

## SCHEDULE 1

### TERMS OF SERVICE FOR DENTISTS

#### PART V

#### ADDITIONAL TERMS OF SERVICE FOR DENTISTS OTHER THAN SALARIED DENTISTS

##### **Patient information leaflets**

**41.**—(1) Subject to sub-paragraph (4) a contractor shall compile and make available, to the Health Board (if it requires one) and to any person who may reasonably require one, a document providing information about the provision of general dental services at the contractor's practice premises (in this paragraph called "a patient information leaflet") which shall include the information specified in Schedule 5.

(2) A contractor shall make any amendments to the contractor's patient information leaflet which the contractor considers to be necessary to maintain its accuracy.

(3) A dentist who practises in partnership or under an associateship agreement with other dentists whose names are included in the first part of the dental list shall satisfy the requirements of this paragraph if the dentist makes available a patient information leaflet, compiled and, where appropriate, revised in accordance with sub-paragraphs (1) and (2), which relates to the partnership or associateship as a whole.

(4) The requirements of sub-paragraph (1) shall not apply to any contractor to the extent that the contractor provides general dental services only to persons detained in a prison or young offenders institution.

##### **Premises and Equipment**

**42.**—(1) Unless the contractor provides general dental services from a mobile surgery only, a contractor shall provide proper, sufficient and safe premises, equipment, instruments and procedures.

(2) A contractor who provides general dental services at a mobile surgery shall provide proper, sufficient and safe mobile surgery equipment, instruments and procedures.

(3) A dental surgery and a mobile surgery shall be furnished with suitable equipment and a contractor shall provide treatment with suitable instruments.

(4) A contractor shall at all reasonable times, on receipt of reasonable notice in writing, admit a dental officer or a person authorised by the Health Board for the purpose of inspecting any equipment or practice premises, dental surgery, mobile surgery or waiting-room under the contractor's control and reviewing the procedures and staff training.

##### **Remuneration**

**43.** The provisions of paragraph 20 shall not have effect in relation to any claim made by a contractor in respect of loss of remuneration resulting from the failure of a patient to keep an appointment for general dental services.

##### **Deputies and assistants**

**44.**—(1) Subject to the provisions of this paragraph, a dentist may arrange for care and treatment to be provided by a deputy or assistant.

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(2) In the case of two or more dentists practising in partnership or as a principal and assistant, care and treatment may at any time be given by a partner or an assistant of the dentist who is responsible for the patient's treatment, if reasonable steps are taken to secure continuity of care and treatment.

(3) A contractor shall—

- (a) prior to employing any assistant, see evidence that that assistant is included on the second part of the dental list of the appropriate Health Board;
- (b) notify the Health Board of the employment of an assistant within 7 days of the first day of such employment;
- (c) forward to the Health Board such particulars concerning the assistant as the Health Board may reasonably require;
- (d) on ceasing to employ an assistant, notify the Health Board within 7 days of the cessation of that employment.

(4) A contractor who is a dentist shall not employ as an assistant any dentist whose name is included in sub-part A of the dental list and who has the same address as any of the contractor's own practice premises.

(5) Where a contractor employs as an assistant a dentist who to the contractor's knowledge is subject to a requirement mentioned in paragraph 28(8) or (9) to submit estimates to the SDPB for prior approval in respect of treatment, the contractor shall not allow the dentist to carry out the treatment unless the prior approval of the SDPB has first been obtained.

(6) If a contractor who is a dentist intends to be absent from the practice premises for more than 28 consecutive days the contractor shall notify the Health Board of—

- (a) the intended absence; and
- (b) the name and address, if different to the practice premises, of the deputy or assistant (if any) responsible for providing or assisting with the provision of general dental services during the contractor's absence.

(7) A contractor who is a dentist who intends to be or is absent from his practice premises for more than two months—

- (a) shall notify the Health Board in writing; and
- (b) shall not employ an assistant for any period of absence in excess of two months without the consent of the Health Board.

(8) Where a dentist whose name is included on the dental list and is employed, engaged or under any other contractual or legal arrangement or relationship with a body corporate, intends to be, or is, absent from the contractor's practice premises for more than two months, the body corporate shall—

- (a) notify the Health Board in writing;
- (b) not employ a dentist whose name appears on the second part of the dental list for any period of absence in excess of two months without the consent of the Health Board.

(9) A contractor shall not employ as a deputy or assistant for the purpose of the provision or assistance with this provision of general dental services any dentist who is disqualified, refused entry to a dental list or removed from any dental list or equivalent list, for as long as that remains the case.

(10) A contractor shall not employ as a deputy or assistant for the purpose of the provision or assistance with the provision of general dental services any dentist who is suspended by direction of the Tribunal, a Health Board or equivalent body, for as long as that remains the case.

(11) A deputy may provide general dental services at places or at times other than those arranged by the contractor for whom he is acting, due regard being had to the convenience of patients.

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(12) A deputy or assistant who issues a prescription form for listed drugs under paragraph 25 shall, in addition to signing his or her own name on such prescription form, insert on the form the name of the contractor for whom he or she is acting.

(13) Where any care and treatment is given to a patient by an assistant, the assistant shall complete a claim for remuneration in respect of that care and treatment which—

- (a) is separate from any claim form in respect of care and treatment given personally by a contractor who is a dentist; and
- (b) identifies the assistant by whom the care and treatment was given and his status as an assistant.