
DIRECTIONS

NATIONAL HEALTH SERVICE, ENGLAND

The Primary Dental Services Statement of Financial Entitlements (Amendment) Directions 2024

The Secretary of State for Health and Social Care, having consulted in accordance with section 103(4) of the National Health Service Act 2006(a) with the bodies appearing to the Secretary of State to be representative of persons to whose remuneration these Directions relate, gives the following Directions in exercise of the powers conferred by section 103(1) and (3), 109(4) and (5), 272(7) and (8) and 273(1) of that Act.

Citation, commencement and extent

1.—(1) These Directions may be cited as the Primary Dental Services Statement of Financial Entitlements (Amendment) Directions 2024.

(2) These Directions come into force on 1 April 2024, but have effect from 1st March 2024.

(3) These Directions extend to England and Wales.(b)

Interpretation

2. In these Directions—

“the GDS SFE” means the General Dental Services Statement of Financial Entitlement Directions 2013(c);

“the PDS SFE” means the Personal Dental Services Statement of Financial Entitlement Directions 2013(d).

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- (a) 2006 c. 41. The Secretary of State must consult in accordance with section 103(4) of the National Health Service Act 2006 on directions as to payments to be made under general dental service contracts. Section 103(3) was amended by paragraph 45 of Schedule 4 to the Health and Social Care Act 2012 (c. 7) and paragraph 1 of Schedule 1 to the Health and Care Act 2022 (c. 31).
- (b) By virtue of section 271(1) of the National Health Service Act 2006, the powers being exercised by the Secretary of State in the making of these Regulations are exercisable only in relation to England.
- (c) The General Dental Services Statement of Financial Entitlement Directions 2013 signed on 28th March 2013 were amended by the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2014 signed on 16th April 2014, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2015 signed on 30th July 2015, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2016 signed on 16th May 2016, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2017 signed on 9th February 2017, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2017 signed on 31st July 2017, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2018 signed on 15th November 2018, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2019 signed on 7th October 2019, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2020 signed on 1st December 2020, the Primary Dental Services Statements of Financial Entitlements (Coronavirus) (Amendment) Directions 2021 signed on 12th March 2021, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2021 signed on 10th January 2022, the Primary Dental Services Statements of Financial Entitlements (Foundation Training Amendments) Directions 2022 signed on 31st March 2022, the Primary Dental Services Statements of Financial Entitlements (Amendment) (No.2) Directions 2022 signed on 23rd December 2022 and the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2023 signed on 5th October 2023. Hard copies of these documents can be obtained by writing to Dentistry Team, Department of Health and Social Care, 3rd Floor, 39 Victoria Street, London SW1H 0EU.
- (d) The Personal Dental Services Statement of Financial Entitlement Directions 2013 signed on 28th March 2013 were amended by the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2014 signed on 16th April 2014, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2015 signed

Amendment of the GDS SFE

3.— After Section 10A of the GDS SFE (Participation in oral health or access programmes) insert—

“10B. New Patient Premium Scheme

10B.1 This section outlines patient and contractor eligibility for a time limited New Patient Premium Scheme. It is intended to improve access for patient that are new to a practice. A contractor’s participation in the New Patient Premium Scheme is voluntary, subject to eligibility.

Interpretation

10B.2. In this section—

“Eligible Contractor” means a contractor that has been determined by NHS England as eligible to participate in the New Patient Premium Scheme, in accordance with paragraph 10B.5.

“Eligible Treatment” means a banded course of treatment, excluding a Band 1 course of treatment that consists of urgent treatments delivered as a mandatory service.

“New Patient” means a patient who has not received an Eligible Treatment as a NHS patient—

- (a) under a contract delivered by the contractor who is to perform the New Patient Treatment;
- (b) by the Dentist Performer or dental care professional who is to perform the New Patient Treatment;
- (c) under the contract under which the New Patient Treatment is to be performed;

in the 24 month period prior to the date the New Patient Treatment is to commence.

“New Patient Treatment” means an Eligible Treatment delivered, or proposed to be delivered under the New Patient Premium Scheme, in accordance with this section.

on 30th July 2015, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2016 signed on 16th May 2016, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2017 signed on 9th February 2017, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2017 signed on 31st July 2017, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2018 signed on 15th November 2018, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2019 signed on 7th October 2019, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2020 signed on 1st December 2020, the Primary Dental Services Statements of Financial Entitlements (Coronavirus) (Amendment) Directions 2021 signed on 12th March 2021, the Primary Dental Services Statements of Financial Entitlements (Amendment) Directions 2021 signed on 10th January 2022, the Primary Dental Services Statements of Financial Entitlements (Foundation Training Amendments) Directions 2022 signed on 31st March 2022, the Primary Dental Services Statements of Financial Entitlements (Amendment) (No.2) Directions 2022 signed on 23rd December 2022 and the Primary Dental Services Statement of Financial Entitlements (Amendment) Directions 2023 signed on 5th October 2023. Hard copies of these documents can be obtained by writing to Dentistry Team, Department of Health and Social Care, 3rd Floor, 39 Victoria Street, London SW1H 0EU.

Eligibility for premiums under the New Patient Scheme

10B.3. Subject to paragraphs 10B.4 and 10B.5, a contractor may be eligible to receive a premium under paragraph 10B.6 where the contractor delivers an Eligible Treatment to a New Patient.

10B.4. The Eligible Treatment referred to in sub-paragraph (2) must be commenced after 1st March 2024 and completed no later than 31st March 2025.

10B.5. NHS England may determine a contractor's eligibility for participation in the Scheme by taking into account the following factors—

- (a) The type of services primarily provided by the contractor under the contract and whether the contractor provides referral only services;
- (b) the contractor's participation in any other locally agreed incentive schemes with similar intent;

and must notify their determination to the contractor.

Premiums to be awarded under the New Patient Premium Scheme

10B.6. Eligible Contractors are entitled to receive the following premiums ("New Patient Premiums"), awarded in accordance with paragraph 10B.8—

- (a) where the contractor has delivered a Band 1 course of treatment (excluding a Band 1 course of treatment that consists of urgent treatments) to a New Patient, they will be entitled to receive a New Patient Premium in the form of credits of units of dental activity equivalent to £15 per patient;
- (b) where the contractor has delivered a Band 2 or Band 3 course of treatment to a New Patient, they will be entitled to receive a New Patient Premium in the form of credits of units of dental activity equivalent to £50 per patient.

10B.7. Credits of units of dental activity awarded under this Scheme shall be calculated as follows—

- (a) the applicable New Patient Premium is divided by the contractor's indicative units of dental activity value derived from their contract value and activity requirements applicable under their contract;
- (b) the calculation is rounded to two decimal places;
- (c) where a New Patient Treatment is commenced but not completed for whatever reason, New Patient Premiums under this section will be calculated on the basis of the components of the banded course of treatment which has been completed.

10B.8. Eligible Contractors may receive New Patient Premiums under paragraph 10B.6 where any credits to be awarded under paragraph 10B.7 would not result in a contractor's contract exceeding NACV, subject to paragraph 2.1.2.

10B.9. Eligible Contractors entitled to an award under paragraph 10B.7 will receive credits automatically, based on the data submitted to NHS England by the contractor, in accordance with its contract condition set by virtue of paragraph 38 of Schedule 3 to the GDS Contracts Regulations."

Amendment of the PDS SFE

4. After Section 10A of the PDS SFE (Participation in oral health or access programmes) insert—

“10B. New Patient Premium Scheme

10B.1 This section outlines patient and contractor eligibility for a time limited New Patient Premium Scheme. It is intended to improve access for patient that are new to a practice. A contractor’s participation in the New Patient Premium Scheme is voluntary, subject to eligibility.

Interpretation

10B.2. In this section—

“Eligible Contractor” means a contractor that has been determined by NHS England as eligible to participate in the New Patient Premium Scheme, in accordance with paragraph 10B.5.

“Eligible Treatment” means a banded course of treatment, excluding a Band 1 course of treatment that consists of urgent treatments delivered as a mandatory service.

“New Patient” means a patient who has not received an Eligible Treatment as a NHS patient—

- (a) under a contract delivered by the contractor who is to perform the New Patient Treatment;
- (b) by the Dentist Performer or dental care professional who is to perform the New Patient Treatment;
- (c) under the contract under which the New Patient Treatment is to be performed;

in the 24 month period prior to the date the New Patient Treatment is to commence.

“New Patient Treatment” means an Eligible Treatment delivered, or proposed to be delivered under the New Patient Premium Scheme, in accordance with this section.

Eligibility for premiums under the New Patient Scheme

10B.3. Subject to paragraphs 10B.4 and 10B.5, a contractor may be eligible to receive a premium under paragraph 10B.6 where the contractor delivers an Eligible Treatment to a New Patient.

10B.4. The Eligible Treatment referred to in sub-paragraph (2) must be commenced after 1st March 2024 and completed no later than 31st March 2025.

10B.5. NHS England may determine a contractor’s eligibility for participation in the Scheme by taking into account the following factors—

- (a) The type of services primarily provided by the contractor under the contract and whether the contractor provides referral only services;
- (b) the contractor’s participation in any other locally agreed incentive schemes with similar intent;

and must notify their determination to the contractor.

Premiums to be awarded under the New Patient Premium Scheme

10B.6. Eligible Contractors are entitled to receive the following premiums (“New Patient Premiums”), awarded in accordance with paragraph 10B.8—

- (a) where the contractor has delivered a Band 1 course of treatment (excluding a Band 1 course of treatment that consists of urgent treatments) to a New Patient, they will be entitled to receive a New Patient Premium in the form of credits of units of dental activity equivalent to £15 per patient;
- (b) where the contractor has delivered a Band 2 or Band 3 course of treatment to a New Patient, they will be entitled to receive a New Patient Premium in the form of credits of units of dental activity equivalent to £50 per patient.

10B.7. Credits of units of dental activity awarded under this Scheme shall be calculated as follows—

- (a) the applicable New Patient Premium is divided by the contractor’s indicative units of dental activity value derived from their contract value and activity requirements applicable under their contract;
- (b) the calculation is rounded to two decimal places;
- (c) where a New Patient Treatment is commenced but not completed for whatever reason, New Patient Premiums under this section will be calculated on the basis of the components of the banded course of treatment which has been completed.

10B.8. Eligible Contractors may receive New Patient Premiums under paragraph 10B.6 where any credits to be awarded under paragraph 10B.7 would not result in a contractor’s contract exceeding NACV, subject to paragraph 2.4.2.

10B.9. Eligible Contractors entitled to an award under paragraph 10B.7 will receive credits automatically, based on the data submitted to NHS England by the contractor, in accordance with its contract condition set by virtue of paragraph 39 of Schedule 3 to the PDS Agreements Regulations.”

Signed by authority of the Secretary of State for Health and Social Care



27.3.24

Sarah Norton
Member of the Senior Civil Service
Department of Health and Social Care