

**PUBLIC HEARING
Professional Conduct Committee
Review Hearing**

30 July 2026

Name:	ANDRADE, Andre Borges Da Silva
Registration number:	174649
Case number:	CAS-194836-J1T0J8
General Dental Council:	Instructed by Harry McNelly, IHLPS (not present)
Registrant:	Not present or represented at the hearing. Legal Representative: Joanna Flowers, Dental Protection
Fitness to practise:	Impaired by reason of misconduct
Outcome:	Conditions extended (with a review)
Duration:	12 months
Committee members:	Adrian Smith (Chair, Lay Member) Miraj Shah (Dentist Member) Alexandra Ward (Dental Care Professional Member)
Legal adviser:	Melanie Swinnerton
Committee Secretary:	Jenny Hazell

At this hearing the Committee made a determination that includes some private information. That information has been omitted from this separate public version of this determination, and this public document has been marked to show where private material has been removed.

1. This is a resumed hearing before the Professional Conduct Committee (PCC), pursuant to section 27C of the Dentists Act 1984 (as amended) ('the Act'). The hearing is being held on the papers in the absence of both parties. Neither party was present at today's hearing following a joint request of both the General Dental Council (GDC) and Mr Andrade's representatives for this matter to be heard on the papers.
2. The purpose of this hearing is for the Committee to review a substantive order of conditions, which is currently in place on Mr Andrade's registration.
3. In the absence of both parties, the Committee first considered the issues of service and whether to proceed with the hearing in the absence of Mr Andrade and any oral representatives for either party. The Committee accepted the advice of the Legal Adviser on these matters.

Decisions on service of notice of hearing

4. The Committee first considered whether notice (the Notice) of this hearing had been served on Mr Andrade in accordance with Rules 28 and 65(1) of the General Dental Council (Fitness to Practise) Rules 2006 ('the Rules') and Section 50A(2) of the Dentists Act 1984 (as amended) (The Act).
5. The Committee has received a bundle of documents which contains a copy of the Notice of today's review hearing dated 25 June 2026 that was sent to Mr Andrade's registered address by Royal Mail Special Delivery. The Committee is satisfied that the address shown on the Notice is the same address as that held on the GDC's records as being Mr Andrade's registered address. The Royal Mail's Track and Trace receipt confirms that the Notice was delivered to that address on 26 June 2026. The Committee is satisfied that the Notice contains proper notification of today's hearing, including the purpose of the hearing, confirmation of the date of the hearing as well as notification that the Committee has the power to proceed with the hearing in Mr Andrade's absence. The notice also stated that it was proposed that the hearing would take place on the papers in the absence of parties.
6. Accordingly the Committee was satisfied that Mr Andrade had been notified of this hearing in accordance with the Rules and the Act.

Application to proceed with the hearing in the absence of the registrant and on the papers

7. The Committee was also satisfied that it could proceed with today's review hearing in the absence of parties and on the basis of the papers. In coming to that view, the Committee had regard to the email dated 18 June 2026 from Mr Andrade's legal representative in which they indicated that they were aware of today's hearing and they were content, on behalf of their client, for the review to take place on the papers. This was on the basis of the GDC's position being a continuation of the existing Order of conditions, unvaried. The Committee has also had regard to the GDC's written submissions, in which they seek a continuation of the current order of conditions as well as the written submissions provided by Mr Andrade's legal representative in which they are seeking the same outcome.
8. In these circumstances, the Committee determined that it was fair, appropriate and in the public interest to proceed with the hearing in the absence of Mr Andrade and on the basis of the written submissions provided by both parties.

Application for the hearing to be heard in private

9. The GDC set out in written submissions that it was open to the Committee to proceed with the hearing in private in accordance with Rule 53 since there is reference to Mr Andrade's health in some of the documents. The Committee accepted the advice of the Legal Adviser.

10. The Committee has borne in mind that there are no parties present at this review hearing. It decided that it was appropriate to publish a suitably redacted final determination which would delete any reference to Mr Andrade's health.

Summary of the case background**Initial hearing 2023**

11. Mr Andrade's case was first considered by the PCC at a hearing that took place in 2023. Mr Andrade was present at that hearing and he was legally represented.

12. The PCC found proved against Mr Andrade a number of the allegations, some of which he admitted. The GDC's investigation centred on Mr Andrade's mismanagement of orthodontic treatment of a child (Patient A) which took place from 2017 to 2020. The PCC determined that the facts found proved encompassed wide-ranging failures and amounted to misconduct.

13. The PCC also determined that Mr Andrade's fitness to practise was impaired by reason of his misconduct, both on the grounds of public protection and in the wider public interest. It considered that Mr Andrade had not demonstrated sufficient remediation into the clinical concern or sufficient evidence to demonstrate that his recent learning had been embedded in his clinical practice.

14. The PCC was satisfied that it was possible to formulate conditions which would address the failings highlighted in the case. It took into account Mr Andrade's insight and remorse as well as his engagement in the proceedings. The PCC in August 2023 determined to impose a substantive conditions of practice order on Mr Andrade's registration for a period of 18 months. It directed a review of Mr Andrade's case shortly before the end of the 18-month period.

15. On 6 October 2023, one of the conditions imposed by the initial PCC, which required the close supervision of Mr Andrade's clinical practice, was successfully appealed. The requirement for close supervision was varied so that it only applied to Mr Andrade's orthodontic practice, as opposed to his clinical practice as a whole.

First review hearing January 2025

16. The PCC reviewed the order at a hearing on 17 January 2025. Mr Andrade was neither present nor represented at that hearing. The PCC decided to proceed in his absence.

17. The PCC noted the steps taken by Mr Andrade in compliance with his conditions, including engaging a Development Advisor in November 2023 and creating a Personal Development Plan (PDP). However, it noted that Mr Andrade had not been in practice in the UK, and so that initial progress had ceased. The PCC considered that there was a lack of evidence before it to show that Mr Andrade had undertaken sufficient remediation and that his learning has been embedded into his orthodontic practice. It concluded that Mr Andrade's fitness to practise remained impaired by reason of his misconduct and that such a finding was necessary for the protection of the public and in the wider public interest.

18. The PCC directed that the current order of conditions on Mr Andrade's registration be extended, unvaried, for a period of 18 months, with a review to take place before the expiry of the order. The current order is due to expire on 31 August 2026.

Today's review

19. In comprehensively reviewing the conditions of practice order today, the Committee considered all the information contained in the GDC's hearing bundle. It took account of the written submissions provided by the GDC dated 26 July 2026 and those made on behalf of Mr Andrade (undated). The Committee accepted the advice of the Legal Adviser.

20. The GDC's position is that Mr Andrade has continued to comply with the conditions, including submitting PDPs and engaging in CPD. However, Mr Andrade has not been able to demonstrate that the learning has been embedded in his dental practice because he has not been practising in the UK for reasons relating to his health.

21. The GDC submits that Mr Andrade's fitness to practice remains impaired. Its position is that since the conditions of practice order was imposed, Mr Andrade has not had a meaningful opportunity to practise under the conditions and demonstrate that he has remedied the deficiencies in his orthodontic practice. The GDC invites the Committee to maintain the current order of conditions for a period of not less than 12 months duration.

22. The GDC advises that Mr Andrade is also the subject of further fitness to practise proceedings, which have been referred for substantive hearing by the Case Examiners in respect of historical misconduct. Those proceedings concern allegations of a similar nature to those considered in these proceedings and are relevant to the risk of repetition should Mr Andrade be permitted to practise without restriction..

23. The Defence representative confirmed that Mr Andrade's position remains essentially unchanged since the last review – namely that he has not been able to return to work due to his health concerns. The submissions refer to Mr Andrade's steps to remediate his failings, as well as the CDP he has undertaken concerning ortho-restorative treatment, radiography, dental ethics, clinical records and consents. It sets out that the report from Mr Andrade's Developmental Advisor is supportive of these efforts and identifies no deficiency in his attitude or willingness to improve.

24. In these circumstances, the Defence invites the Committee to continue the current conditions of practice order in light of the reasons why Mr Andrade has not been able to return to work, the level of insight shown and the remediable nature of the concerns.

25. [In private]

Decision on current impairment

26. The Committee considered whether Mr Andrade's fitness to practise remains impaired by reason of his misconduct. In doing so, it exercised its independent judgement. It had regard to the over-arching objective of the GDC, which is: 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 for the members of the dental profession.

27. The Committee took into account that the findings made against Mr Andrade by the initial PCC were serious. It has borne in mind the steps taken by Mr Andrade, as far as he is able in the circumstances, to remediate his failings and keep up to date. This includes him having undertaken CPD as well as his engagement with his Development Advisor and working on his PDP. The

Committee also took into account Mr Andrade's continued engagement with the fitness to practise process.

28. However, it notes that Mr Andrade has not been working as a dentist since the order was imposed in August 2023. There is therefore limited evidence before the Committee today to show that Mr Andrade has undertaken sufficient remediation and that his learning has been embedded into his orthodontic practice. The Committee therefore concluded that a finding of impairment remains necessary for the protection of the public and in the wider public interest. The Committee noted Mr Andrade's acceptance through his legal representative that he is not currently fit to practise without restriction.

29. Accordingly, the Committee determined that Mr Andrade's fitness to practise remains impaired by reason of his misconduct.

Decision on sanction

30. The Committee next considered what action to take in respect of Mr Andrade's registration, bearing in mind its powers under section 27C(2) of the Act. The Committee also had regard to the GDC's *"Fitness to Practice: Guidance for the practice committees"* (January 2026). It noted that the purpose of any sanction is not to be punitive, although it may have that effect, but to protect the public and the wider public interest. The Committee applied the principle of proportionality, balancing the public interest with Mr Andrade's own interests.

31. The Committee considered that some restriction on Mr Andrade's registration remains necessary, given the limited evidence of improvement in the areas of concern. The Committee decided that it would be inappropriate to terminate the current conditions of practice order and take no further action or to allow the order to lapse, as this would pose a risk to the public and the wider public interest.

32. The Committee considered whether a further period of conditional registration would be appropriate and proportionate in this case. It has borne in mind that Mr Andrade has kept up to date through CPD in areas that are relevant to the initial findings against him. The Committee had regard to the conditions currently in place on Mr Andrade's registration. The Committee was satisfied that the conditions remain workable, and that they are adequately targeted to the identified deficiencies in Mr Andrade's clinical practice. The Committee was satisfied that the current conditions continue to be sufficient to protect the public and the wider public interest.

33. The Committee therefore decided that no variation to the current conditions was required, nor was there a need to increase the sanction at this review. The Committee concluded that a suspension order would be disproportionate, given that Mr Andrade has demonstrated insight and has shown a willingness to comply with the conditions on his registration as far as he has been able.

34. In all the circumstances, the Committee determined to extend the current conditions of practice order, unvaried, by period of 12 months. The Committee was satisfied that 12 months was appropriate and proportionate, given the serious nature of the original concerns, which have not yet been addressed.

35. Accordingly, the conditions will continue to appear against Mr Andrade's name in the Dentists Register as follows:

1. He must notify the GDC promptly of any post he accepts for which GDC registration is required and the Commissioning Body on whose Dental Performers List he is included.



2. If employed, he must provide contact details of his employer(s) and allow the GDC to exchange information with his employer(s) or any contracting body for which he provides dental services.
3. He must provide the contact details of any practices of which he is an owner or part owner and allow the GDC to exchange information with the practice manager.
4. He must inform the GDC of any formal disciplinary proceedings taken against him, within 7 days from the date of this determination.
5. He must inform the GDC if he applies for dental employment outside the UK within 7 days from the date of application.
6. He must inform the GDC within 7 days of any complaints made against him, from the date of this determination.
7. He must work with a Development Advisor (or a nominated deputy) approved by the GDC, to formulate a Personal Development Plan, specifically designed to address the deficiencies in the following areas of his practice:
 - Radiographic practice in orthodontic treatment.
 - Assessment and diagnosis of presenting orthodontic conditions.
 - Malocclusion and its aetiological factors.
 - Risks in orthodontic treatment.
 - Soft tissue and facial factors.
 - Skeletal factors.
 - Risks of impacted teeth on orthodontic treatment.
 - Selection of cases suitable for his level of competence.
8. He must forward a copy of his Personal Development Plan to the GDC within 3 months of the date on which these conditions become effective.
9. He must meet with the Development Advisor (or a nominated deputy), on a regular basis to discuss his progress towards achieving the aims set out in his Personal Development Plan. The frequency of his meetings is to be set by the Development Advisor (or a nominated deputy).
10. He must allow the GDC to exchange information about the standard of his professional performance and his progress towards achieving the aims set out in his Personal Development Plan with the Development Advisor (or a nominated deputy), and any other person involved in his retraining and supervision.
11. He must provide the GDC with three-monthly audits to demonstrate compliance with current laws, relations, standards and policies in force, in relation to:
 - a) Informed consent
 - b) Orthodontic record keeping
 - c) Radiography monitoring of orthodontics cases
12. At any time he is providing dental services, which require him to be registered with the GDC, he must agree to the appointment of a reporter nominated by the Development Advisor and approved by the GDC. The reporter shall be a GDC registrant.

13. He must allow the reporter to provide reports to the GDC at intervals of not more than three months and the GDC will make these reports available to any Development Advisor or workplace supervisor referred to in these conditions.
14. At any time he provides orthodontic treatment or services, he must place himself and remain under the close supervision* of a workplace supervisor with a post graduate qualification in orthodontics, nominated by the Development Advisor, and agreed by the GDC.
15. He must allow his workplace supervisor to provide reports to the GDC at intervals of not more than 3 months and the GDC will make these reports available to any Development Advisor or Reporter referred to in these conditions.
16. He must notify the GDC promptly of any professional appointment he accepts and provide the contact details of his employer or any organisation for which he is contracted to provide dental services *[and the Commissioning Body on whose Dental Performers List he is included or Local Health Board if in Wales, Scotland or Northern Ireland]*.
17. He must allow the GDC to exchange information with his employer or any organisation for which he is contracted to provide dental services, and any reporter, workplace supervisor or Development Advisor referred to in these conditions.
18. He must inform within 1 week the following parties that his registration is subject to the conditions, listed at (1) to (17), above:
 - a) Any organisation or person employing or contracting with him to undertake dental work,
 - b) Any locum agency or out-of-hours service he is registered with or applies to be registered with (at the time of application),
 - c) Any prospective employer (at the time of application),
 - d) The Commissioning Body in whose Dental Performers List he is included, or seeking inclusion (at the time of application),
 - e) All staff at his place of work.
19. He must permit the GDC to disclose the above conditions, (1) to (18), to any person requesting information about his registration status.

** The registrant's day to day work must be supervised by a person who is registered with the GDC in their category of the register or above and who must be on site and available at all times. As a minimum, the registrant's work must be reviewed at least twice a week by the supervisor via one to one meetings and case-based discussion. These bi-weekly meetings must be focussed on all areas of concern identified by the conditions.*

36. A Committee will review Mr Andrade's case at a resumed hearing to be held shortly before the expiry of the 12-month period. That Committee will determine what action to take in relation to Mr Andrade's registration. Mr Andrade will be notified of the date and time of that resumed hearing.
37. Unless Mr Andrade exercises his right of appeal, the current conditions of practice order will be extended by a period of 12 months. Mr Andrade has 28 days, from the date that notice of this direction is deemed to have been served upon him, to appeal this Committee's decision. In the event that he does exercise his right of appeal, the current conditions of practice order will remain in place until the resolution of the appeal.
38. That concludes this determination.