Dental Professionals Hearings Service

PART IN PRIVATE ON PAPERS

Registration Appeals Committee
CPD Appeal Meeting

25 April 2025

Name:	McMANUS, Lee John
Registration number:	142554
General Dental Council:	Harriet Goodhew, ILAS
Registrant:	Unrepresented
Outcome:	Appeal dismissed
Committee members:	Kerry McKevitt (Lay) (Chair) Helen Baker (Dentist) Christopher Parker (Dental Care Professional)
Legal adviser:	Alex Coleman
Committee Secretary:	Gareth Llewellyn

1. This is an appeal meeting before the Registration Appeals Committee (RAC). The appeal is against the decision of the Registrar of the General Dental Council (GDC) to erase Mr McManus's name from the register for apparent non-compliance with his statutory Continuing Professional Development (CPD) requirements. The meeting is being held in accordance with the General Dental Council (Registration Appeals) Rules Order of Council 2006 ('the Registration Appeal Rules'), pursuant to Schedule 4A of the Dentists Act 1984 (as amended) ('the Act').

2. Neither party was present at today's meeting following notification from the GDC that the appeal was to be conducted on the papers. The meeting was conducted remotely via Microsoft Teams in line with current GDC practice.

Preliminary matters

Decision to conduct the appeal in the absence of the registrant on the papers

3. Neither party was present at today's meeting. The Committee noted that conducting the appeal on the papers is the default position of the GDC unless an appellant requests an oral hearing. Having considered the documents provided, the Committee was satisfied that Mr McManus had made no such request.

4. The Committee noted that notification of this appeal was sent to Mr McManus by Recorded Delivery and secure email on 4 February 2025 in accordance with Rule 5 of the Registration Appeal Rules.

5. The Committee accepted the advice of the Legal Adviser. The Committee was satisfied that it was appropriate to consider today's appeal in the absence of either party and on the papers.

Application to consider the case in private

6. In its written submissions the GDC applied for the appeal to be conducted in private in accordance with Rule 14 of the Registration Appeal Rules for the purposes of protecting Mr McManus's family life.

7. The Committee bore in mind that, as a starting point, hearings should be conducted in public session. However, due to the nature of the matters in this case, and having regard to the information before it, the Committee was satisfied that the personal interests of Mr McManus outweighed the public interest in this case.

8. The Committee was, accordingly, satisfied that the appeal should be considered in private when reference was made to Mr McManus's family life. It therefore acceded to the application.

Decision and reasons on the appeal

Background

9. The General Dental Council (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017 ('the CPD Rules') set out the CPD requirements

placed on registrants as of 1 August 2018, and the steps that the GDC shall take in respect of registrants' compliance and non-compliance with those requirements.

10. The CPD Rules came into force on 1 January 2018 and took effect in respect of dental care professions on 1 August 2018.

11. In accordance with Rule 1, a 'CPD cycle' means, in respect of a dental care professional, a period of five years beginning on 1 August following the date the dental care professional is first registered and each subsequent period of five years. A 'CPD year' means, in respect of a dental care professional, a period of 12 months beginning on 1 August in any calendar year.

Summary

12. Mr McManus first registered with the GDC as a dental technician on 17 April 2008. His CPD cycle, which is the context of this appeal, began on 1 August 2023 and will end on 31 July 2028. In May 2024 the GDC began to send correspondence to remind Mr McManus that he needed to provide a CPD statement in respect of the CPD year of 1 August 2023 to 31 July 2024 by no later than 28 August 2024, as well as demonstrating that he had completed at least 10 hours' worth of CPD over the previous two years.

13. On 5 November 2024 the GDC wrote to Mr McManus to inform him that the Registrar had decided to remove his name from the register, as he had failed to demonstrate that he had completed at least 10 hours' worth of CPD over the previous two years. The GDC has identified that Mr McManus had declared zero verifiable hours of CPD for the 2022 to 2023 CPD year and zero verifiable hours of CPD for the 2023 to 2024 CPD year. This represents a shortfall of ten hours for the two-year CPD period of 1 August 2022 to 31 July 2024.

14. Mr McManus appealed against the Registrar's decision that his CPD is non-compliant.

Summary of submissions

15. In support of his appeal Mr McManus referred to matters relating to his family life, and submitted that the decision to remove his name from the register is disproportionate. Mr McManus stated that he now realises that he misunderstood the CPD requirements in question.

16. In its written submissions, the GDC submitted that, as set out above, Mr McManus has not complied with the CPD requirements of his registration, as he has not provided the required evidence of 10 hours' worth of CPD for the two-year CPD period of 1 August 2022 to 31 July 2024. The GDC submitted that the matters referred to by Mr McManus were known to the Registrar when the decision to erase his name from the register was made.

Committee's decision

17. The Committee had regard to the documentary evidence provided today. It took account of the written submissions made the GDC and those made by Mr McManus. The Committee accepted the advice of the Legal Adviser concerning its powers and the principles to which it should have regard.

18. The Committee has determined to dismiss Mr McManus's appeal against the decision of the Registrar to remove his name from the Register. The Committee finds that Mr McManus has not complied with his CPD requirements, and that the information provided in relation to his personal circumstances is not such to override his duty to comply. The Committee notes that Mr McManus has said that he was not aware of all of his CPD requirements, and it considers that he is under a duty to familiarise himself with and comply with all requirements of his registration. Accordingly, the appeal is dismissed.

19. Unless Mr McManus exercises his right of appeal in accordance with paragraph 6 of Schedule 4A to the Act, the erasure decision will take effect upon the expiry of the 28-day appeal period. It will then be open to Mr McManus to apply for the restoration of his name if he meets the CPD and other requirements for restoration.

20. That concludes this determination.