinical input to the Local Office;
- Improve clinical outcomes;
- Address health inequalities;
- Putting the patient at the center of everything that we do;
- Engage with the Dental profession across the entire pathway.

26 The LDN Steering Group develops work priorities each financial year and progress is monitored by NHS England and NHS Improvement - Midlands. The Steering Group has good engagement from the Oral and Dental health community, Health Education England, Public Health and Local Authorities, however, Clinical Commissioning Groups engagement has been a challenge.

27 The LDN has secured non-recurrent funding to pilot improved access to interpretation services across the whole of the Leicestershire and Lincolnshire area from NHS England.

28 There are a number of challenges that the LDN has identified within their work priorities and these relate to:

- Improved access to Restorative Services;
- Delivering prevention to families who have experienced extraction with General Anaesthetic for tooth decay;
- Encourage the increase in foundation training practices in Lincolnshire;
- Increasing the level of oral health promotion activities;
- Implementation of "Healthy gums do matter" toolkit and increase the knowledge of the General Dental practitioner of the relevance of oral health on general health and potentially positively impacting on diabetes;
- Improvement of the pathway for specialist dental care and supporting referral management systems;
- Work in conjunction with Health Education England to develop the workforce;

- 29 The LDN has established Managed Clinical Networks for Special Care Dentistry, Orthodontics, Minor Oral Surgery and Restorative to support delivering the work priorities, review commissioning guidance to improve patient pathways and patient outcomes.

Joint Working with the Leicester City Local Authority on Oral Health Promotion

- 30 Leicester City and Leicestershire County Councils became responsible for improving health and reducing inequalities for its local population from 1 April 2013. Local Authorities are responsible for commissioning oral health promotion programmes and epidemiology surveys. The local councils have commissioned oral health promotion and epidemiology surveys.
- 31 An Oral Health Alliance Group for Leicester city has been set up to facilitate joint working across the health community. The group has developed a joint Strategic Action Plan for Oral Health Promotion in Leicester. The aim of the strategic action plan is to improve oral health promotion for the Leicester city population and target identified priority patient groups, including; children at high risk of dental caries, those who have already required extractions under general anaesthetic for dental decay and older persons at higher risk of poor oral health. Initiatives include Starting Well: A Smile4Life initiative and the Happy Teeth, Happy Smiles programme. Future priorities include ensuring that all children referred for dental extractions follow an optimal pathway with prevention of further decay and primary care fluoride varnish application on children at the forefront of its aims. In addition, an oral health promotion strategy and action plan targeting children 0-4 years is in development.

Starting Well : A Smile4Life Initiative

- 32 In 2017 NHS England nationally introduced “Starting Well: A Smile4Life Initiative” to address the oral health of children in 13 areas deemed to have the worst children’s oral health in the country, Leicester City and Luton were highlighted in the Central Midlands DCO area.
- 33 The Starting Well Programme is a time limited arrangement between NHS England and NHS Improvement and the Practice (the “Contractor”), commencing 1 February 2018 to and due to conclude on 28 February 2020. The specification sets out expectations of the service provider in terms of quality and quantity as a Starting Well or Advanced Starting Well dental practice. There are 5 Preventative and 3 Advanced practices delivering Starting Well in Leicester City.
- 34 The programme of dental practice-based and community initiatives aims to support the reduction of oral health inequalities and improve oral health in children under the age of 5-years-old.
- 35 The programme is available to all children (within contracted activity), with a focus on those who are not currently visiting the dentist and are under 1 year old, for evidence-based preventive advice about reducing sugar intake, improving oral hygiene and increasing the exposure to fluoride on teeth. There will be patient and practice level interventions alongside work to strengthen relationships with local communities.

- 36 The programme intends to complement existing local NHS England and NHS Improvement and Local Authority led initiatives and to complement the work of the Child Oral Health Improvement Programme Board and dental contract reform.
- 37 The programme sits as part of a range of interventions that local health and social care economies responsible for children's oral health need to put in place. Guidance from Public Health England and the National Institute for Health and Care Excellence (NICE) describe evidence-based population level interventions to improve oral health such as water fluoridation that complement this practice based initiative. The programme is delivered through Starting Well Dental Practices.
- 38 NHS England and NHS Improvement is a partner of the Leicester, Leicestershire and Rutland Oral Health Promotion Partnership Board and one of the initiatives of the Board is the Healthy Teeth, Happy Smiles!
- 39 As part of the work of "Healthy Teeth, Happy Smiles!" Starting Well practices were required to engage with the Dental Practice Accreditation Pilot Scheme. The Practices were required to register as an Associate member of the scheme and gain Full membership by meeting the standards for the Healthy Teeth, Happy Smiles! Dental Practice accreditation, administered by Leicester City Council, within 12 months of the date of the contract variation for the Starting Well programme. Their scheme is currently being evaluated to determine future commissioning arrangements.
- 40 NHS England and NHS Improvement is currently evaluating the impact of the Starting Well programme locally for Leicester city while a wider, national, evaluation is awaited. Local evaluation will inform the decision regarding the future of the programme.

General Dental Services Procurement

- 41 Commissioning intentions were developed in line with Oral Health Needs Assessment and agreed to invest into improving access to urgent and routine dental care across Leicester, Leicestershire and Rutland.
- 42 The previous dental urgent care and dental out of hours service contracts delivered from Leicester for the county came to a natural end in December 2017. A service review identified that further investment was required to improve access to urgent and routine dental care. In 2017, five 8 to 8 practices were commissioned to replace the dental urgent care and dental out of hours service and the new services have been established in key areas identified in the oral health needs assessment to improve access.
- 43 In addition, new investment was also secured to procure a new general dental service in Leicester city (Evington Ward). The new contract provides extended access and commenced delivering services on 1 December 2017.
- 44 A procurement process was undertaken in 2018 to recommission activity returned to the commissioner in Leicester city (Evington Ward). However, due to poor quality bids, no preferred bidder was identified.

- 45 In 2019, a revised procurement process was undertaken to recommission activity and preferred bidders were identified for the Leicester city (Evington Ward) and Melton Mowbray. The new contracts are scheduled to commence on 1 March 2020.

Leicester, Leicestershire and Rutland Special Care Dentistry Service

- 46 The commissioner undertook a procurement process in 2017 to commission the Leicester, Leicestershire and Rutland Special Care Dentistry Service. The service is concerned with the provision of dental care and enabling the improvement of oral health of individuals and groups in society who have a physical, sensory, intellectual, mental, medical, emotional or social impairment or disability or, more often a combination of a number of these factors. As such care will be provided to patients who have a need beyond the skill set and facilities of a general dental practitioner.
- 47 The Special Care Dentistry Service also provides dental treatment under general anaesthesia in secondary care sites with access to critical care facilities for children who require multiple extractions, for children with complex health needs who require restorative treatment or for children when it is not possible to provide dental care using alternative treatments methods and for adults with special needs that impacts upon their ability to co-operate.
- 48 The service provides a Pain and Anxiety Management service for adults with severe anxiety or phobia and domiciliary care for house bound patients.
- 49 The service is delivered from five community clinics across Leicester, Leicestershire and Rutland. Services continue to be provided from the same clinic sites as previous, with existing staff transferred to the new contracting arrangements to protect service continuity.

Orthodontics Services

- 50 Orthodontics is the dental specialty concerned with facial growth, development of the dentition and occlusion, and the assessment, diagnosis, interception and treatment of malocclusions and facial irregularities.
- 51 Orthodontic treatment is undertaken in situations where it is believed to be in the patient's best interests in terms of their oral health and/ or psychosocial wellbeing. In all situations, the clinical advantages and long-term benefits of Orthodontic treatment should justify such treatment and outweigh any detrimental effects.
- 52 In 2006, Department of Health guidance was issued to support the implementation of the new dental contract for specialist services and recommended that Primary Care Trusts, who were the commissioner at that time, award a time limited (5 year) PDS Agreement for Orthodontic Services. This was followed by an extension of contracts until the Orthodontic Commissioning Guide was published in September 2015 and was followed by an extension to the existing contract arrangements to maintain access and continuity of care. These were ultimately extended as part of the nationally agreed extension of contracts to 31st March 2019, or beyond, depending on the Regional timeline for procurements. The current PDS orthodontic agreements are due to expire on 26 June 2020.

- 53 The regional teams across England have been working towards commissioning new orthodontic services since September 2015. The local teams have been undertaking a process of refreshing public health orthodontic needs assessments, strategic planning, setting out commissioning intentions, undertaking patient consultations, and then progressing with the procurement processes.
- 54 As part of this process, and given a course of orthodontic treatment ranges from 18 months to 3 years in some cases, national contracting and payment arrangements have been established to support continuity of care for patients during this procurement period.
- 55 The service being commissioned and procured is to deliver orthodontic treatment to those patients up to the age of 18 years old who meet the eligibility criteria. The service is aimed at those patients who require orthodontic procedures outside the remit of general dental practitioners or hospital services. The overall aim is to provide equitable, accessible, high quality and cost effective specialist Orthodontic Service in line with the National Guide for Commissioning Orthodontics, 2015 and NHS Personal Dental Service Contracts (Regulations 2005) and any subsequent revisions.
- 56 Regions had phased procurements in stages, the Midlands and East Regions were the last region to commence a Pseudo Dynamic Purchasing System in 2018/19.
- 57 The procurement was progressing and moving to preferred provider status outcomes in areas of the former Midlands and East regions, however the Midlands and East Regions recently made the decision to abandon the procurement.
- 58 The reason for the abandonment of all batches was that, having very carefully reviewed this process in detail and after receiving legal advice, NHS England decided that it was unable to make an assured, unequivocal award. Issues were identified in the scoring of the bids and how the process dealt with multiple bids from the same/similar providers. Existing incumbent providers have received communications from NHS England and NHS Improvement – Midlands regarding extensions to current contracts advising the contract will be extended until 31 March 2022.
- 59 The new regional teams in the Midlands and East are currently considering the options to re-procure the services. The timescales for this are not yet agreed and any announcements concerning any future procurement process for the provision of these services will be made accessible to all potential suppliers.
- 60 The NHS England and NHS Improvement National team is planning an exercise exploring lessons to be learnt from the orthodontic procurement and intends to commence this process in the Midlands and East Region in early 2020. All key stakeholder views will be captured at that time

Secondary Care Dental Services

- 61 University Hospitals of Leicester are contracted to provide specialist dental services: orthodontics, oral surgery and restorative services. In addition, the trust orthodontic consultants also provide cleft palate services. The trust is accepting referrals for restorative and oral surgery. However, due to ongoing capacity and recruitment issues, the orthodontic referral list remains closed. University Hospitals Leicester are accepting orthodontic multi-disciplinary cases where there is no alternative for the patient to access services elsewhere, however, these are a small number of cases each year. University Hospitals of Leicester is developing an orthodontic business case for NHS England and NHS Improvement – Midlands consideration in the new financial year.
- 62 Orthodontic consultant recruitment has been identified as a national issue and regionally recruitment is challenging.

Dental Recruitment and Retention

- 63 All dentists delivering services as part of an NHS contract are required to be registered with the General Dental Council and need to be included onto the national performer list to ensure that they are suitably qualified and trained to deliver NHS dental services.
- 64 Nationally dental recruitment and retention is becoming an increasing pressure and it has also been identified as a local issue particularly across Lincolnshire, however, this is now being experienced by Leicestershire providers. As part of the LDN work programme a survey across providers/performers in the north locality has been undertaken to understand the current position. The survey has identified that providers are experiencing difficulties in recruiting/retaining dentists and the survey results have identified that providers believe this is attributed to salary/remuneration, location and working unsociable hours.
- 65 One of the challenges which may have impacted on the recruitment of dentists, was the delays experienced to be included onto the national performer list undertaken by Primary Care Support England. To improve the dental performer list inclusion process, a national working intensive expert management team was established to support with the processing of applications and to reduce the application timescales.
- 66 Health Education England and partners have worked at a national level to finalise a Performers List by Validation of Experience (PLVE) process and this was rolled out in 2017. The PLVE process is to enable non-EU qualified dentists to be assessed by Health Education England to determine that they have the knowledge and experience equivalent to that of a dental practitioner who has satisfactorily completed foundation training. This will enable providers across the North locality to access a PLVE scheme to support with recruiting dentists outside the EU area.
- 67 Health Education England officially launched the PLVE process for the East Midlands on 1 January 2018. The regional office are accepting performer list applications from non-EU dentists to manage the process to validate inclusion onto the performers list so this can be managed in parallel. There are currently several applications in process.

- 68 In addition to the PLVE process, the regional office is exploring other ways of how to improve recruitment and retention of NHS dentists into the Lincolnshire area and lessons learned will be shared across the region.
- 69 NHS England and NHS Improvement - Midlands continues to work closely with Health Education England to develop training programmes to support developing the dental workforce e.g. dental hygienists, therapists and dentists.

Future Commissioning Intentions to Improve Access to General Dental Services

- 70 NHS England and NHS Improvement – Midlands remains fully committed to ensuring patients have access to NHS dental services and continue to work to improve provision of dental services in Leicester, Leicestershire and Rutland. As the regional office transitions into the new structures, further work will be undertaken to review commissioning intentions regarding access to NHS dental services. Further updates can be provided on future plans.

Conclusions

- 71 The Health Scrutiny Committee is requested to note the contents of the report and to consider and comment on the content of the report.

Background papers

- 72 None.

Circulation under the Local Issues Alert Procedure

- 73 Not applicable.

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Relevant Impact Assessments

Equality and Human Rights Implications

- 74 Full consideration is given to the impact on patients and their rights to access to NHS dental services when reviewing commissioning intentions, contract changes eg opening hours and commissioning new services.

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