

HEARING HEARD IN PUBLIC

IVANOVA, Ivelina Yordanova

Registration No: 116199

PROFESSIONAL CONDUCT COMMITTEE

DECEMBER 2013 – DECEMBER 2020*

Most recent outcome: Suspended indefinitely

**** See page 33 for the latest determination.**

Ivelina Yordanova IVANOVA, a dentist, DDM Plovdiv 1999, was summoned to appear before the Professional Conduct Committee on 9 December 2013 for an inquiry into the following charge

Charge (as amended)

“That, being a registered dentist:

- 1) In 2011 you were practising at TLC 4 Smiles, 30 Clifton Road, Ashbourne, Derbyshire DE6 1DT.
- 2) On or around 12 September 2011 you provided dental care to patient B.
- 3) In relation to patient B, your dental care was inadequate in that:
 - a) In relation to LL6 you did not:
 - i) diagnose a filling required;
 - ii) plan for that filling.
 - b) You did not adequately deal with:
 - i) a defective composite filling at UL6;
 - ii) caries present at UL6.
- 4) In September 2011 you provided dental care to patient C.
- 5) In relation to patient C:
 - a) Your dental care was inadequate in that you did not:
 - i) conduct a periodontal examination;
 - ii) conduct a soft issue examination;
 - iii) take bitewing radiographs to assist in the assessment of appropriate treatment.
 - b) WITHDRAWN
- 6) In September 2011 you provided dental care to patient F.
- 7) In relation to patient F:
 - a) Your dental care was inadequate in that on or around 12 September 2011 you prescribed antibiotics when it was inappropriate to do so;

- b) Your record keeping was inadequate in that in relation to radiographs taken on or around 12 September 2011 you did not:
 - i) record the justification for those radiographs;
 - ii) report on those radiographs.
- 8) In September and October 2011 you provided dental care to patient G.
- 9) In relation to patient G, your dental care was inadequate in that in relation to UR7 you did not:
 - a) Diagnose:
 - i) caries; and/or
 - ii) calculus; and/or
 - iii) periodontal bone loss.
 - b) plan treatment for:
 - i) caries; and/or
 - ii) calculus; and/or
 - iii) periodontal bone loss.

And that in relation to the facts set out above your fitness to practise is impaired by reason of misconduct."

On 18 December 2013 the hearing adjourned part heard and resumed on 7 July 2014.

On 8 July 2014 the Chairman made the following statement regarding the finding of facts:

"Mr Ramasamy

The Committee has taken into account all the evidence presented to it. It has accepted the advice of the Legal Adviser. In accordance with that advice, it has considered each head of charge separately.

The Committee heard the evidence of Witness [name redacted], who subsequently treated Patient B and was a witness of Ms Ivanova's allegedly inadequate treatment of the patient. The Committee considered her to be a credible witness with an accurate recollection of events.

The Committee also heard the evidence of the expert witness called on behalf of the GDC, Mr Kramer. It considered that his evidence was fair, clear, considered and helpful. He had a solid knowledge of relevant guidelines and the standards that can be expected of a reasonably competent practitioner. The Committee felt able to rely upon his opinion.

The Committee did have sight of several versions of a witness statement provided by Ms Ivanova and statements made by her solicitors at an early stage in proceedings when she had been represented. Ms Ivanova also provided two references to academic articles. It took these representations into account. However, it bore in mind that Ms Ivanova elected not to appear on various days and times during this hearing. She did not give evidence and

consequently her account was not tested. The Committee therefore attached what weight was appropriate to her evidence and submissions.

Ms Ivanova provided a draft report prepared by an expert, Dr Barker. This had been commissioned by her defence organisation when Ms Ivanova was represented. This report was in response to an earlier version of the allegations and Mr Barker made it clear that he did not have the benefit of clear copies of the radiographs. Mr Barker was not called to give evidence to the Committee. The Committee attached what weight was appropriate to this report.

I will now announce the Committee's findings in relation to each head of charge:

1)	Proved.
2)	Proved.
3) a) i) and ii)	Proved. Having regard to the radiographs that would have been available to Ms Ivanova, the Committee accepts the expert opinion of Mr Kramer that a filling was required and it is clear that Ms Ivanova failed to plan for a filling. The Committee also relied on the evidence of Ms Miles that decay was clearly apparent from earlier radiographs that were available to her when she treated the patient.
3) b) i) and ii)	Proved. In respect of this allegation, the Committee relied on the evidence of Ms Miles and Mr Kramer, which it considered to be clear and credible.
4)	Proved.
5) a) i) – iii)	Proved. The Committee had regard to Ms Ivanova's records in their totality. It was clear that Ms Ivanova knew how to record periodontal and soft tissue examinations, and how to justify and report upon the taking of bitewing radiographs, when these treatments had been carried out. There is clear evidence of these treatments having been carried out by Ms Ivanova elsewhere in the records. The absence of a BPE record, a note pertaining to a soft tissue examination, or record of a bitewing radiograph in the patient records in this case leads the Committee to conclude that, on the balance of probabilities, none of these necessary aspects of dental care were performed. The Committee rejects Ms Ivanova's submission that the relevant records are missing as not a credible one.
5) b)	WITHDRAWN
6)	Proved.
7) a)	Proved. Ms Ivanova stated in her written submission that her justification for prescribing antibiotics was because the patient did not want to have two teeth extracted on the same day. The Committee rejects this explanation as the other tooth involved was not extracted on this date, but on a

	<p>subsequent appointment.</p> <p>Ms Ivanova's other justification for prescribing antibiotics on this date was that there was infection on the apex of the tooth. Mr Kramer, in his expert opinion, stated that the apex was not visible on the radiograph. The Committee has considered the radiograph and is satisfied that Mr Kramer's expert opinion is correct.</p> <p>Therefore, in the absence of any reasonable justification or explanation from Ms Ivanova for providing antibiotics on this occasion, the Committee accepts Mr Kramer's expert evidence that Ms Ivanova's dental care was inadequate in the circumstances.</p>
7) b) i)	Proved. The Committee can find no justification for those radiographs in the clinical records.
7) b) ii)	Proved. The Committee can find no report on the radiographs in the clinical records.
8)	Proved.
9) a) i) – iii)	Proved.
9 b) i) – iii)	Having regard to the relevant radiographs that would have been available to Ms Ivanova, the Committee accepts the expert evidence that caries, calculus and periodontal bone loss were apparent and it is clear that Ms Ivanova did not diagnose or plan treatment for these dental issues.

We move to Stage Two.”

On 9 July 2014 the Chairman announced the determination as follows:

“Mr Ramasamy

Ms Ivanova was neither present nor was she represented at this stage of the hearing. The Committee was satisfied that notice of the resumption of this hearing had been effected in accordance with the rules and that it was fair and appropriate to proceed in her absence.

The Committee has considered all the information before it, including the submissions you have made on behalf of the General Dental Council (GDC). It has accepted the advice of the Legal Adviser.

The Committee found facts proved relating to the care Ms Ivanova provided to four patients whilst she was practising for a brief period of 7 weeks at TLC Smiles, 30 Clifton Road, Ashbourne, Derbyshire DE6 1DT.

In relation to patient B, Ms Ivanova's dental care was inadequate in that she failed to diagnose the necessity for, or plan for, a filling that was required at a tooth. She also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to patient C, Ms Ivanova's dental care was inadequate in that she did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to patient F, Ms Ivanova's dental care was inadequate in that she prescribed antibiotics when it was inappropriate to do so. Her record keeping was inadequate in respect of this patient's treatment in that she failed to record justification for radiographs taken or report on those radiographs.

In relation to patient G, Ms Ivanova's dental care was inadequate in that she did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth.

Standards for Dental Professionals states that all dental professionals should:

- 1 Put patients' interests first and act to protect them**
 - 1.4** Make and keep accurate and complete patient records, including a medical history, at the time you treat them. Make sure that patients have easy access to their records.
- 5 Maintain your professional knowledge and competence**
 - 5.3** Find out about current best practice in the fields in which you work. Provide a good standard of care based on available up-to-date evidence and reliable guidance.

The Committee considered that Ms Ivanova's behaviour as stated above and the associated breaches of *Standards for Dental Professionals* represents a serious falling short from acceptable standards. The Committee has identified, in respect of Ms Ivanova's treatment of the four patients whose treatment is the subject of the charges, failures in examination, assessment, diagnosis, treatment planning, prescribing and record keeping. The Committee notes that these took place in a very short period of time and constituted departures from basic standards in dentistry. The Committee considers that these failings could have resulted in serious adverse outcomes for the patients involved. In the circumstances, the Committee determined that the facts found proved against Ms Ivanova amounted to misconduct.

The Committee next went on to consider whether Ms Ivanova's fitness to practise is currently impaired by reason of her misconduct. It was of the view that, although serious and occurring over a short period of time, the lapses were capable of remediation. Nevertheless, the evidence before the Committee of remedial action taken by Ms Ivanova is unsatisfactory. Ms Ivanova did apparently take some steps towards remediation at an earlier stage in proceedings, as evidenced by letters from her postgraduate dental deanery which show that she had been working on a personal development plan. The Committee also has evidence of CPD courses undertaken. Nevertheless, the engagement with the deanery, which the Committee notes was at an early stage, ceased shortly before this hearing began in December of last year and the Committee has no evidence Ms Ivanova has continued on this path. Ms Ivanova has apparently returned to Bulgaria where she continues to practise. Furthermore, the evidence of CPD undertaken that the Committee has does not sufficiently address the core issues at stake in this hearing. There is little evidence of learning and reflection gleaned from the CPD undertaken.

The Committee considers that Ms Ivanova does not have any real insight into her failings. This impression was compounded by her attitude to this process. She failed to admit to any of the charges against her and conducted herself in a highly unprofessional manner throughout the course of this hearing. The importance of promptness and remaining in touch was impressed upon Ms Ivanova at the outset of the hearing. Ms Ivanova did attend on

some days of the hearing. However, she variously turned up without childcare arrangements, cancelled childcare arranged for her by the GDC without notice, failed to turn up on certain days and failed to keep in touch. Ms Ivanova absented herself from the entirety of the GDC's evidence. The Committee considered it particularly telling that Ms Ivanova did not avail herself of the opportunity to listen to the expert's opinions on her failings. The expert gave his evidence on a day when Ms Ivanova had chosen to turn up, yet she left the room and refused to listen to his evidence.

The combination of a failure to remediate her failings properly and a woeful lack of insight led the Committee to conclude that there is a high risk that Ms Ivanova will repeat her misconduct.

Taking all of this into account, the Committee considers that Ms Ivanova's fitness to practise is currently impaired by reason of her misconduct.

The Committee next considered what sanction, if any, is appropriate. In doing so, it had regard to the principal of proportionality, balancing Ms Ivanova's interests with the public interest.

The Committee considered that to conclude the case at this stage, with or without a reprimand, would not be sufficient in light of the risk of repetition.

The Committee next considered whether conditions would be sufficient. It was of the view that had Ms Ivanova displayed even limited insight and shown that she was willing to make serious attempts to recognise her failings and act upon them, then conditions may very well have been the appropriate outcome in this case. Nevertheless, Ms Ivanova has not acted in a way which would assure the Committee that conditions would be a workable and sufficient sanction. Ms Ivanova recently assured the GDC that she would be attending this part of the hearing, yet, again, she absented herself without warning or reason, leading to further delay. This is not the behaviour of someone who would be prepared, at this stage, to work within the framework of conditional registration. In all the circumstances, the Committee determined that conditions would not be sufficient in this case.

The Committee next considered whether suspension would be the appropriate outcome. The Guidance for the Professional Conduct Committee contains guidance on situations in which a decision not to erase would require careful justification. The Committee considered that the following paragraph was particularly pertinent:

Patterns of behaviour which are incompatible with professional registration

In a small number of cases, a registrant's behaviour or the attitudes demonstrated can identify him or her as being unfit to be a member of a caring and responsible profession. This problem could be evidenced by serious or persistent contempt for the safety, rights or dignity of others or by serious criminality.

The Committee bore this guidance in mind, but it did not feel that erasure would be proportionate in this case, having regard to the scale of the misconduct identified. The Committee considers it regrettable that Ms Ivanova's behaviour has escalated the situation to a level where suspension is the only sufficient outcome.

The Committee has determined to suspend Ms Ivanova's name from the register for a period of 12 months, with a review at the end of that period. The period was selected to allow Ms Ivanova time to demonstrate that her attitude has improved and to allow her to provide evidence of remediation of her failings at a resumed hearing. The Committee advises Ms

Ivanova to restart the process of engagement with remediation which was halted before this hearing began. Any Committee reviewing this case would be assisted by evidence of reflection, up-to date and relevant CPD, and relevant audits.

The Interim Order associated with this case is hereby revoked.

The Committee invites submissions on whether an immediate order is necessary in this case.”

“The Committee, having regard to your submissions and the risk it has identified that Ms Ivanova will repeat her misconduct, has determined that it necessary for the protection of the public to impose an immediate order for suspension.

The effect of the foregoing direction and order is that Ms Ivanova's name is suspended from when notice of this decision is deemed served upon her and, unless she exercises her right of appeal, the name of Ivelina Yordanova Ivanova will be suspended from the Dentists Register for a further period of 12 months after 28 days have elapsed.

That concludes the case.”

At a review hearing on 10 July 2015, the Chairman announced the determination as follows:

“Ms Ivanova,

The Committee has considered this case very carefully and decided to impose a further period of 6 months suspension on your registration. This order will come into effect upon the expiry of the current order.

This is the first review of a suspension order initially imposed on your registration for a period of 12 months, following the decision by the Professional Conduct Committee (PCC) on 9 July 2014.

This hearing was convened pursuant to Section 27 C (1) of the Act to review the current suspension order, which is due to expire on 10 August 2015.

At the initial substantive hearing in 2014 that Committee considered allegations relating to the care you provided to four patients while you were practising at TLC Smiles.

In relation to patient B, your dental care was inadequate in that you failed to diagnose the necessity for, or plan for, a filling that was required. You also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to patient C, your dental care was inadequate in that you did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to patient F, your dental care was inadequate in that you prescribed antibiotics when it was inappropriate to do so. Your record keeping was inadequate in respect of this patient's treatment in that you failed to record justification for radiographs taken or report on those radiographs.

In relation to patient G, your dental care was inadequate in that you did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth.

That Committee determined that the facts found proved amounted to misconduct and that your fitness to practise was impaired. It further determined to suspend your registration for a period of 12 months and directed a review of your case before the end of the period of suspension. That Committee determined the following in relation to the suspension order and the recommendations for this review:

The Committee bore this guidance in mind, but it did not feel that erasure would be proportionate in this case, having regard to the scale of the misconduct identified. The Committee considers it regrettable that Ms Ivanova's behaviour has escalated the situation to a level where suspension is the only sufficient outcome.

The Committee has determined to suspend Ms Ivanova's name from the register for a period of 12 months, with a review at the end of that period. The period was selected to allow Ms Ivanova time to demonstrate that her attitude has improved and to allow her to provide evidence of remediation of her failings at a resumed hearing. The Committee advises Ms Ivanova to restart the process of engagement with remediation which was halted before this hearing began. Any Committee reviewing this case would be assisted by evidence of reflection, up-to date and relevant CPD, and relevant audits.

Today Miss French referred the Committee to the documentation before it, particularly that produced by yourself. She outlined the background of this case.

You told the Committee that you have been unable to undertake any audits as you have been unable to work in the United Kingdom (UK) since you were suspended in July 2014. You outlined for the Committee the training that you have undertaken since your hearing in 2014 and the reading that you have done to keep your knowledge up to date. You told the Committee that you hope to return to practice as a dentist in the UK.

In response to questions, you told the Committee that following the determination of the PCC in July 2014 you accept that there were areas of your practice that you needed to address, including communication. You stated that you agreed with the determination that you had to improve areas of your work, including x-rays and communication with patients. You maintained that you had spoken to Patient B regarding the missed filling and were surprised when a complaint was made, however you accepted that you needed to ask more detailed questions to your patients in order to ensure that they were happy with their care.

You informed the Committee that you have undertaken courses and completed reading that was not specific to the failings identified because you enjoy reading and wanted to do the courses. You told the Committee that you have attended live courses as well as doing online training which was specific to the issues highlighted by the last Committee, including record keeping. You told the Committee that you had read a book relating to treatment planning which was 'prescribed' in your Professional Development Plan (PDP). You confirmed that your PDP was created prior to the hearing in 2014 and the only additional material that you have is certificates of courses undertaken and you have not made any additional notes on your PDP.

You stated to the Committee that you have been working as a dentist in Bulgaria. You explained that you returned to Bulgaria to work following the GDC investigation, as you were unable to secure work after the Interim Orders Committee (IOC) imposed conditions on your

registration. You told the Committee that you work full time and that you complete patient records as part of your day to day practice. You told the Committee that you want to return to work and that you are willing to undertake steps to address any identified deficiencies in your practice.

Miss French submitted that your fitness to practise remains impaired. She submitted that your engagement with the GDC has been sporadic despite your attendance at this hearing, you have not addressed the specific matters identified by the PCC in July 2014 and your insight is lacking. She submitted that in the circumstances of this case the appropriate sanction would be an extension of the suspension order for a period of 6 months with a review. She submitted that, were the Committee minded to impose conditions, any conditions must be robust and at a minimum include a reporter, a workplace supervisor, an educational supervisor and audits.

The Committee accepted the advice of the Legal Adviser.

The Committee acknowledged that you have taken some positive steps since the last hearing, however it was concerned with your level of insight and lack of evidence of sufficient remediation. The information that the Committee had sight of was limited and the PDP before it was the same that the PCC in July 2014 had sight of. The Committee did not have any written evidence of you having reflected upon and accepted the failings identified by the previous Committee. It was concerned that during your evidence you maintained that you had spoken to the patient with the failed filling who did not inform you that there was a problem and you did not understand why a complaint was made.

Whilst the Committee considered that the misconduct identified was remediable there is insufficient information before it that you have remediated the identified deficiencies in your practice. The Committee appreciated that you have attended this hearing and provided documentation for its consideration. It was of the view that you have begun the remediation process, although this is not yet sufficient. The Committee had sight of references provided by colleagues in Bulgaria, however it also noted that these are generic references and do not specifically refer to the GDC process and predate the initial PCC. Apart from a document headed 'supervisor report' from a colleague in Bulgaria, dated 27 June 2015, the Committee had no evidence relating to your clinical practice over the past year while you have been working in Bulgaria, such as clinical audits from your work in Bulgaria. The Committee considered that this omission taken with your lack of sufficient insight, means there remains a real risk of repetition in this case.

The Committee considered that, based on the information before it, there has been no change in your fitness to practise since the last hearing in July 2014. As a result of the above, the Committee concluded that your fitness to practise remains currently impaired.

The Committee then considered what, if any, sanction to impose in this case. The Committee was aware of the range of sanctions available to it and that it must consider the sanctions in order from the least serious.

The Committee was aware that it should have regard to the principle of proportionality, balancing the public interest against your own interests. The public interest includes the protection of the public, the maintenance of public confidence in the profession; and declaring and upholding standards of conduct and performance within the profession.

The Committee noted its powers under Section 27C(1) of the Act. The Committee had the power to extend the current order for a maximum period of 12 months. Alternatively it could

revoke the suspension order or replace the order with a conditions of practice order for up to 3 years.

The Committee first considered whether it would be appropriate to allow the current order to lapse at its expiry or to revoke it with immediate effect. The Committee considered that given all of the information before it, it would not be appropriate to revoke the current order or to allow it to lapse, as this would not protect the public nor would it be in the public interest.

The Committee then considered whether a conditions of practice order would be appropriate in this case. Given the Committee's determination that you still lack sufficient insight, the lack of directed evidence of remediation undertaken by you to address the misconduct and the risk of recurrence, the Committee considered that this would not be an appropriate order.

The Committee determined that the appropriate and proportionate sanction in this case is that at the expiry of the current order your registration will be made subject to a further period of 6 months suspension. The Committee was of the view that this would allow you the time to address the identified deficiencies and provide the next reviewing Committee with evidence of your clinical practice in Bulgaria.

The Committee recommends that you provide an up to date PDP, targeted audits of your records in Bulgaria, showing soft tissue examination, BPE recordings, justification for radiographs, reporting on radiographs or confirmation that you have not undertaken any of these areas. Any reviewing Committee would also be assisted by a written reflective piece describing your learning from this process, as well as when it is appropriate to prescribe antibiotics, your current practice on diagnosing caries, periodontal disease and treatment planning around that.

The Committee was aware that the effect of this order is that you will be prevented from working as a registered dental professional using your GDC registration. This could result in financial hardship, though the Committee received no direct information about that matter. However, in applying the principle of proportionality, the Committee determined that the need for public protection outweighs your interests in this regard.

That concludes this hearing."

At a review hearing on 29 January 2016, the Chairman announced the determination as follows:

"Ms Ivanova,

The Committee has carefully considered the submissions from Ms French on behalf of the General Dental Council ('GDC') and those from you. The Committee took into consideration that you attended and represented yourself without the benefit of legal assistance. Furthermore, it was very clear to the Committee that English was not your first language. It has read and considered the papers provided to it by both parties and has heard and accepted the advice from the Legal Adviser in reaching its decisions.

Background

You first registered as a dentist within the UK on 23 August 2007 and, on 14 October 2011, the GDC received a complaint about your practice which it proceeded to investigate. Your case was considered by the Interim Orders Committee on 4 March 2013, wherein interim conditions of practice were imposed upon your registration. Those conditions continued when the interim order was reviewed on 5 August 2013 and 20 January 2014.

On 9 July 2014, the Professional Conduct Committee ('PCC') found that your fitness to practise was impaired at that time, and it summarised its findings of fact in the following terms.

"In relation to patient B, Ms Ivanova's dental care was inadequate in that she failed to diagnose the necessity for, or plan for, a filling that was required at a tooth. She also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to patient C, Ms Ivanova's dental care was inadequate in that she did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to patient F, Ms Ivanova's dental care was inadequate in that she prescribed antibiotics when it was inappropriate to do so. Her record keeping was inadequate in respect of this patient's treatment in that she failed to record justification for radiographs taken or report on those radiographs.

In relation to patient G, Ms Ivanova's dental care was inadequate in that she did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth."

By way of sanction, the PCC suspended your registration for a period of 12 months. That suspension order was reviewed at a hearing on 10 July 2015. At that hearing, the PCC found that your fitness to practise remained impaired, and the suspension order was extended for a further 6 months. Pursuant to section 27C(1) of the *Dentists Act 1984*, this is the second review of the suspension order, which is currently due to expire on 10 February 2016.

The reviewing PCC on 10 July 2015 had concerns relating to your clinical practice including lack of insight into your deficiencies and insufficient evidence of remediation. It noted however that you had begun the remediation process, but omitted to provide any evidence relating to your clinical practice in Bulgaria, where you had been practising since your suspension was imposed. That PCC provided you with helpful guidance concerning its requirements to demonstrate appropriate remediation, including the following:

- an up to date personal development plan (PDP);
- targeted audits of your records in Bulgaria, showing soft tissue examination, Basic Periodontal Examination (BPE) recordings, justification for radiographs, reporting on radiographs or confirmation that you have not undertaken any of these areas; and,
- a written reflective piece describing your learning from this process, as well as when it is appropriate to prescribe antibiotics, your current practice on diagnosing caries, periodontal disease and treatment planning around this.

The Committee heard that, since the last hearing, you have continued practising dentistry in Bulgaria. During this time, you have intermittently been in contact with two postgraduate dental advisers in order to try to establish an appropriate PDP and clinical audits. The PDP contained evidence of the courses you have completed. The audits before the Committee focussed upon your practice in Bulgaria, purporting to audit your soft tissue examinations, BPE, justification for and reporting of radiographs.

Impairment

The Committee carefully examined the documents provided to it and your detailed oral submissions concerning your remedial steps. The Committee considered whether or not these adequately addressed the matters raised in the helpful suggestions made by the previous PCC on 10 July 2015.

In respect of your CPD, you provided a number of detailed handwritten notes purporting to demonstrate the knowledge that you have gained during each course. Some of your CPD was appropriately targeted on the areas in your practice where deficiencies have been identified. The Committee had some concerns that your CPD did not demonstrate any reflection in respect of your day-to-day practice, or how this CPD would be implemented to improve your standard of clinical practice and thus address the original deficiencies. Furthermore, many of the courses you have undertaken were focussed upon discrete and / or advanced aspects of dentistry such as *'Oral Cancer – Are you practicing intra venous sedation to the IACSD guidance?'*, *'Assessment and Management of Dental Anxiety'*, *'Implant Complications – how to stay out of trouble'*. Some of your other courses covered some of the relevant areas, however there was a lack of CPD evidence that focussed upon the basic aspects of general dentistry such as examination, periodontology or a wider reflection on you overall learning process. The Committee was of the view that your recent CPD did not demonstrate a sufficiently comprehensive approach to addressing the failings in your practice.

In respect of your audits, the Committee had a number of concerns. Your 2015 and 2016 audits had been completed in a sparse way. None of the information the Committee would require, to verify its contents as a true record of your current practice, were included in the audit. For example, copies of clinical records and radiographs were not provided, therefore, the Committee was unable to assess the accuracy of your radiographs, all 40 of which had been rated as 'Grade 1', which is the best possible qualitative rating. Furthermore, the audits were not dated, and there was no evidence that the audits had been inspected, assessed or reported on by any other dentist to validate your findings and hence to provide reassurance to the Committee.

The Committee noted that you have attempted to enlist the support and mentorship of a Postgraduate Dental Adviser from Health Education East Midlands. Your efforts have not procured any meaningful assistance, since you have provided no evidence of regular meetings, inspection of your current practice in Bulgaria or any substantive involvement with the planning and execution of your CPD and PDP activities. The Committee had before it a letter dated 24 July 2015 in which Mr John Cottingham, Postgraduate Dental Advisor, stated:

"I think that it is important that you think very carefully about whether you will be able to fully commit the time for the work needed to meet the requirements of the GDC to have the suspension of your registration lifted."

The Committee concluded that living and practising in Bulgaria whilst seeking to immerse yourself in remediation in the UK, presents some very challenging difficulties. These may significantly reduce the probability that you will be able to compile sufficient evidence of verifiable remediation to reassure a Committee that there will be no risk of repetition of your misconduct so that you can be allowed to return to safe unrestricted practice in the UK. You also have a potentially significant language barrier to overcome, as evidenced by the fact that, during your submissions, you explained that the reason that you had omitted to produce a reflective piece of writing (as directed by the previous PCC) was because you did not know

what is meant by the word “*piece*”. You said this could mean a letter or a report and that no one had advised you on the definition.

Your remedial steps so far have demonstrated your encouraging intention to remedy the deficiencies identified in your practice. However, the Committee placed limited weight on the materials you have presented, for the reasons stated above. The Committee notes that your efforts have been restricted by your suspension from the register. However, the focus of the GDC regulatory process is to protect patients and the public interest by ensuring that appropriate standards of competent dentistry are maintained within the UK. The Committee concluded that you have not yet had an opportunity to demonstrate that any improvements have been properly embedded in your day-to-day practice. The Committee has not received any written reflective piece showing any appropriate remorse, contrition, or acknowledgement of the risks your misconduct posed to patients. Furthermore, it has not been provided with evidence of how you intend to incorporate your learning into your clinical practice by making sustainable improvements, the reasons why such changes are necessary, and / or, how you will prevent any misconduct being repeated in the future. Accordingly, the Committee is not satisfied that the deficiencies in your practice have been remedied, and your fitness to practise remains currently impaired.

Sanction

Having found impairment, the Committee next considered what sanction, if any, should be applied in this case. The Committee first considered whether conditions could be formed which, as well as being workable, practicable and measurable, could address the Committee’s concerns. It noted that you are currently living and practicing dentistry in Bulgaria notwithstanding that you remain currently impaired within the UK. Therefore you do not have the benefit of an easily accessible support network of peer dentists within the UK. The Committee did not accept the submission made on behalf of the GDC, that you have shown attitudinal failings in your approach to your remediation. The Committee found, however, that a language barrier, combined with the distance and cultural differences between practice in the UK and Bulgaria, combine to present considerable difficulties. The Committee concluded, however, that you have not shown sufficient evidence of insight into your deficiencies in your practice. For all of these reasons, the Committee determined that conditions could not be formulated which could manage your return to safe dental practice.

Having rejected conditions of practice, the Committee next considered extending your suspension. It noted that you are engaging in the regulatory process and have expressed a strong willingness to remedy your deficiencies. In the Committee’s view, a suspension is necessary for the protection of the public and is otherwise in the public interest, in order to maintain public confidence in the dental profession and in the regulatory process. Accordingly, the Committee directs the current suspension order to continue for a further period of 6 months, to be reviewed by the PCC prior to the expiry of the order. The Committee firmly recommends and encourages you to continue your improving remediation efforts, under the direction and guidance of a Postgraduate Dental Deanery to be completed before the next review, as indicated to you at the review hearing on 10 July 2015 (and listed above). The Committee has selected the period of 6 months to be necessary to give you sufficient time to complete your remediation.”

At a review hearing on 22 July 2016, the Chairman announced the determination as follows:

“Ms Ivanova,

This is the third review of a suspension order initially imposed on your registration for a period of 12 months, with a review, following the decision of the Professional Conduct Committee (PCC) on 9 July 2014. The order was extended at the first review in July 2015 for a period of 6 months. The order was further extended for 6 months at a second review in January 2016.

This hearing was convened pursuant to Section 27C (1) of the Act to review the current suspension order, which is due to expire on 10 August 2016.

At the original substantive hearing in July 2014, the Committee considered allegations relating to your practice. In this hearing, the Committee found facts proved relating to the care you provided to four patients whilst practising for a brief period of 7 weeks at TLC Smiles, 30 Clifton Road, Ashbourne, Derbyshire DE6 1DT.

In relation to Patient B, your dental care was inadequate in that you failed to diagnose the necessity for, or plan for, a filling that was required at a tooth. You also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to Patient C, your dental care was inadequate in that you did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to Patient F, your dental care was inadequate in that you prescribed antibiotics when it was inappropriate to do so. Your record keeping was inadequate in respect of this patient's treatment in that you failed to record justification for radiographs taken or report on those radiographs.

In relation to Patient G, your dental care was inadequate in that you did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth.

The Committee hearing the substantive matter determined that the facts found proved amounted to misconduct and that your fitness to practise was impaired. It further determined to suspend your registration for a period of 12 months and directed a review of your case before the end of the period of suspension.

At the first review of this order, on 10 July 2015, the Committee found that your fitness to practise remained impaired and extended the suspension order for a period of 6 months. The reasons given by that Committee were:

The Committee was of the view that this would allow you the time to address the identified deficiencies and provide the next reviewing Committee with evidence of your clinical practice in Bulgaria.

The Committee recommends that you provide an up to date PDP, targeted audits of your records in Bulgaria, showing soft tissue examination, BPE recordings, justification for radiographs, reporting on radiographs or confirmation that you have not undertaken any of these areas. Any reviewing Committee would also be assisted by a written reflective piece describing your learning from this process, as well as when it is appropriate to prescribe antibiotics, your current practice on diagnosing caries, periodontal disease and treatment planning around that.

At the second review, on 29 January 2016, the Committee found that your fitness to practise remained impaired and further extended your suspension for another 6 months. The reasons given by that Committee were:

The Committee determined that the appropriate and proportionate sanction in this case is that at the expiry of the current order your registration will be made subject to a further period of 6 months suspension. The Committee was of the view that this would allow you the time to address the identified deficiencies and provide the next reviewing Committee with evidence of your clinical practice in Bulgaria.

Today Ms Iman on behalf of the GDC, applied for a 6 month extension to the suspension order imposed on your registration. She referred the Committee to the documentation before it and outlined the background to this case.

Ms Iman submitted that this Committee is in a similar position today as at previous hearings. There has been no independent review or input from other dental professionals in your remedial steps. Ms Iman submitted, that the information you have put before the Committee is not up to date and is unfortunately unsatisfactory. In relation to your reflective piece, this is not current and does not address the concerns raised in 2014. Ms Iman submitted that even after several months, you have not fully demonstrated your ability to engage with the recommendations made by previous Committees in relation to your remediation process.

Ms Iman further added that the reference you provided to the Committee in order to assist did not give a comprehensive analysis of your practise and was unsigned.

Ms Iman proposed that you are still currently impaired and that an extension for a further period of 6 months suspension would be the appropriate sanction to enable you to have a further opportunity to address all concerns dating back to 2014.

You outlined to the Committee the remedial steps you have taken so far. You stated that you have undergone training and had meetings with the Deanery this year to discuss your practise. You have further refreshed your knowledge on the fundamentals of dentistry and understand the importance on medical emergency management and infection control. You have developed a personal development plan which you feel has helped you to provide a better level of understanding of your patients. You also stated that you have attended a dental course to provide an overview of patients suffering with Dementia.

The Committee accepted the advice of the Legal Adviser.

The Committee carefully examined the documents provided to it and your detailed oral submissions concerning your remedial steps. The Committee considered whether or not these adequately addressed the matters raised in the helpful suggestions made by the previous PCC.

The Committee noted that little has changed since the last hearing. In particular, as with the last Committee that *'in respect of your CPD, you provided a number of detailed handwritten notes purporting to demonstrate the knowledge that you have gained during each course. Some of your CPD was appropriately targeted on the areas in your practice where deficiencies have been identified. The Committee had some concerns that your CPD did not demonstrate any reflection in respect of your day-to-day practice, or how this CPD would be implemented to improve your standard of clinical practice and thus address the original*

deficiencies. [...] The Committee was of the view that your recent CPD did not demonstrate a sufficiently comprehensive approach to addressing the failings in your practice.'

The Committee accepts that living and practising in Bulgaria whilst seeking to remedy your deficiencies, may present some very significant challenges for you. However, the Committee noted that, as with the last review and the review before that, the evidence before it was predominantly the same evidence that the previous Committees had had sight of. This evidence was not up to date and was inadequate to demonstrate that you have remedied the deficiencies in your practise.

The Committee was not satisfied that the risk of repetition has been reduced in order to allow you to return to safe unrestricted practice in the UK.

As a result of the above, the Committee concluded that your fitness to practise remains currently impaired.

The Committee then considered what, if any, sanction to impose in this case. The Committee was aware of the range of sanctions available to it and that it must consider the sanctions in order from the least serious.

The Committee was aware that it should have regard to the principle of proportionality, balancing the public interest against your own interests. The public interest includes the protection of the public, the maintenance of public confidence in the profession; and declaring and upholding standards of conduct and performance within the profession.

The Committee noted its powers under Section 27C(1) of the Act. The Committee had the power to extend the current order for a maximum period of 12 months. Alternatively, it could revoke the suspension order, or replace the order with a conditions of practice order for up to 3 years.

The Committee first considered whether it would be appropriate to allow the current order to lapse at its expiry or to revoke it with immediate effect. The Committee considered that given all of the information before it, it would not be appropriate to revoke current order or to allow it to lapse, as this would not protect the public nor would it be in the public interest.

The Committee then considered whether a conditions of practice order would be an appropriate order in this case. Given your lack of insight, the lack of any current evidence of sufficient steps taken to remedy your deficiencies there remains a risk of recurrence. The Committee therefore considered that this would not be an appropriate order.

The Committee considered whether to extend the period of suspension was the appropriate and proportionate response in this case. The Committee was aware that this was the third review of a suspension order originally imposed in July 2014.

The Committee determined that the only appropriate and proportionate sanction in this case is to extend the suspension order for a further period of 6 months with a review.

The Committee was aware that the effect of this order is that you will be prevented from working as a registered dental professional in the UK. This could result in financial hardship, though the Committee received no direct information about that matter. However, in applying the principle of proportionality, the Committee determined that your interests in this regard are significantly outweighed by the need for public protection and protection of the wider public interest.

The Committee was disappointed to note that you did not commence preparing your personal development plan until this month, July 2016. It also noted that the audits that you provided were not up to date and your reflective piece was simply a summary of the materials you have read and the steps you have taken since the last hearing. The Committee would have expected you, if you were truly committed to returning to unrestricted practice in the UK, to have taken significant and prompt steps to remedy your deficiencies.

Any reviewing Committee would be assisted by:

- An up to date and relevant PDP
- CPD relevant to the deficiencies identified by the PCC
- Targeted audits of record keeping with evidence of validation and explanation of the grading criteria relating to
 - Soft tissue examination
 - BPE recordings
 - Radiographic justification
 - Radiographic quality assessment
- A written reflective analysis on the failings identified in your practice

The Committee wishes to stress to you that at the next review hearing, you will have been suspended for a continuous period of over two years. That Committee will have the power to suspend your registration indefinitely if it finds that your fitness to practice remains impaired.

That concludes this case for today.”

At a review hearing on 20 January 2017, the Chair announced the determination as follows:

“Ms Ivanova,

The Committee has carefully considered the submissions from Mr Round on behalf of the General Dental Council (‘GDC’) and those from you. The Committee took into consideration that you attended and represented yourself. It has read and considered the papers provided to it by both parties and has heard and accepted the advice from the Legal Adviser in reaching its decisions.

Background

Your case was considered by the Interim Orders Committee on 4 March 2013, wherein interim conditions of practice were imposed upon your registration. Those conditions continued when the interim order was reviewed on 5 August 2013 and 20 January 2014.

On 9 July 2014, the Professional Conduct Committee (‘PCC’) found that your fitness to practise was impaired at that time, and it summarised its findings of fact in the following terms.

“In relation to patient B, Ms Ivanova’s dental care was inadequate in that she failed to diagnose the necessity for, or plan for, a filling that was required at a tooth. She also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to patient C, Ms Ivanova's dental care was inadequate in that she did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to patient F, Ms Ivanova's dental care was inadequate in that she prescribed antibiotics when it was inappropriate to do so. Her record keeping was inadequate in respect of this patient's treatment in that she failed to record justification for radiographs taken or report on those radiographs.

In relation to patient G, Ms Ivanova's dental care was inadequate in that she did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth."

By way of sanction, the PCC suspended your registration for a period of 12 months. That suspension order was reviewed at a hearing on 10 July 2015. At that hearing, the PCC found that your fitness to practise remained impaired, and the suspension order was extended for a further 6 months. Pursuant to section 27C(1) of the *Dentists Act 1984*, this is the fourth review of the suspension order, which is currently due to expire on 10 February 2017.

The reviewing PCC on 10 July 2015 had concerns relating to your clinical practice including lack of insight into your deficiencies and insufficient evidence of remediation. It noted however that you had begun the remediation process, but you had omitted to provide any evidence relating to your clinical practice in Bulgaria, where you had been practising since your suspension was imposed.

The matter was again reviewed on 29 January 2016. That Committee noted that you had produced evidence of engagement with your Deanery, together with some evidence of remediation and targeted Continuing Professional Development (CPD). That Committee determined that you had provided no evidence of any reflective pieces, nor evidence of how your new learning had been embedded in your day to day practice. It determined that your fitness to practise remained impaired and continued the order of suspension for a further period of 6 months.

The suspension order was extended by a further period of 6 months at this review hearing on 22 July 2016. At that hearing the Committee said... "the evidence before it was predominantly the same evidence that the previous Committees had had sight of. This evidence was not up to date and was inadequate to demonstrate that you had remedied deficiencies in your practice".

Mr Round submitted that your fitness to practise remains impaired because you have not addressed the concerns and have submitted the same documentation at each review hearing. He submitted that there has been no evidence of how your current learning has been embedded and implemented in your day to day practice. He invited the Committee to give a direction that your registration be suspended indefinitely, in accordance with the requirements of section 27C(1)(d) of the *Dentists Act 1984* (as amended). He referred the Committee to the fact that your registration will have been suspended for at least two years on the date on which the direction takes effect, you having been suspended since 9 July 2014.

You read a statement to the Committee and stated that you approached different Deaneries in July 2016 to update your PDP and to attend courses in areas such as record keeping, radiography and clinical auditing to improve your clinical skills. You stated that you have

further courses planned which will be useful for your future practice. You explained that there are cultural differences between your country Bulgaria and here in UK, and these differences have had an impact on your practice. You are currently working full time in Bulgaria and it is your wish to return to work in the UK. You invited the Committee to terminate the suspension order.

Committee's determination

The Committee has carefully considered all of the information presented to it, including the written documentation and submissions provided by you and those provided by Mr Round on behalf of the GDC. The Committee has had regard to the documentary information submitted on your behalf, including a reflective statement, updated Personal Development Plans (PDP), correspondence from Health Education North East NHS Trust, supervisor reports, and evidence of continuing professional development (CPD) undertaken.

The Committee has accepted the advice of the Legal Adviser. In its deliberations, the Committee has had regard to the GDC's *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016) ('the Guidance').

Impairment

The Committee carefully examined the documents provided to it and your oral statement. The Committee considered whether or not these adequately addressed the matters raised in the helpful suggestions made by the previous PCC on 29 July 2016.

You have produced a Personal Development Plan (PDP) which focused on areas such as, diagnosis and treatment of caries, dental treatment and drug prescribing, periodontal treatment, record keeping, and radiography. You have produced some evidence of CPD. You have provided written reflective pieces, together with copies of various audits on your record keeping. The Committee noted that you provided a written supervisors report which confirms that there are no concerns with your dental practice, diagnosis, treatment planning and record-keeping in relation to your work in Bulgaria.

The Committee noted that since the last review hearing there has been sporadic engagement with Health Education East Midlands NHS Trust, which you ended in May 2016. The Committee also noted that you have not produced verified and up to date audits. You have produced sparse evidence of your current practice. The Committee considers that you could have done more to demonstrate full remediation.

The Committee further noted that several CPD certificates you have submitted relate to discrete areas of dentistry, some of which were placed before the previous reviewing Committee. The Committee had some concerns that your CPD did not demonstrate any reflection in respect of your day-to-day practice. The Committee noted a similar concern identified by the previous Committee, regarding a lack of evidence confirming how your learning has been embedded in your current practice. Attending courses or undertaking other training activities is a starting point, but the Committee would need to see evidence of improvements in your practice in the light of your training to be satisfied that your remediation is sufficiently developed to avoid the risk of repetition. The Committee noted your intention to remedy the deficiencies identified in your practice. The Committee acknowledges that you have made some improvements, albeit slow, and are engaging with three deaneries to improve your learning and clinical skills.

The Committee notes the focus of the GDC regulatory process is to protect patients and the public interest by ensuring that appropriate standards of competent dentistry are maintained within the UK. The Committee concluded that although you have begun to improve your remediation and insight into your failings there is still some way to go. You have still not yet demonstrated how your current learning has been properly embedded in your day-to-day practice. The Committee has not received any current evidence of verified audits of your clinical practice, nor has it seen any evidence in your reflective statements of remorse or insight, in particular into the harm that poor practice can cause to individual patients and to the reputation of the profession. Accordingly, the Committee is not satisfied that the deficiencies in your practice have been fully remedied. Therefore it concluded, your fitness to practise remains currently impaired.

Sanction

Having found impairment, the Committee next considered what sanction, if any, should be applied in this case. The Committee first considered whether conditions could be formed which, as well as being workable, practicable and measurable, could address the Committee's concerns.

The Committee has considered whether conditions would be sufficient to address all its concerns. It has noted that you have started the process of improving your practice and that you have reflected on your CPD. You have begun to discuss improvements in your practice with three deaneries and professional colleagues. The Committee would like to see independent verification from dental professionals of the progress you have made. While the monitoring of your compliance with conditions can only become effective from the date of your return to the UK, the Committee considers that there is no reason why you cannot continue your remediation whilst overseas. This may include seeking the guidance or monitoring from your professional colleagues in Bulgaria. The Committee therefore considers that you should be given an opportunity to return to practice with conditions on your registration. Such a course of action will provide adequate protection to the public and to the wider public interest. It therefore directs that your registration be subject to conditions for a period of 12 months. The Committee has determined that this period is appropriate and proportionate to enable you to complete your remediation to a satisfactory standard and to demonstrate an improvement in your practice over a sustained period.

The Committee considers that to suspend your registration for a further period is not necessary for the protection of the public and the public interest as it would delay the progress you have begun to make in your practice.

The conditions, which are imposed for a period of 12 months, will appear against your name in the Dentists' Register in the following terms:

1. She must inform the GDC within 7 days of her return to the UK. The following conditions can only be fulfilled in the UK and the monitoring of her compliance of these conditions will start from the date of her return.
2. She must notify the GDC within 7 days of any professional appointment she accepts in the UK and provide the contact details of her employer or any organisation for which she is contracted to provide dental services in the UK and the Commissioning Body on whose Dental Performers List she is included or the Local Health Board if in Wales, Scotland or Northern Ireland.

3. She must provide contact details of her current employer within 7 days and allow the GDC to exchange information with her employer or any contracting body for which she provides dental services.
4. She must allow the GDC to exchange information with her employer or any organisation for which she is contracted to provide dental services, and any Postgraduate Dental Dean/Director, reporter, workplace supervisor or educational supervisor referred to in these conditions.
5. She must practise dentistry only under the direct supervision* of a named workplace supervisor, to be nominated by her, and approved by the GDC.
6. She must present the workplace supervisor with a copy of this determination.
7. She must allow her supervisor to provide reports to the GDC at intervals of not more than 3 months, and the GDC will make these reports available to the Postgraduate Dean/Director referred to in these conditions.
8. She must provide a report from her workplace supervisor to the GDC at least 7 days in advance of any review hearing.
9. She must work with a Postgraduate Dental Dean/Director (or a nominated deputy), to formulate a Personal Development Plan, specifically designed to address the deficiencies in relation to diagnosis and management of periodontal conditions, treatment planning, radiography, BPE recordings and record keeping.
10. She must allow the GDC to exchange information about the standard of her professional performance and her progress towards achieving the aims set out in her Personal Development Plan with the Postgraduate Dental Dean/Director (or a nominated deputy), and any other person involved in her remediation.
11. She must forward a copy of her Personal Development Plan to the GDC within 3 months of the date on which these conditions become effective.
12. She must meet with the Postgraduate Dental Dean/Director (or a nominated deputy) on a regular basis to discuss her progress towards achieving the aims set out in her Personal Development Plan. The frequency of her meetings is to be set by the Postgraduate Dental Dean/Director (or a nominated deputy).
13. She must carry out audits to be counter signed and verified by her workplace supervisor in relation to treatment planning, radiography, drug prescribing, and record keeping.
14. She must provide a copy of these audits to the GDC on a 3-monthly basis.
15. She must inform the following parties, at the time of application for employment in the UK, that her registration is subject to the conditions listed above:
 - (a) any organisation employing or contracting with her to undertake dental work;
 - (b) any locum agency or out-of-hours service she is registered with or applies to be registered with;
 - (c) any prospective employer;
 - (d) the Commissioning Body or Health Board in whose Dental Performers List, or equivalent, she is included, or seeking inclusion.

16. She must permit the GDC to disclose the above conditions to any person requesting information about her registration status.
- * The registrant's work must be directly supervised at all times by a person who is registered with the GDC in the registrant's category of the register or above and who is in the same place of work. The level of supervision required is equivalent to that of a Foundation Trainee.

The Committee will review your case at a resumed hearing to be held shortly before the end of the period of conditional registration. You will be informed of the date and time of that resumed hearing, which you will be expected to attend. You will need to satisfy a future Committee that you have complied fully with these conditions and that you have successfully addressed the concerns identified in this case.

The suspension of your registration is hereby terminated. The Committee now invites submissions from both parties as to whether your registration should be made subject to an immediate order of conditions."

Decision on immediate order

"Ms Ivanova:

Having directed that your registration be subject to conditions for a period of 12 months, the Committee has considered whether to impose an order for immediate conditions in accordance with Section 30(2) of the Dentists Act 1984 (as amended). Mr Round, on behalf of the General Dental Council (GDC) stated that he had no positive submissions on this respect. You made no submissions on this matter. The Committee has decided that it is necessary for the protection of the public to impose an order for immediate conditions on your registration for the same reasons given for directing the substantive order."

At a review hearing on 13 June 2018 the Chair announced the determination as follows:

"Ms Ivanova,

This is a resumed hearing pursuant to Section 27C of the Dentists Act 1984 (as amended) ('the Act') to review the order of conditions which was imposed on your registration by the Professional Conduct Committee (PCC) in 20 January 2017.

Findings at the Initial Hearing

In July 2014 *"The Committee found facts proved relating to the care Ms Ivanova provided to four patients whilst she was practising for a brief period of 7 weeks at TLC Smiles, 30 Clifton Road, Ashbourne, Derbyshire DE6 1DT.*

In relation to patient B, Ms Ivanova's dental care was inadequate in that she failed to diagnose the necessity for, or plan for, a filling that was required at a tooth. She also failed to deal adequately with a defective composite filling at another tooth and the caries that was present.

In relation to patient C, Ms Ivanova's dental care was inadequate in that she did not conduct a periodontal or soft tissue examination and did not take bitewing radiographs to assist in the assessment of appropriate treatment.

In relation to patient F, Ms Ivanova's dental care was inadequate in that she prescribed antibiotics when it was inappropriate to do so. Her record keeping was inadequate in respect of this patient's treatment in that she failed to record justification for radiographs taken or report on those radiographs.

In relation to patient G, Ms Ivanova's dental care was inadequate in that she did not diagnose or plan treatment for caries, calculus or periodontal bone loss present in a tooth."

The initial PCC found that your failures were serious: the facts found proved were multiple breaches of the GDCs standards and your performance fell far below what is expected of a reasonably competent dentist. This amounted to misconduct.

That Committee was concerned at the extent of your engagement in remediation and the absence of a satisfactory level of insight into your failings. It concluded that the risk of repetition remained high and determined that your fitness to practise was impaired by reason of your misconduct. It directed that your registration be suspension for a period of 12 months with a review prior to the expiry of the order.

First PCC Review – July 2015

The Committee noted that although you had taken some steps to remediate after the conclusion of the initial hearing in July 2014, the Committee was concerned with your level of insight and lack of evidence of sufficient remediation. Given that you had not fully remedied your misconduct, that Committee found that your fitness to practise remained impaired. It extended the order of suspension for a further period of 6 months with a review to take place prior to the expiry of the order.

Second PCC Review - January 2016

The Committee determined that your remedial steps demonstrated your encouraging intention to remedy the deficiencies identified in your practice. However, the Committee placed limited weight on the materials you have presented. That Committee did not receive any written reflective piece showing any appropriate remorse, contrition, or acknowledgement of the risks your misconduct posed to patients. Furthermore, it was not provided with evidence of how you intend to incorporate your learning into your clinical practice by making sustainable improvements, the reasons why such changes are necessary, and / or, how you will prevent any misconduct being repeated in the future. Accordingly, that Committee was not satisfied that the deficiencies in your practice had been remedied, and your fitness to practise remained currently impaired. It extended the order of suspension for a further period of 6 months with a review to take place prior to the expiry of the order.

Third PCC Review – 22 July 2016

The Committee noted that, as with the last review and the review before that, the evidence before it was predominantly the same evidence that the previous Committees had had sight of. This evidence was not up to date and was inadequate to demonstrate that you had remedied the deficiencies in your practice. The Committee was not satisfied that the risk of repetition has been reduced in order to allow you to return to safe unrestricted practice in the UK. As a result of the above, the Committee concluded that your fitness to practise remained currently impaired. It extended the order of suspension for a further period of 6 months with a review to take place prior to the expiry of the order.

Fourth PCC Review – 20 January 2017

The Committee concluded that you still had not yet demonstrated how your current learning had been properly embedded in your day-to-day practice. The Committee had not received any current evidence of verified audits of your clinical practice, nor did it see any evidence in your reflective statements of remorse or insight, in particular into the harm that poor practice can cause to individual patients and to the reputation of the profession. Accordingly, the Committee was not satisfied that the deficiencies in your practice had been fully remedied. It concluded, your fitness to practise remains currently impaired. That Committee did however see some early signs of progress with your remediation, for example your updated PDP, and decided that a lesser restriction on your practice would adequately safeguard the public and the public interest. Accordingly, that Committee determined to revoke the order of suspension and replace it with a practice order of conditions for period of 12 months.

Interim Order

The Committee was informed that on 25 May 2018 you were placed on an interim suspension order by the Interim Orders Committee in respect of allegations which were of a different nature to the issues contained in this case.

Today's review

Today this Committee has comprehensively reviewed your case taking account of all the evidence presented. It has also taken account of the submissions made by Ms Headley on behalf of the GDC and those made by you. The Committee accepted the advice of the Legal Adviser. The Committee was mindful that you were unrepresented, and that English is your second language.

Compliance with current order

The Committee has considered carefully the submissions made. Throughout its deliberations, it has borne in mind the overriding objective, namely the protection, promotion, and maintenance of the health, safety and wellbeing of the public; the promotion and maintenance of public confidence in the dental profession and the promotion and maintenance of proper professional standards for members of the dental profession. It has accepted the advice of the Legal Adviser.

The Committee first considered whether you had complied with the conditions imposed on your registration. The Committee noted that you have been living abroad and had not been practising in the UK, since the making of the conditions of practice order. It further noted that you are still living and practising abroad. The Committee bore in mind that the conditions do not take effect until you return to practise in UK. The Committee had regard to the documents that you provided including a reflective piece and numerous online courses covering a range of subjects.

Impairment

In considering whether your fitness to practise remains impaired, the Committee bore in mind that the issue of current impairment is a matter for its own independent professional judgement. It reminded itself of its duties with regard to the protection of the public and to maintain standards of dental professionals and to safeguard public confidence in the dental profession. The Committee also had regard to the principle of proportionality.

The Committee noted that all the previous reviewing PCCs, made a number of suggestions which the next reviewing Committees might have found useful. These included liaising with the Deanery in order to provide an updated professional development plan (PDP) in order to refresh your clinical skills, targeted audits, supervisor reports, testimonials and a reflective analysis of your failings. The Committee was informed that you currently reside and practise in Bulgaria unrestricted and considered that this affords you the opportunity to provide this.

The Committee considered the new material that you had placed before it, dealing with your actions since the last hearing and concluded that there had been no significant change in relation to your impairment. The Committee took the view that your reflective piece related to comments on your online courses and did not provide any evidence of insight or remorse. The Committee concluded that you continue to present a risk to patients, and that there is a significant public interest in a finding of impairment in order to maintain public confidence in the profession. Accordingly, the Committee determined that your fitness to practise remains currently impaired.

Sanction

The Committee next considered the appropriate and proportionate outcome for your registration. The Committee took into account the submissions from both parties.

Ms Headley submitted that a period of suspension would be appropriate. It is clear to the Committee that the existing conditions of practice order conditions are clearly not workable or enforceable given that you now live abroad and that there is no evidence of your intention to acquire employment in the UK. The Committee balanced the interests of the GDC in continuing to monitor inoperable conditions, against your interests. In the absence of any evidence that you are making any progress in relation to your career in the UK, the Committee determined that conditions were currently not workable or appropriate.

Ms Headley also submitted that any conditions of practice order would be unworkable in view of the recent suspension order imposed by the Interim Orders Committee.

You made submissions to the Committee in which you informed them that you had done your best to improve your practice performance by following the PDP and keeping yourself up to date by reading recent advice and guidance. You explained that you were working in Bulgaria and had attempted to apply for jobs in the UK prior to the imposition of the suspension order but had found that your attempts to obtain interviews by email had been unsuccessful due to the imposition of the conditions. From July 2017 until the imposition of the Interim Suspension Order, you had not been as persistent as others as you had been busy working as dentist in practice in Bulgaria.

Furthermore, the Committee was of the view that a period nearly four years has now elapsed since your initial order. Therefore, due to the passage of time and a lack of meaningful engagement and insight, the Committee considers that there now remains a greater risk of harm to the public than when the order was first imposed.

In these circumstances the Committee has concluded that the only proportionate response is a period of suspension.

Accordingly, the Committee has determined to replace the present order for conditions with an order for suspension for a period of 12 months with a review. The order will be reviewed prior to the expiry of the 12-month period and should your circumstances change you can

apply for an early review or present the reviewing Committee with evidence of remedial steps that you have taken to begin to address the failings found in your practice.

The Committee noted that you had travelled from Bulgaria to attend this PCC review hearing and indicated that it would be advantageous if any review of this order should take place at the same place and/or before the same panel that hears any review of the interim order.

Accordingly, the Committee directs that your registration be suspended for a period of 12 months pursuant to section 27C (2)(d) of the Dentists Act 1984, as amended.”

Decision on immediate order of suspension

“The Committee took account of the submissions made by Ms Headley on behalf of the GDC that an immediate order should be imposed on your registration. You made no submissions.

The Committee noted that if you were to appeal the Committee’s decision, the direction of suspension would not take effect until the resolution of that appeal.

The Committee was of the view that having found that there remains a risk to the safety of patients in the absence of sufficient remediation, insight and that your fitness to practise is still impaired, not to impose an immediate order would be inconsistent with these findings. It concluded that its findings reached the threshold for the imposition of an immediate order for the protection of the public. It therefore determined that an immediate order of suspension is necessary for the protection of the public, pursuant to Section 30(1) of the Dentists Act 1984, as amended.

The effect of the foregoing direction and this order is that your registration will be suspended with immediate effect and unless you exercise your right to appeal, the substantive direction of suspension will take effect as indicated in the notice to be served on you. Should you exercise your right to appeal, this order for immediate suspension will remain in place pending the resolution of any appeal proceedings.

That concludes the case for today.”

At a review hearing on 2 May 2019 the Chair announced the determination as follows:

“Ms Ivanova

This is a resumed hearing of the Professional Conduct Committee (PCC). You are participating in this hearing by telephone. Mr Tom Middleton of the GDC’s Legal Team appears for the Council.

Purpose of hearing

The purpose of today’s hearing is to review a substantive direction of suspension first imposed on your registration by the PCC for a period of 12 months on 9 July 2014. The hearing is being held in accordance with section 27C (1) of the Dentists Act 1984 (as amended) (‘the Act’). The suspension is due to expire on 11 July 2019.

Existing order and previous reviews

In December 2013 the PCC commenced a substantive hearing to consider allegations about your conduct. The allegations which you faced, and which the Committee subsequently found proved, related to the standard of care and treatment that you provided to four patients in September and October 2011. The Committee found specific failings in your care and treatment of the patients in question, including caries and restoration management, patient examination and radiographic investigation, treatment planning and inappropriate antibiotic prescribing.

At the conclusion of the hearing on 9 July 2014 the Committee determined that the facts that it had found proved amounted to misconduct and that your fitness to practise was impaired as a result. The Committee specifically determined that you lacked insight into the matters that had precipitated its findings, and that you had not demonstrated sufficient remediation of those specific failings. The Committee determined that your name should be suspended from the register for a period of 12 months, with a review hearing to take place prior to the expiry of the suspension.

The substantive direction of suspension was reviewed by the PCC on 10 July 2015. The Committee determined to extend the suspension for a further period of six months. The Committee found that you had taken some limited steps to remedy your misconduct, but that those measures were not sufficient to demonstrate that your fitness to practise was no longer impaired.

The suspension was reviewed by the PCC once more at a review hearing that took place on 29 January 2016. The reviewing Committee noted the limited steps that you had once more taken, but concluded that your fitness to practise remained impaired. The Committee determined to further extend your suspension by six months.

The suspension was again reviewed by the PCC on 22 July 2016. The reviewing Committee again considered that your remediation and insight were lacking, and that your fitness to practise remained impaired. The Committee extended your suspension for a further period of six months.

On 20 January 2017 the PCC again reviewed your suspension. The Committee noted that there had again been some efforts on your part to remedy your misconduct, but that your remediation and insight remained insufficient. The Committee determined that your fitness to practise remained impaired, but determined to replace the suspension order with one of conditions for a period of 12 months.

The substantive direction of conditions was reviewed by the PCC at a hearing that took place on 13 June 2018. The Committee considered that your fitness to practise remained impaired and specifically that you had not demonstrated sufficient insight into and remediation of your misconduct. The reviewing Committee considered that you had not meaningfully engaged and that the order of conditions should be replaced with one of suspension for a period of 12 months.

It falls to this Committee today to review the extant direction of suspension.

Committee's determination

The Committee has carefully considered all the information presented to it, including the written documentation and oral submissions provided by the GDC and by you. In its deliberations the Committee has had regard to the GDC's *Guidance for the Practice*

Committees, including Indicative Sanctions Guidance (October 2016). The Committee has accepted the advice of the Legal Adviser.

Submissions

Mr Middleton on behalf of the GDC submitted that your fitness to practise remains impaired by reason of your misconduct. He submitted that because of your repeated failure to demonstrate adequate insight into, and remediation of, your misconduct, your suspension should be extended for a further period of 12 months.

You submitted that you realise that you experienced difficulties with your command of the English language and that you should have taken more steps to improve your clinical practice as well as your communication. You expressed your remorse for what has happened, and you stated that you are currently practising effectively in Bulgaria. You also submitted that you have recently undertaken continuing professional development (CPD) in an effort to improve your professional knowledge. You expressed confidence that this learning would be embedded into your practice for the benefit of your patients. You stated that you would like to work again in the UK in the future.

Impairment

The Committee has determined that your fitness to practise remains impaired.

The Committee finds that you have still not provided sufficient evidence to demonstrate that you have taken appropriate remedial steps in relation to the misconduct that has been identified. The information before this Committee does not indicate that you have developed insight into your clinical failings, or that you have taken appropriate learning, reflection and remediation focussed on the specific failings previously identified despite having had a considerable period of time in which to do so. The Committee has had sight of your current personal development plan (PDP), but notes that this largely consists of what you may do in the future rather than steps that you have already taken. Some of your CPD is relevant to the index failings identified, but you have not demonstrated how you intend to embed this into your clinical practice. Your CPD also does not address other areas of identified deficiency. The Committee considers that you appear to lack a fundamental appreciation of your clinical shortcomings, and that your apparent lack of understanding cannot properly be attributed to any language difficulties that may exist. The Committee has therefore concluded that the same risks to public safety and to public trust and confidence in the profession persist. Accordingly your fitness to practise remains impaired.

Sanction

The Committee considered that it would not be appropriate to terminate the suspension given the continued risks that arise from your continued impairment.

The Committee next considered whether it could formulate conditions which would be workable and which would address the risks that persist. The Committee concluded that conditions cannot properly be implemented, given that you are not currently practising in the UK. The Committee also has doubts as to whether you would comply with conditions given your lack of insight and meaningful engagement with the remediation process.

The Committee then went on to consider whether it would be appropriate to extend the current period of suspension. It has determined that suspension remains the proportionate and appropriate sanction in the circumstances. There remains a risk of harm to the public and to public trust and confidence in the profession arising from your continued impairment.

A further period of suspension is required to continue to protect the public, to declare and uphold proper standards of conduct and behaviour and to maintain trust and confidence in the profession.

In view of the risks to patients and to the wider public interest, as well as the lack of suitable evidence of remediation, the Committee hereby directs that your registration be suspended for a further period of 12 months. The Committee considers that any lesser period of time would be insufficient for you to demonstrate, if in fact you are minded to do so, that you have remedied the matters that have given rise to the original Committee's findings of facts, misconduct and impairment. A shorter period of time would not in the Committee's view be sufficient for you to do so given that you have, some years later, made very little effort to remedy the shortcomings identified in your practice.

In accordance with section 27C (1) of the Act this extended period of suspended registration will take effect from the date on which the existing period of suspension would otherwise expire, namely on 11 July 2019. The Committee has further determined that the suspension should again be reviewed prior to its expiry.

Recommendations

The Committee considers that the next reviewing Committee would be assisted by having sight of the following:

- An up to date and relevant PDP.
- CPD relevant to all the deficiencies identified by the PCC, and evidence of how you intend to embed your learning into your day-to-day clinical practice.
- A written reflective analysis on the failings identified in your practice.

Right of appeal

You will have 28 days from the date on which notice of this decision is deemed to have been served on you to appeal against this decision. Should you decide to appeal, the extant suspension will remain in force until the resolution of any such appeal. Should you decide not to appeal, the current suspension will be extended for a period of 12 months from the date on which it would otherwise expire, that is to say 11 July 2019.

That concludes this case for today."

At a review hearing on 03 July 2020 the Chair announced the determination as follows:

"Ms Ivanova

This is a resumed hearing of the Professional Conduct Committee (PCC). You are participating in this hearing by Skype video link. Mr Tom Middleton of the GDC's Legal Team appears for the Council.

Purpose of hearing

The purpose of today's hearing is to review a substantive direction of suspension first imposed on your registration by the PCC for a period of 12 months on 9 July 2014. The hearing is being held in accordance with section 27C (1) of the Dentists Act 1984 (as amended) ('the Act'). The suspension is due to expire on 11 July 2020.

Existing order and previous reviews

In December 2013, the PCC commenced a substantive hearing to consider allegations about your conduct. The allegations which you faced, and which the Committee subsequently found proved, related to the standard of care and treatment that you provided to four patients in September and October 2011. The Committee found specific failings in your care and treatment of the patients in question, including caries and restoration management, patient examination and radiographic investigation, treatment planning and inappropriate antibiotic prescribing.

At the conclusion of the hearing on 9 July 2014 the Committee determined that the facts that it had found proved amounted to misconduct and that your fitness to practise was impaired as a result. The Committee specifically determined that you lacked insight into the matters that had precipitated its findings, and that you had not demonstrated sufficient remediation of those specific failings. The Committee determined that your name should be suspended from the register for a period of 12 months, with a review hearing to take place prior to the expiry of the suspension.

The substantive direction of suspension was reviewed by the PCC on 10 July 2015. The Committee determined to extend the suspension for a further period of six months. The Committee found that you had taken some limited steps to remedy your misconduct, but that those measures were not sufficient to demonstrate that your fitness to practise was no longer impaired.

The suspension was reviewed by the PCC once more at a review hearing that took place on 29 January 2016. The reviewing Committee noted the limited steps that you had once more taken but concluded that your fitness to practise remained impaired. The Committee determined to further extend your suspension by six months.

The suspension was again reviewed by the PCC on 22 July 2016. The reviewing Committee again considered that your remediation and insight were lacking, and that your fitness to practise remained impaired. The Committee extended your suspension for a further period of six months.

On 20 January 2017 the PCC again reviewed your suspension. The Committee noted that there had again been some efforts on your part to remedy your misconduct, but that your remediation and insight remained insufficient. The Committee determined that your fitness to practise remained impaired but determined to replace the suspension order with one of conditions for a period of 12 months.

The substantive direction of conditions was reviewed by the PCC at a hearing that took place on 13 June 2018. The Committee considered that your fitness to practise remained impaired and specifically that you had not demonstrated sufficient insight into and remediation of your misconduct. The reviewing Committee considered that you had not meaningfully engaged and that the order of conditions should be replaced with one of suspension for a period of 12 months.

The matter was reviewed on 2 May 2019 by the PCC. That Committee found your fitness to practise remained impaired and determined that;

“The information before this Committee does not indicate that you have developed insight into your clinical failings, or that you have taken appropriate learning, reflection and

remediation focussed on the specific failings previously identified despite having had a considerable period of time in which to do so."

That reviewing Committee considered that a further period of suspension for 12 months was necessary and determined that;

"There remains a risk of harm to the public and to public trust and confidence in the profession arising from your continued impairment."

It falls to this Committee today to review the extant direction of suspension.

Submissions

Mr Middleton submitted that your fitness to practise continues to be impaired by reason of your misconduct. You have not discharged the persuasive burden on you today to show that you have adequately addressed the finding of impairment. There remains a real risk of repetition.

Mr Middleton submitted that you have provided evidence of some remediation of the areas of concerns identified by the previous Committees. However, notwithstanding your remediation, you have not been able to demonstrate that this learning has been embedded into your practice, not least because you have not been practising in the UK. He submitted that you have not provided sufficient evidence of insight and remorse into your deficiencies. Mr Middleton submitted that in view of the incomplete nature of your remediation and time out of practice in the UK, that continued restriction of your registration is warranted.

Mr Middleton informed the Committee that you received a separate period of suspension of 12 months by a PCC in December 2019, where your fitness to practise was found to be impaired by virtue of both misconduct and a conviction. He submitted that due to factors that go beyond this current case, conditions would not be workable or provide adequate public protection at this stage given the fact that you are currently suspended relating to another case.

Mr Middleton invited the Committee to consider the imposition of a further period of suspension for a period of 7 months so that this case can be reviewed in conjunction with the other case which had been considered in December 2019. Although he accepted that you have provided some remediation, insight and reflection, Mr Middleton submitted that your order of suspension should be continued, which would afford you a further opportunity to provide evidence of effective changes embedded in your practice.

You have submitted updated Personal Development Plan (PDP), activity log, certificates from verifiable Continuing Professional Development (CPD), reflective notes, reflective essay, reflective log and audits. You gave oral evidence to the Committee and stated that you now work in Bulgaria as a dentist, but it is your intention to work in the UK in the future. You have engaged with a mentor from Health Education England on three occasions to assist with your remediation. You state that there are some things that you could have done better and accept there were failings in your care previously. You state that in future you will be more precise with your patients.

Decision on impairment

The Committee accepted the advice of the Legal Adviser.

The Committee had regard to the *Guidance for the Practice Committees, including Indicative Sanctions Guidance* (October 2016).

In reaching its decision on whether your fitness to practise remains impaired, the Committee has exercised its own judgement. It has had regard to the over-arching objective of the GDC, which involves: the protection, promotion and maintenance of the health, safety and well-being of the public; the promotion and maintenance of public confidence in the dental profession; and the promotion and maintenance of proper professional standards and conduct by the members of the dental profession.

This Committee, as with the previous PCCs, has had regard to the wide-ranging failings in relation to your clinical practice in respect of four patients. These matters were considered by the PCC at a hearing which concluded in July 2014. Since that initial hearing, successive Committees have found that your attempts at remedying the failings have not been sufficient. The information before this Committee includes an updated reflective piece which, in the Committee's opinion, is more of a summary of your CPD rather than an actual reflection, and thus in the Committee's view, of limited value. While the Committee acknowledges that you have provided some evidence of CPD it considers that the CPD is limited.

Further, your PDP states what is going to happen rather than what has actually been completed. The Committee considers that the efforts you have made at remediating your past shortcomings have been inadequate, while concerns remain as to your level of insight into your shortcomings and engagement in the remediation process.

Given the limited attempts to address the extensive failings identified in your clinical practice and limited insight into these matters, the Committee therefore considers the risk of repetition remains. The Committee has determined that a finding of impairment is necessary for the continued protection of the public. It also considered the wider public interest and upholding proper standards in the profession, and decided that public confidence in the dental profession and the regulatory process would be undermined, if a finding of impairment were not made in the circumstances of this case.

Accordingly, the Committee has determined that your fitness to practise remains impaired by reason of your misconduct.

Decision on Sanction

The Committee considered what action, if any, to take in respect of your registration.

The Committee has had regard to the 'Guidance for the Practice Committees including Indicative Sanctions Guidance (effective from October 2016)'. It applied the principle of proportionality, balancing the public interest with your own interests. It considered the available options in ascending order.

In view of the Committee's concerns about the ongoing risk of your repeating your past misconduct as well as your lack of insight, it determined that it would be inappropriate to terminate the current order of suspension or to allow it to lapse. Such courses of action would not afford the public the necessary level of protection required, nor would they satisfy the wider public interest.

The Committee next considered whether to replace the suspension order with one of conditions. In doing so, it agreed that your clinical failings are capable of being remedied, however the Committee has concerns about your lack of insight into your failings, and also noted your previous failure to comply with conditions imposed on your registration. It also had regard to the 12-month suspension imposed by a PCC Committee in December 2019 in

other proceedings, which suspension of itself would make the imposition of conditions at this time unworkable. Taking all of these factors into account, the Committee has concluded that conditions would not be workable or appropriate in the circumstances.

The Committee has therefore determined to extend the order of suspension on your registration. The Committee has decided to extend the order by a period of 7 months. In deciding on this period, the Committee has taken into account the nature and extent of the failings identified by the initial PCC in July 2014 and the lack of substantial progress on your part over a sustained period of time. It also considered that as you have another case which has imposed suspension on your registration until December 2020, it would be appropriate and fair to all parties to connect the two cases together for a review in December 2020. It therefore considers that a period of 7 months is proportionate and appropriate in these circumstances.

The Committee considered that a continued period of suspension on this occasion would also give you the opportunity to focus on the remediation required in this case, whilst ensuring that the public and wider public interest remain protected.

The Committee considered whether it had power to impose indefinite suspension. It concluded, in agreement with the advice of the Legal Advisor, that the necessary two-year period had not yet elapsed and that therefore the sanction was not available today. The Committee noted that the sanction of indefinite suspension would be available at the next review hearing.

A Committee will review your case at a resumed hearing to be held shortly before the end of the extended period of suspension. That Committee will consider whether it should take any further action in relation to your registration. You will be informed of the date and time of that resumed hearing.

At the resumed hearing, the reviewing Committee would be assisted by your further reflections on the failings that led to your misconduct and current impairment as well as the steps you have taken to remedy them. It would also be assisted by continuing evidence of CPD aimed at addressing your past failings, any audits undertaken at your current practice in Bulgaria, and further information which would give assurance that your learning undertaken has become embedded in your current clinical practice.”

Unless you exercise your right of appeal, your current suspension order will be extended by a period of 7 months, starting 28 days from the date when notice of this Committee’s direction is deemed to have been served upon you. In the event that you do lodge an appeal against this decision, the current suspension order will continue to remain in force until the appeal has been decided.

That concludes this hearing.”

At a review hearing on 22 December 2020 the Chairman announced the determination as follows:

“Ms Ivanova

This is a resumed hearing of the Professional Conduct Committee (PCC). The members of the Committee, as well as the Legal Adviser and the Committee Secretary, conducted the hearing remotely via Microsoft Teams in line with current GDC practice. You are present at

this hearing and are representing yourself and are participating by Microsoft Teams. Ms Headley, Case Presenter for the GDC.

The purpose of today's hearing is to review a substantive direction of suspension first imposed on your registration by the PCC for a period of 12 months on 9 July 2014. The hearing is being held in accordance with section 27C (1) of the Dentists Act 1984 (as amended) ('the Act').

Background

In December 2013, the PCC commenced a substantive hearing to consider allegations about your conduct. The allegations which you faced, and which the Committee subsequently found proved, related to the standard of care and treatment that you provided to four patients in September and October 2011. The Committee found specific failings in your care and treatment of the patients in question, including caries and restoration management, patient examination and radiographic investigation, treatment planning and inappropriate antibiotic prescribing.

At the conclusion of the hearing on 9 July 2014 the Committee determined that the facts that it had found proved amounted to misconduct and that your fitness to practise was impaired as a result. The Committee specifically determined that you lacked insight into the matters that had precipitated its findings, and that you had not demonstrated sufficient remediation of those specific failings. The Committee determined that your name should be suspended from the register for a period of 12 months, with a review hearing to take place prior to the expiry of the suspension.

The substantive direction of suspension was reviewed by the PCC on 10 July 2015. The Committee determined to extend the suspension for a further period of six months. The Committee found that you had taken some limited steps to remedy your misconduct, but that those measures were not sufficient to demonstrate that your fitness to practise was no longer impaired.

The suspension was reviewed by the PCC once more at a review hearing that took place on 29 January 2016. The reviewing Committee noted the limited steps that you had once more taken but concluded that your fitness to practise remained impaired. The Committee determined to further extend your suspension by six months.

The suspension was again reviewed by the PCC on 22 July 2016. The reviewing Committee again considered that your remediation and insight were lacking, and that your fitness to practise remained impaired. The Committee extended your suspension for a further period of six months.

On 20 January 2017 the PCC again reviewed your suspension. The Committee noted that there had again been some efforts on your part to remedy your misconduct, but that your remediation and insight remained insufficient. The Committee determined that your fitness to practise remained impaired, but determined to replace the suspension order with one of conditions for a period of 12 months.

The substantive direction of conditions was reviewed by the PCC at a hearing that took place on 13 June 2018. The Committee considered that your fitness to practise remained impaired and specifically that you had not demonstrated sufficient insight into and remediation of your misconduct. The reviewing Committee considered that you had not

meaningfully engaged and that the order of conditions should be replaced with one of suspension for a period of 12 months.

The matter was reviewed on 2 May 2019 by the PCC. That Committee found your fitness to practise remained impaired and considered that a further period of suspension for 12 months was necessary.

On 03 July 2020 the 7th review took place. At that hearing the Committee determined that *"Given the limited attempts to address the extensive failings identified in your clinical practice and limited insight into these matters, the Committee therefore considers the risk of repetition remains."* Accordingly, the Committee determined that your fitness to practise remained impaired by reason of your misconduct and extended the period of suspension for a period of 7 months with a review.

Today's Review

In comprehensively reviewing your case today, the Committee considered all the documentation before it. It took account of the submissions made by Ms Headley on behalf of the GDC and your oral evidence. It accepted the advice of the Legal Adviser.

Ms Headley submitted your fitness to practise remains impaired. You produced evidence of CPD, activity log, PDP and a reflective essay that contained reflections on your CPD. Ms Headley submitted that the quality of the evidence you have provided today is insufficient and similar to that seen by Committees on previous occasions. She submitted however, that you demonstrate an ongoing intention to engage with the process and make attempts at remediation and therefore invited the Committee to provide you with a further opportunity to show that you are safe to practice and appreciate how your actions impact the profession and the wider public interest. She invited the Committee to extend the current order of suspension for a period of 6 months with a review.

You gave evidence to the Committee and referred it to the evidence you presented concerning remediation.

The Committee first considered whether your fitness to practise is still impaired. It bore in mind that at a review hearing the onus is on a registrant to demonstrate that their fitness to practise is no longer impaired.

The Committee, as well as all the previous reviewing Committees, considered that your identified failings are capable of remediation. It had regard to the evidence of remediation that you provided at the outset of the hearing and took into account the points made by the previous reviewing Committee in July 2020: *"At the resumed hearing, the reviewing Committee would be assisted by your further reflections on the failings that led to your misconduct and current impairment as well as the steps you have taken to remedy them. It would also be assisted by continuing evidence of CPD aimed at addressing your past failings, any audits undertaken at your current practice in Bulgaria, and further information which would give assurance that your learning undertaken has become embedded in your current clinical practice."*

The Committee considered your PDP which consisted of two pages. It noted that the seven areas under the heading *"What do I need to learn or maintain"* namely: 1. *Diagnosis and Treatment planning*, 2. *Direct composite restorations*, 3. *Periodontal Treatment*, 4. *Antimicrobial Treatment in Dentistry*, 5. *Dental Radiography*, 6. *Record Keeping* and 7. *Cross infection control, Oral Cancer Medical Emergencies* Other 'core' CPD are all intended

to be carried out between May and June 2021. This was also highlighted to you at your previous review hearing in July 2020.

In relation to your CPD and reflective statement the Committee considered that there does not appear to be any proper reflection, whether in respect of each item of CPD (or any of it) or through a written statement of the kind indicated by the last PCC. Your reflections appear to be summarising CPD learning as opposed to be reflecting on your actual failings and how they have impacted patient safety and reputation of the profession, which indicates that no meaningful reflective learning has taken place.

The Committee had regard to the audits you provided in November 2020 and at the outset of the hearing. It noted that on 15 November 2020 you sent an email to the GDC attaching audits that were carried out between June-August 2020. You were asked by the GDC lawyer to confirm what was being sent and why and no response was received from you. Your exhibits identified this as an audit, but the Committee considered it to be merely a log of patients that you treated as opposed to audits. Further, at the bottom of the document you stated that the audits were '*double checked*' by another dental professional. However, there was no evidence to show that they were independently verified. The Committee was not persuaded that this document demonstrated embedded improvement in your practice. There are no independently verified audits, which would have enabled the Committee to consider that you have discharged the persuasive burden on you.

The Committee is concerned about the number of review hearings that have been held to date. The previous Committee on each occasion have given you a structured approach to what you have to do to demonstrate adequate remediation. At one review hearing, the Committee replaced suspension with conditions on your registration to assist you with returning to practice in the UK. However, it appears to the Committee that you are unable to provide evidence of complete remediation, despite the fact that you have been able to live and practise dentistry abroad. Your remediation remains insufficient.

The Committee also had regard to your oral evidence today. When you were questioned by Ms Headley about your failures and remediation, you were unable to provide full responses and seemed to lack understanding and awareness.

The Committee went on to consider your engagement and insight over the long history of this case (approximately 9 years). Whilst the Committee notes that you participate in hearings and provide evidence of remediation, it considers that your engagement with the GDC and this process overall has been ad hoc. The Committee had sight of several emails that were sent to you between 12 – 03 December 2020 asking you to confirm your attendance today and whether you wished to provide any documentation. You provided no response to those emails and submitted several documents for the Committee's attention at the outset of this hearing. You also did not respond to whether a test call was required for today's hearing and as a result of that this hearing had a delayed start.

The Committee noted that following an award of costs against you after an appeal hearing, you have failed to engage with the GDC on that matter. The Committee considered this demonstrated a lack of insight into your overall engagement with the GDC.

The Committee is concerned that about your level of insight. It particularly as this has been an ongoing process throughout the regulatory process for a significant period of time.

Taking a collective view, the Committee was of the view that your fitness to practise continues to be impaired by reason of your misconduct. You have not discharged the

persuasive burden on you today to show that you have adequately addressed the finding of impairment and there remains a real risk of repetition.

Sanction

The Committee next considered what direction, if any, to make. It has had regard to the GDC's "Guidance for the Practice Committees including Indicative Sanctions Guidance" (Effective October 2016, revised May 2019).

The Committee has borne in mind the principle of proportionality, balancing the public interest against your own interests. The public interest includes the protection of the public, the maintenance of public confidence in the profession, and declaring and upholding proper standards of conduct and performance within the profession.

In view of the Committee's concerns about the ongoing risk of your repeating your past misconduct as well as your lack of insight, it determined that it would be inappropriate to terminate the current order of suspension or to allow it to lapse. Such courses of action would not afford the public the necessary level of protection required, nor would they satisfy the wider public interest.

The Committee next considered whether to replace the suspension order with one of conditions. In doing so, it agreed that your clinical failings are capable of being remedied, however the Committee has concerns about your lack of insight into your failings, and also noted your previous failure to comply with conditions imposed on your registration. It also had regard to the 12 month suspension imposed by a PCC Committee in December 2019 in other proceedings, which suspension of itself would make the imposition of conditions at this time unworkable. Taking all of these factors into account, the Committee has concluded that conditions would not be workable or appropriate in the circumstances.

The Committee then went on to consider whether to direct that the current period of suspension be extended for a further period. It considered the serious concerns relating to your insight and remediation and considered that a further time limited period of suspension is unlikely to achieve delivery of material requested to assist any future Committee. The Committee also took into account the profession as a whole may be concerned to note the time and costs associated with the continued review hearings. It was of the view that your sustained inadequacy of remediation and undeveloped insight indicates a need to now be suspended indefinitely. This would not prevent you from applying in the future to have the order reviewed at two year intervals.

In these circumstances an indefinite period of suspension is the appropriate and proportionate outcome and is required in order to maintain public confidence in the profession. It therefore directs that your registration be suspended indefinitely.

The effect of the foregoing direction is that, unless you exercise your right of appeal, your registration will be suspended indefinitely from the date on which the direction takes effect; you will not be able to seek a review until at least two years have elapsed from that date

That concludes this hearing."