STATUTORY INSTRUMENTS

2026 No. 265

NATIONAL HEALTH SERVICE, ENGLAND

The National Health Service (Primary Dental Services and Dental Charges) (Amendment) Regulations 2026

Made - - - -	*9th March 2026*
Laid before Parliament	*10th March 2026*
Coming into force - -	*1st April 2026*

The Secretary of State makes these Regulations in exercise of the powers conferred by sections 99(5) and (6), 101, 104(1), (2) and (3), 109(1) and (3), 176(1) and (2)(a) and 272(7) and (8) of the National Health Service Act 2006(**a**).

PART 1

Introduction

Citation, commencement and extent

1.—(1) These Regulations may be cited as the National Health Service (Primary Dental Services and Dental Charges) (Amendment) Regulations 2026.

(2) These Regulations come into force on 1st April 2026.

(3) These Regulations extend to England and Wales.

(**a**) 2006 c. 41. Section 104(3) was amended by section 55(1) of, and paragraph 46 of Schedule 4 to, the Health and Social Care Act 2012 (c. 7). Section 176 was amended by section 55(1) of, and paragraph 94(b) of Schedule 4 to, the Health and Social Care Act 2012 and by section 1(2) of, and paragraph 1(1) and (2) of Schedule 1 to, the Health and Care Act 2022 (c. 31). See section 275(1) of the National Health Service Act 2006 for the meaning given to "prescribed" and "regulations".

PART 2

Amendments of the National Health Service (General Dental Services Contracts) Regulations 2005

Amendment of the National Health Service (General Dental Services Contracts) Regulations 2005

2. The National Health Service (General Dental Services Contracts) Regulations 2005(**a**) are amended in accordance with regulations 3 to 7.

Amendment to regulation 2 (interpretation)

3.—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) in the definition of "complete", in sub-paragraph (a)(i), for the words after "(treatment plans)," to the end of that sub-paragraph substitute "—

(aa) where the treatment is a standalone fluoride varnish treatment, that single treatment has been provided;

(bb) in every other case, all the treatment recommended to, and agreed with, the patient by the contractor at the initial examination and assessment of that patient has been provided to the patient; or";

(b) in the definition of "course of treatment", in the words after sub-paragraph (b)(ii), for the words beginning with "where the course of treatment is an interim care course of treatment" to the end, substitute "in the case of a standalone fluoride varnish treatment, it does not include the steps mentioned in sub-paragraph (a)";

(c) in the definition of "urgent treatment"—

(i) in sub-paragraph (a)—

(aa) for "provided" substitute "clinically necessary";

(bb) for ", or the person is in severe pain by reason of his oral condition; and" substitute ", or the person's presentation indicates a need for treatment within seven days; and";

(ii) in sub-paragraph (b), for "address that severe pain; and" substitute "treat that need(**b**)";

(d) omit the definition of "working day";

(e) in the appropriate places insert—

""fluoride varnish treatment" means the surface application of topical fluoride varnish;

"monetary value of a unit of dental activity" means the relevant contract value divided by the total number of units of dental activity to be provided by the contractor

(**a**) S.I. 2005/3361, amended by section 410 and paragraph 343 of Schedule 24 to the Sentencing Act 2020 (c. 17), S.I. 2007/544, 2012/502, 2013/364, 2014/443, 2015/1728, 2022/1132, 2023/554, 2023/1071 and 2024/271; there are other amending instruments but none is relevant.

(**b**) Guidance has been issued by NHS England on urgent care entitled 'Clinical guidance: unscheduled urgent and non-urgent dental care' published on 1 May 2025. This can be accessed at https://www.england.nhs.uk/long-read/clinical-guidance-unscheduled-urgent-and-non-urgent-dental-care/. A hard copy of the guidance can be obtained on request from NHS England, Wellington House, 133-135 Waterloo Road, London SE1 8UG.

in a financial year, but excluding those units of dental activity that relate to sedation services and domiciliary services;

"relevant contract value" means the amount agreed under the contract to be paid by NHS England to the contractor for the services that are required to be provided in a financial year, excluding dental public health services, orthodontic services, sedation services and domiciliary services(**a**);

"relevant contractor" has the meaning given by regulation 17A(7);

"required number of urgent treatments" has the meaning given in regulation 17A(1) and (2);

"standalone fluoride varnish treatment" means a course of treatment comprising a single fluoride varnish treatment in circumstances where—

(a) the treatment is delivered to a patient, who is a child, by a dental nurse in accordance with a prescription issued by a dental practitioner;

(b) a dental practitioner, dental therapist or dental hygienist, having conducted an initial assessment and examination as part of another banded course of treatment, has produced a schedule for the provision of—

(i) a single fluoride varnish treatment; or

(ii) a number of fluoride varnish treatments to be applied at regular intervals;

(c) each scheduled treatment is a single course of treatment to be delivered as part of that schedule and does not include examination and assessment; and

(d) where a number of treatments is scheduled, each interval in the schedule is not less than three months;".

Insertion of regulation 17A (required number of urgent treatments)

4. After regulation 17 insert—

"Required number of urgent treatments

17A.—(1) A contract with a relevant contractor must specify the required number of urgent treatments the contractor must complete in each financial year.

(2) Subject to paragraphs (3), (4) and (6), the required number of urgent treatments is calculated as follows, and rounded up to the nearest integer—

$$UT = \frac{RCV}{£10,000} \times 11$$

where—

"RCV" means the relevant contract value;

"UT" means the required number of urgent treatments.

(**a**) The amount agreed under the contract for all services is determined in accordance with section 2 of the General Dental Services Statement of Financial Entitlements 2013 signed on behalf of the Secretary of State on 28 March 2013. The General Dental Services Statement of Financial Entitlements 2013 and the various amendments to it are available online at https://www.gov.uk/government/collections/primary-dental-services-statements-of-financial-entitlements-directions. Hard copies of the documents can be obtained on request from the Dental Team, Department of Health and Social Care, 3rd Floor, 39 Victoria Street, London SW1H 0EU.

(3) Subject to paragraph (4), NHS England may, during the period beginning with 30th October and ending with 31st March, reduce the required number of urgent treatments for that financial year.

(4) Any reduction in the required number of urgent treatments in accordance with paragraph (3) must not exceed 15% of the number required to be specified under paragraph (1).

(5) Any reduction by NHS England in the required number of urgent treatments under paragraph (3) must be communicated to the relevant contractor in writing.

(6) If the RCV is adjusted at any time in the financial year, the required number of urgent treatments under paragraph (1) must be recalculated in accordance with paragraph (2) and adjusted accordingly.

(7) In this regulation—

"community dental services" has the meaning given by regulation 5 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012(**a**);

"pre-2006 child-only contractor" means a contractor who—

(a) entered into the contract before 1st April 2006, and

(b) only provides dental services to children under that contract;

"relevant contractor" means a contractor who provides primary dental services other than—

(a) a contractor who is required to provide 99 or fewer units of dental activity every financial year under the contract;

(b) a contractor who only provides community dental services;

(c) a pre-2006 child-only contractor;

(d) a contractor who only provides either or both of the following—

(i) dental public health services;

(ii) dental services in a prison."

Amendment to regulation 19 (under provision of units of dental activity or units of orthodontic activity)

5. In regulation 19 (under provision of units of dental activity or units of orthodontic activity)—

(a) in the heading, for "or units of orthodontic activity" substitute ", units of orthodontic activity or required number of urgent treatments";

(b) in paragraph (1), after "regulation 17" insert ", 17A";

(c) in paragraph (2)—

(i) in sub-paragraph (a), after "activity" insert ", excluding the units the contractor would have provided if they provided the required number of urgent treatments";

(ii) omit the "or" after sub-paragraph (a);

(iii) at the end of sub-paragraph (b) insert "or";

(iv) after sub-paragraph (b) insert—

"(c) the required number of urgent treatments,";

(**a**) S.I. 2012/2996, amended by S.I. 2013/261 and 2023/1071; there are other amending instruments but none is relevant.

(v) after "regulation 17" insert ", 17A";

(vi) in paragraph (i)—

(aa) after "dental activity" insert "referred to in sub-paragraph (a)";

(bb) for "or units of orthodontic activity" substitute ", units of orthodontic activity or the required number of urgent treatments";

(vii) in paragraph (ii), after "units" insert "or urgent treatments".

Amendment to Schedule 2 (provision of services: units of dental activity and units of orthodontic activity)

6.—(1) Schedule 2 (provision of services: units of dental activity and units of orthodontic activity) is amended as follows.

(2) In Table A—

(a) in the first entry in the first column (type of course of treatment), after "excluding urgent treatment" insert "and standalone fluoride varnish treatment";

(b) in the second entry in the third column (units of dental activity provided), for "1.2" substitute "£75 divided by the monetary value of a unit of dental activity, rounded up to two decimal places";

(c) immediately below the second row (Band 1 course of treatment (urgent treatment only)) insert the following row—

"Band 1 course of treatment (standalone fluoride varnish treatment only)	-	0.5".

(3) In Table B, in the first column omit "Conservation treatment of deciduous teeth in a patient who is aged under 18 years at the beginning of a course of treatment" and in the second column omit "3.0".

(4) In paragraph 2A (sub-band 2a treatments)—

(a) omit the "and" after sub-paragraph (q);

(b) at the end of sub-paragraph (r) insert—

"(s) surface application of fissure sealants on up to two teeth in a single course of treatment; and

(t) conservation treatment of up to two deciduous teeth in a patient.".

(5) For paragraph 2B (sub-band 2b treatments) substitute—

"2B.—(1) The following Band 2 courses of treatment are within sub-band 2b—

(a) permanent fillings in amalgam, composite resin, synthetic resin, glass ionomer, compomers, silicate or silico-phosphate, including acid etch retention;

(b) tooth extraction;

(c) surface application of fissure sealants; and

(d) conservation treatment of deciduous teeth in a patient,

if delivered on three or more teeth, whether as individual treatments or in combination with each other, in a single course of treatment.

(2) Endodontic treatment of any permanent teeth, excluding molar teeth, is within sub-band 2b where it is delivered as an individual treatment or in combination with any of the treatments listed in sub-paragraph (1), in a single course of treatment.".

Amendment to Schedule 3 (other contractual terms)

7.—(1) Schedule 3 (other contractual terms) is amended as follows.

(2) After paragraph 6(3) insert—

"(3A) Where a contractor provides a standalone fluoride varnish treatment to a patient during, or within three months of, another banded course of treatment, the standalone fluoride varnish treatment is to be regarded as part of that other banded course of treatment.".

(3) In paragraph 58 (mid-year reviews)—

(a) in sub-paragraph (2) after the words "units of dental activity", in the first place it appears, insert ", urgent treatments" and after "(units of dental activity)" insert ", 17A (required number of urgent treatments)";

(b) omit the "or" after sub-paragraph (3)(a);

(c) at the end of sub-paragraph (3)(b) for "activity," substitute "activity; or";

(d) after sub-paragraph (3)(b) insert—

"(c) the required number of urgent treatments,";

(e) omit the "or" after sub-paragraph (4)(a);

(f) at the end of sub-paragraph (4)(b) for "activity," substitute "activity; or";

(g) after sub-paragraph (4)(b) insert—

"(c) urgent treatments,";

(h) in sub-paragraphs (5)(a) and (6)(a), for "or units of orthodontic activity", in each place it appears, substitute ", units of orthodontic activity or urgent treatments".

(4) In paragraph 59 (action NHS England can take following a mid-year review)—

(a) omit the "or" after sub-paragraph (1)(a);

(b) at the end of sub-paragraph (1)(b) for "activity," substitute "activity; or";

(c) after sub-paragraph (1)(b) insert—

"(c) urgent treatments,";

(d) in sub-paragraphs (2)(a), (3)(a) and (5), for "or units of orthodontic activity", in each place it appears, substitute ", units of orthodontic activity or urgent treatments";

(e) in sub-paragraph (3)(b), for "or orthodontic activity" substitute ", units of orthodontic activity or urgent treatments".

PART 3

Amendments of the National Health Service (Personal Dental Services Agreements) Regulations 2005

Amendment of the National Health Service (Personal Dental Services Agreements) Regulations 2005

8. The National Health Service (Personal Dental Services Agreement) Regulations 2005(**a**) are amended in accordance with regulations 9 to 13.

(**a**) S.I. 2005/3373, amended by section 410 and paragraph 344 of Schedule 24 to the Sentencing Act 2020 (c. 17), S.I. 2013/364, 2014/443, 2015/1728, 2022/1132, 2023/1071 and 2023/554; there are other amending instruments but none is relevant.

Amendment to regulation 2 (interpretation)

9.—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) in the definition of complete, in sub-paragraph (a)(i), for the words after "(treatment plans)," to the end of that sub-paragraph substitute "—

(aa) where the treatment is a standalone fluoride varnish treatment, that single treatment has been provided;

(bb) in every other case, all the treatment recommended to, and agreed with, the patient by the contractor at the initial examination and assessment of that patient has been provided to the patient; or";

(b) in the definition of "course of treatment", in the words after sub-paragraph (b)(ii), for the words beginning with "where the course of treatment is an interim care course of treatment" to the end, substitute "in the case of a standalone fluoride varnish treatment, it does not include the steps mentioned in sub-paragraph (a)";

(c) in the definition of "urgent treatment"—

(i) in sub-paragraph (a)—

(aa) for "provided" substitute "clinically necessary";

(bb) for ", or the person is in severe pain by reason of his oral condition; and" substitute ", or the person's presentation indicates a need for treatment within seven days; and";

(ii) in sub-paragraph (b), for "address that severe pain; and" substitute "treat that need(**a**)";

(d) omit the definition of "working day";

(e) in the appropriate places insert—

""fluoride varnish treatment" means the surface application of topical fluoride varnish;

"monetary value of a unit of dental activity" means the relevant contract value divided by the total number of units of dental activity to be provided by the contractor in a financial year, but excluding those units of dental activity that relate to sedation services and domiciliary services;

"relevant contract value" means the amount agreed under the contract to be paid by NHS England to the contractor for services that are required to be provided in a financial year, excluding dental public health services, orthodontic services, sedation services and domiciliary services(**b**);

"relevant contractor" has the meaning given by regulation 13A(7);

"required number of urgent treatments" has the meaning given in regulation 13A(1) and (2);

(**a**) Guidance has been issued by NHS England on urgent care entitled 'Clinical guidance: unscheduled urgent and non-urgent dental care' published on 1 May 2025. This can be accessed at https://www.england.nhs.uk/long-read/clinical-guidance-unscheduled-urgent-and-non-urgent-dental-care/.

(**b**) The amount agreed under the contract for all services is determined in accordance with section 2 of the Personal Dental Services Statement of Financial Entitlements 2013 signed on behalf of the Secretary of State on 28 March 2013. The Personal Dental Services Statement of Financial Entitlements 2013 and the various amendments to it are available online at https://www.gov.uk/government/collections/primary-dental-services-statements-of-financial-entitlements-directions. Hard copies of the documents can be obtained on request from the Dental Team, Department of Health and Social Care, 3rd Floor, 39 Victoria Street, London SW1H 0EU.

"standalone fluoride varnish treatment" means a course of treatment comprising a single fluoride varnish treatment in circumstances where—

(a) the treatment is delivered to a patient, who is a child, by a dental nurse in accordance with a prescription issued by a dental practitioner;

(b) a dental practitioner, dental therapist or dental hygienist, having conducted an initial assessment and examination as part of another banded course of treatment, has produced a schedule for the provision of—

(i) a single fluoride varnish treatment; or

(ii) a number of fluoride varnish treatments to be applied at regular intervals;

(c) each scheduled treatment is a single course of treatment to be delivered as part of that schedule and does not include examination and assessment; and

(d) where a number of treatments is scheduled, each interval in the schedule is not less than three months;".

Insertion of regulation 13A (required number of urgent treatments)

10. After regulation 13 insert—

"Required number of urgent treatments

13A.—(1) Where an agreement with a relevant contractor includes the provision of mandatory services, the agreement must specify the required number of urgent treatments the contractor must complete in each financial year.

(2) Subject to paragraphs (3), (4) and (6), the required number of urgent treatments is calculated as follows, and rounded up to the nearest integer—

$$UT = \frac{RCV}{£10,000} \times 11$$

where—

"RCV" means the relevant contract value;

"UT" means the required number of urgent treatments.

(3) Subject to paragraph (4), NHS England may, at any time during the period beginning with 30th October and ending with 31st March, reduce the required number of urgent treatments for that financial year.

(4) Any reduction in the required number of urgent treatments in accordance with paragraph (3) must not exceed 15% of the number required to be specified under paragraph (1).

(5) Any reduction by NHS England in the required number of urgent treatments under paragraph (3) must be communicated to the relevant contractor in writing.

(6) If the RCV is adjusted at any time in the financial year, the required number of treatments under paragraph (1) must be recalculated in accordance with paragraph (2) and adjusted accordingly.

(7) In this regulation—

"community dental services" has the meaning given by regulation 5 of the National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012;

"pre-2006 child-only contractor" means a contractor who—

(a) entered into the agreement before 1st April 2006, and

(b) only provides dental services to children under that agreement;

"relevant contractor" means a contractor who provides primary dental services other than—

(a) a contractor who is required to provide 99 or fewer units of dental activity every financial year under the agreement;

(b) a contractor who only provides community dental services;

(c) a pre-2006 child-only contractor;

(d) a contractor who only provides either or both of the following—

(i) dental public health services;

(ii) dental services in a prison.".

Amendment to regulation 15 (under provision of units of dental activity or units of orthodontic activity)

11. In regulation 15 (under provision of units of dental activity or units of orthodontic activity)—

(a) in the heading, for "or units of orthodontic activity" substitute ", units of orthodontic activity or required number of urgent treatments";

(b) in paragraph (1), after "regulation 13" insert ", 13A";

(c) in paragraph (2)—

(i) in sub-paragraph (a), after "activity" insert ", excluding the units the contractor would have provided if they provided the required number of urgent treatments";

(ii) omit the "or" after sub-paragraph (a);

(iii) at the end of sub-paragraph (b) insert "or";

(iv) after sub-paragraph (b) insert—

"(c) the required number of urgent treatments,";

(v) after "regulation 13" insert ", 13A";

(vi) in paragraph (i)—

(aa) after "dental activity" insert "referred to in sub-paragraph (a)";

(bb) for "or units of orthodontic activity" substitute ", units of orthodontic activity or the required number of urgent treatments";

(vii) in paragraph (ii), after "units" insert "or urgent treatments".

Amendment to Schedule 2 (provision of services: units of dental activity and units of orthodontic activity)

12.—(1) Schedule 2 (provision of services: units of dental activity and units of orthodontic activity) is amended as follows.

(2) In Table A—

(a) in the first entry in the first column (type of course of treatment), after "excluding urgent treatment" insert "and standalone fluoride varnish treatment";

(b) in the second entry in the third column (units of dental activity provided), for "1.2" substitute "£75 divided by the monetary value of a unit of dental activity, rounded up to two decimal places";

(c) immediately below the second row (Band 1 course of treatment (urgent treatment only)) insert the following row—

"Band 1 course of treatment (standalone fluoride varnish treatment only)	-	0.5".

(3) In Table B, in the first column omit "Conservation treatment of deciduous teeth in a patient who is aged under 18 years at the beginning of a course of treatment" and in the second column omit "3.0".

(4) In paragraph 2A (sub-band 2a treatments)—

(a) omit the "and" after sub-paragraph (q);

(b) at the end of sub-paragraph (r) insert—

"(s) surface application of fissure sealants on up to two teeth in a single course of treatment; and

(t) conservation treatment of up to two deciduous teeth in a patient.".

(5) For paragraph 2B. (sub-band 2b treatments) substitute—

"2B.—(1) The following Band 2 course of treatments are within sub-band 2b—

(a) permanent fillings in amalgam, composite resin, synthetic resin, glass ionomer, compomers, silicate or silico-phosphate, including acid etch retention;

(b) tooth extraction;

(c) surface application of fissure sealants; and

(d) conservation treatment of deciduous teeth in a patient,

if delivered on three or more teeth, whether as individual treatments or in combination with each other, in a single course of treatment.

(2) Endodontic treatment of any permanent teeth, excluding molar teeth, is within sub-band 2b where it is delivered as an individual treatment, or in combination with any of the treatments listed in sub-paragraph (1), in a single course of treatment.".

Amendment to Schedule 3 (other contractual terms)

13.—(1) Schedule 3 (other contractual terms) is amended as follows.

(2) After paragraph 7(3) insert—

"(3A) Where a contractor provides a standalone fluoride varnish treatment to a patient during, or within three months of, another banded course of treatment, the standalone fluoride varnish treatment is to be regarded as part of that other banded course of treatment.".

(3) In paragraph 58 (mid-year reviews)—

(a) in sub-paragraph (2) after the words "units of dental activity", in the first place it appears, insert ", urgent treatments" and after "(units of dental activity)" insert ", 13A (required number of urgent treatments)";

(b) omit the "or" after sub-paragraph (3)(a);

(c) at the end of sub-paragraph (3)(b) for "activity," substitute "activity; or";

(d) after sub-paragraph (3)(b) insert—

"(c) the required number of urgent treatments,";

(e) omit the "or" after sub-paragraph (4)(a);

(f) at the end of sub-paragraph (4)(b) for "activity," substitute "activity; or";

(g) after sub-paragraph (4)(b) insert—

"(c) urgent treatments,";

(h) in sub-paragraphs (5)(a) and (6)(a), for "or units of orthodontic activity", in each place it appears, substitute ", units of orthodontic activity or urgent treatments".

(4) In paragraph 59 (action NHS England can take following a mid-year review)—

(a) omit the "or" after sub-paragraph (1)(a);

(b) at the end of sub-paragraph (1)(b) for "activity," substitute "activity; or";

(c) after sub-paragraph (1)(b) insert—

"(c) urgent treatments,";

(d) in sub-paragraphs (2)(a), (3)(a) and (5), for "or units of orthodontic activity", in each place it appears, substitute ", units of orthodontic activity or urgent treatments";

(e) in sub-paragraph 3(b) for "or orthodontic activity" substitute ", units of orthodontic activity or urgent treatments".

PART 4

Amendments of the National Health Service (Dental Charges) Regulations 2005

Amendment of the National Health Service (Dental Charges) Regulations 2005

14. The National Health Service (Dental Charges) Regulations 2005(**a**) are amended in accordance with regulations 15 to 18.

Amendment to regulation 2 (interpretation)

15.—(1) Regulation 2 (interpretation) is amended as follows.

(2) In paragraph (1)—

(a) in the definition of "urgent treatment"—

(i) in sub-paragraph (a)—

(aa) for "provided" substitute "clinically necessary";

(bb) for ", or the person is in severe pain by reason of his oral condition" substitute ", or the person's presentation indicates a need for treatment within seven days; and";

(ii) in sub-paragraph (b), for "address that severe pain" substitute "treat that need".

(**a**) S.I. 2005/3477; relevant amending instruments are S.I. 2013/364 and 2025/310.

Amendment to regulation 4 (calculation of charges)

16. In regulation 4 (calculation of charges)—

(a) in paragraphs (1) and (5), for "£27.40" substitute "£27.90";

(b) in paragraph (2), for "£75.30" substitute "£76.60";

(c) in paragraphs (3) and (4), for "£326.70" substitute "£332.10".

Amendment to Schedule 1 (band 1 charges - diagnosis, treatment planning and maintenance)

17. In Schedule 1 (band 1 charges - diagnosis, treatment planning and maintenance), for paragraph (h) substitute—

"(h) surface application as a primary preventive measure of topical fluoride varnish preparations"

Amendment to Schedule 2 (band 2 charges - treatment)

18. In Schedule 2 (band 2 charges - treatment), after paragraph (r) insert—

"(s) surface application as primary preventive measures of sealants

(t) conservation treatment of deciduous teeth in a patient who is aged under 18 years at the beginning of a course of treatment".

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

Stephen Kinnock
Minister of State
Department of Health and Social Care

9th March 2026

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the National Health Service (General Dental Contracts) Regulations 2005 (S.I. 2005/3361) ("the GDS Contracts Regulations"), the National Health Service (Personal Dental Services Agreements) Regulations 2005 (S.I. 2005/3373) ("the PDS Agreements Regulations") and the National Health Service (Dental Charges) Regulations 2005 (S.I. 2005/3477) ("the NHS Charges Regulations").

Part 2 contains amendments to the GDS Contracts Regulations. Regulation 3 amends definitions in regulation 2 of the GDS Contracts Regulations that include adding a definition of "standalone fluoride varnish treatment" as a course of treatment. Amendment has also been made to the meaning of "urgent treatment" so that it is clearer that this incorporates treatment that has been assessed as being clinically necessary within a seven day period. Definitions of the "relevant contract value" and the "monetary value of a unit of dental activity" have been added for the purposes of calculating the number of units of dental activity for an urgent course of treatment.

Regulation 4 inserts a new regulation 17A into the GDS Contracts Regulations so that a general dental services contract has to specify the number of urgent treatments that a relevant contractor is required to complete in a financial year and provides a formula for its calculation. A discretion is conferred on NHS England to reduce this number by up to 15%.

Regulation 5 amends regulation 19 of the GDS Contracts Regulations so that where 96% or more of the required number of urgent treatments are provided, contract sanctions under Schedule 3 will not apply. Regulations 6 and 7 amend Schedule 2 to the GDS Contracts Regulations to specify the number of units of dental activity provided by a contractor where the contractor provides urgent treatment and standalone fluoride varnish treatments.

Regulation 6 also makes amendments to remove fissure sealants treatment from classification as a Band 1 course of treatment and to add this, and preformed crown treatment, to the lists of Band 2 courses of treatment, which are sub-band 2a or 2b depending on the number of teeth to be treated.

Regulation 7 amends paragraphs 58 and 59 to Schedule 3 to the GDS Contracts Regulations, to include the required number of urgent treatments as part of the mid-year review process and capping the reduction that can be made following a contract variation to a maximum of 15% inclusive of any other reduction.

The provisions in the PDS Agreements Regulations for personal dental services agreements are highly similar to those in the GDS Contracts Regulations applying to general dental services contracts. Part 3 of this instrument contains amendments to the PDS Agreements Regulations corresponding to those in Part 2.

Regulation 10 amends definitions in regulation 2 of the PDS Agreements Regulations and regulation 11 inserts a new regulation 13A to require an agreement for primary dental services to have relevant contractors carry out a specified number of urgent treatments every financial year and provides a formula for its calculation. A discretion is conferred on NHS England to reduce this number by up to 15%.

Regulations 12 and 13 similarly amend Schedule 2 to the PDS Agreements Regulations to specify the number of units of dental activity that are provided by a contractor where the contractor provides urgent treatment and standalone fluoride varnish treatments.

Part 4 amends the Dental Charges Regulations in regulation 15 to align the definition of urgent treatment and by regulation 16 to increase patient charges for NHS dental treatments in England. The charge payable for Band 1 courses of treatment, including urgent treatment, is increased from £27.40 to £27.90. The charge payable for Band 2 courses of treatment is increased from £75.30 to £76.60. The charge payable for a Band 3 course of treatment is increased from £326.70 to £332.10.

Regulations 17 and 18 amend Schedules 1 and 2 to the Dental Charges Regulations so that sealants and conservation treatments of deciduous teeth attract a Band 2 patient charge.

A full impact assessment of the effect of the amendments to the GDS Contracts Regulations and the PDS Agreements Regulations will be published on www.legislation.gov.uk.

A full impact assessment has not been produced in relation to the amendments to the Dental Charges Regulations as this a routine uplift of patient charges for NHS dental treatment in line with inflation. There is no change to the general policy, and the eligibility for exemptions to the patient charges remains unchanged from previous years. It has been determined that a full impact assessment is therefore not required.

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