

PUBLIC HEARING**Registration Appeals Committee
(Registration Appeal Hearing)****25 June 2025****Name:** DEVARAJ, Shruthi**Case number:** CAS-210767-Z0J3W2

General Dental Council: Sophia Kerridge, Counsel
Instructed by Amrit Sagoo, ILAS**Registrant:** Present
Unrepresented

Outcome: Appeal accepted

Committee members:	Jane Everitt	(Chair, Lay Member)
	James Ashworth-Holland	(Dentist Member)
	Jennifer Cawley	(DCP Member)

Professional Adviser: Malcolm Smith**Legal Adviser:** Megan Ashworth**Committee Secretary:** Lola Bird

Mrs Devaraj,

1. This is a Registration Appeals Committee hearing. The hearing is being conducted remotely by Microsoft Teams video-link.
2. The hearing is being held in accordance with the terms of the *General Dental Council (Registration Appeals) Rules Order of Council 2006*, pursuant to Schedule 4A of the *Dentists Act 1984 (as amended)* ('the Dentists Act').
3. The purpose of this hearing has been for the Committee to consider your appeal against the decisions of the GDC's Registrar that you are not eligible for registration in the Dental Care Professionals Register ('the DCP Register') as a dental therapist and/or dental hygienist.
4. You are representing yourself at these proceedings but have been supported by your husband. Ms Sophia Kerridge, Counsel, appears on behalf of the Registrar.

Legal framework and background

5. The Committee had regard to the legal framework and factual background to this appeal, as set out in the written case summary provided by the GDC dated 2 June 2025, and as outlined by Ms Kerridge in her opening submissions.
6. On 4 January 2023, the GDC received from you two applications for registration, one for registration as a dental therapist, and the other for registration as a dental hygienist. In making your applications you relied on your Bachelor of Dental Surgery (BDS) degree obtained in India in March 2011 at the Rajiv Gandhi University of Dental Sciences.
7. It is noted in the GDC's case summary that there has been a change in the law since 8 March 2023, in relation to how applicants with overseas diplomas in dentistry can join the DCP Register. Prior to 8 March 2023, an applicant who held an overseas diploma in dentistry was able to apply to join the DCP Register. However, applicants can no longer rely on diplomas in dentistry and must now hold a relevant DCP qualification in order to join the DCP Register.
8. As your applications were received by the GDC in January 2023, which was before the change in legislation, they were processed in accordance with the legislative framework in place at that time. Therefore, in setting out the law in this case, the GDC has referred to the relevant parts of the Dentists Act that were in force at the time your applications were received.
9. Accordingly, it is noted that your application for registration was made under Section 36C of the Act. Sections 36C(1) to (2) and (4) to (6) of the Act state as follows:

(1) *Subject to the provisions of this Act, a person shall be entitled to be registered under a particular title in the dental care professionals register if he satisfies the registrar—*

(a) of matter A or C, and

(b) of matter D.

- (2) *Matter A is that the person holds a qualification or qualifications approved by the Council under section 36D(2) in relation to the profession, or class of members of a profession, to which the title applies.*
- (4) *Matter C is that the person—*
 - (a) holds a qualification or qualifications granted by an institution or institutions outside the United Kingdom relevant to the profession complementary to dentistry, or class of members of such a profession, to which the title applies (in this section referred to as “relevant qualifications”); and*
 - (b) has satisfied the Council that he has the requisite knowledge and skill to practise as a member of the profession or class to which the title applies.*
- (4A) *...*
- (5) *For the purpose of establishing whether a person has the requisite knowledge and skill for the purposes of subsection (4)(b), the Council—*
 - (a) shall take into account all that person's relevant qualifications, and all relevant knowledge or experience, wherever acquired, and*
 - (b) may determine that a person must perform to the satisfaction of the Council in any test or assessment specified in the determination.*
- (6) *Matter D is—*
 - (a) the person's identity;*
 - (aa) that [they have] the necessary knowledge of English;*
 - (b) that [they are] of good character; and*
 - (c) that [they are] in good health, both physically and mentally.*

10. You made your applications for registration as a dental therapist and dental hygienist under Matters C and D above. However, the only matter under consideration at this appeal is whether you possess the requisite knowledge and skill to be registered as a dental therapist and/or dental hygienist in accordance with Matter C. Your applications were not fully assessed by the GDC in respect of the Matter D criteria, given that the Registrar's decision was that you did not meet the requirements of Matter C.

Requisite knowledge and skill

11. Under the applicable legal framework, when determining whether an applicant has the requisite knowledge and skill, the GDC is required under section 36C(5)(a) of the Dentists Act to take into account all the applicant's relevant qualifications, and all relevant knowledge or experience, wherever acquired.

The first assessment panel outcome

12. On 16 May 2024, three assessors formed a Registration Assessment Panel ('the first assessment panel') and considered individually your applications for registration.

13. Having assessed both your applications, the first assessment panel did not recommend your entry onto the DCP Register as a dental therapist or as a dental hygienist. It concluded that the supporting evidence you had provided with your applications did not demonstrate that you possessed the requisite knowledge and skill to be eligible for registration under either title.

14. The Registrar relied on the recommendations of the first assessment panel in respect of your applications and the GDC wrote to you by way of separate letters, both dated 17 May 2024, which explained the decision outcomes.

15. The GDC informed you that the reason for the refusal of your applications was that the first assessment panel had identified that a number of learning outcomes, relevant to the practice of a dental therapist and a dental hygienist, had not been covered as part of your training or professional experience. The relevant learning outcomes were set out in detail in the respective letters of 17 May 2024.

16. In summary, the main reason for the first assessment panel's refusal decisions were that, in relation to the majority of the unmet learning outcomes, you had not provided a recent professional reference confirming your clinical competency.

17. You were advised in the letters that, should you have any new or additional information which would address the deficiencies identified by the first assessment panel, you could submit the additional information to the GDC by 14 June 2024 for reconsideration by the Registrar.

18. You were also advised that as of 8 March 2023, you could not use your overseas diploma in dentistry to support an application for registration as a DCP in the UK. Therefore, if your applications for registration as a dental therapist and dental hygienist were unsuccessful at any next assessment panel, you would not be able to make any new applications via the overseas diploma in dentistry route. You were informed that if you wanted to register with the GDC as a dentist, you would need to complete the Overseas Registration Exam or consider contacting the Royal College of Surgeons of England about the Licence in Dental Surgery.

19. You were further advised of your right to appeal the refusal of your applications.

The second assessment panel outcome

20. You did provide additional information to the GDC and on 16 December 2024, your updated applications were re-assessed by a Registration Assessment Panel ('the second assessment panel').

21. Having re-assessed your individual applications, the second assessment panel did not recommend your entry onto the DCP Register as a dental therapist or as a dental hygienist. It concluded that the evidence you provided did not demonstrate that that you possessed the requisite knowledge and skill to be eligible for registration under either title.

22. In February 2025, the second assessment panel had requested clarity regarding a Professional Work Reference you had provided dated 7 June 2024 and asked if you had a more recent one. You confirmed that the Professional Work Reference you had provided was the most recent.

23. The Registrar relied on the recommendations of the second assessment panel in respect of your applications and the GDC wrote to you by way of separate letters, both dated 27 February 2025, which explained the outcomes of the re-assessments.

24. The GDC informed you that the second assessment panel had identified that a number of learning outcomes, relevant to the practice of a dental therapist and a dental hygienist, had not been covered as part of your training or professional experience. The relevant learning outcomes were set out in detail in each of the letters dated 27 February 2025. The main reasons given for the refusal of your applications was the lack of a recent Professional Work Reference.

25. You were again advised of your right to appeal the Registrar's decisions.

Your appeal

26. On 20 March 2025, the GDC received your Notice of Appeal (NOA) appealing the decisions of the Registrar not to register you as a dental therapist and/or dental hygienist.

27. You maintained that the Professional Work Reference you had provided evidenced that you had met, and performed, all the learning outcomes that were identified as deficient. You referred to your work as a Trainee Dental Nurse in the UK for almost a year, which you said had allowed you to gain experience and a thorough understanding of general dental practice in the UK. You also stated that you are a qualified dentist in India, and that you have practised as a dentist during your visits there which, you said, substantiates your clinical experience. You stated that you were willing to enrol on a dental therapist/dental hygienist refresher course to ensure that your skills remain up to date.

28. You provided with your NOA, a Professional Work Reference dated 28 February 2024 in relation to your work in the UK as a trainee dental nurse from August 2022 to February 2023, as well your contract of employment for that role. You also provided the Professional Work Reference dated 7 June 2024 in relation to your periods of work in India, over the period 2012 to 2024. It is understood that most, if not all of this material, was before the second assessment panel in December 2024.

Today's appeal hearing

29. The Committee heard submissions from Ms Kerridge on behalf of the Registrar, as well as oral evidence and submissions from you.

Initial submissions made on behalf of the Registrar

30. Ms Kerridge drew the Committee's attention to the documentary evidence assessed by the second assessment panel, which included the syllabus from your primary dental qualification (BDS), the certificate of your degree, the Professional Work References in relation to the periods of work you have undertaken, both as a dentist in India and as a trainee dental nurse in the UK, and the evidence of your Continuing Professional Development (CPD). Ms Kerridge also referred to the details of your NOA and the documents you re-submitted in support of your appeal.

31. Ms Kerridge submitted that the position of the GDC's Registrar is that you have not satisfied the requirements for registration as set out under section 36C(4) and (5) of the Dentists Act. She submitted that the documentary evidence you have provided has been assessed by two assessment panels made up of dental professionals, who concluded that you had not met a number of learning outcomes relevant to the practice of a dental therapist and a dental hygienist.

32. Ms Kerridge invited the Committee to dismiss your appeal. However, in making this submission, she acknowledged that the Committee would be considering your applications afresh today, which would include any further evidence provided by you. Ms Kerridge reminded the Committee that your applications had not been fully assessed in accordance with the Matter D criteria, and that some further updated documents would be required in this regard, if your appeal were to be successful.

Your oral evidence

33. The Committee next heard your oral evidence. You told the Committee that you completed your BDS in 2011, after which you worked for a period of time in India. You said that you then moved to the UK and became busy with family commitments. You explained that there were periods when you returned to India and worked in the dental practice of a senior dentist who ran that practice and who is a friend, which you did without payment on a charitable basis.

34. You told the Committee that when you started to think about gaining experience in the UK, it was suggested to you that you could work as a trainee dental nurse, and you did so at an Orthodontic Practice from August 2022 to February 2023, as set out in the relevant Professional Work Reference. The Committee heard that you also worked as a trainee dental nurse for about two months from April 2023 in another dental practice.

35. You stated that the reason you did not continue with trainee dental nursing is because you started studying for the ORE. You told the Committee that you have completed Part 1 of the ORE and are currently preparing for Part 2. You explained that as part of your preparation for the ORE you have been taking some hands-on courses, relevant to working as a dentist. You said that your plan in order to gain further experience in the UK had been to work as a dental therapist and/or dental hygienist, but that you had not anticipated the application process taking so long.

36. You answered a number of questions from the independent Professional Adviser present at these proceedings, including in relation to your undergraduate training and how the practical

elements of your course were assessed. You explained that as part of your course training, you were required to treat a certain number of patients per month, and that your work was assessed at each stage of treatment by a course supervisor.

37. You also spoke about your experience working at your friend's dental practice as an Associate Dental Surgeon on the annual occasions that you returned to India for about a month each time up to 2024. You explained that your work during those times comprised a range of clinical practice, such as treatment planning, radiography, communicating risks and benefits to patients, provision of treatment, including fillings, crowns and extractions, supra and gingival scaling, providing general oral health advice and advice on the risks associated with smoking and alcohol. You also outlined your knowledge and experience of using local anaesthesia and carrying out specialist referrals, including in relation to suspected cancers, and your treatment of children, which you said has involved pulpotomy and subsequent filling. You told the Committee that you remain registered as a dentist in India, and that you had worked at the dental practice there 5 to 6 days a week.

38. Further, in answer to questions put to you by the Professional Adviser, you spoke about your knowledge of areas relevant to the practice of a dental therapist and a dental hygienist. This included your knowledge of complications associated with periodontal surgery, the materials you have used when placing fillings, and your knowledge and awareness of the links between general health and oral health.

39. You told the Committee that your work as a trainee dental nurse had taught you a lot of things about general dental practice in the UK. You noted the importance of charting, being thoroughly prepared before starting any clinical treatment, as well as good communication with patients, including anxious patients, and the need to follow guidelines and safety procedures when cleaning up after treatments and disposing of items.

Closing submissions made by the parties

40. Following your oral evidence, the Committee heard closing submissions from both parties.

41. Ms Kerridge reiterated that the Registrar's position remains the same and that this was based primarily on the documentary evidence and the conclusion of the second assessment panel. She submitted that it was a matter for the Committee what weight it placed on your oral evidence given today. She reminded the Committee that the persuasive burden at this appeal hearing rests with you.

42. You thanked the Committee for the opportunity to demonstrate why you are eligible to be registered as a dental therapist or a dental hygienist. You stated that you had completed your BDS at an esteemed institution in India and that you were trained by experienced dentists who were your professors. You further highlighted that your primary dental qualification had included an extensive internship. You also stated that as part of the ORE process, you had learnt a lot about dental practice in the UK, including the scope of practice of each member of the dental team, and the GDC's expectations of its registrants. You were clear that you understood that as a dental therapist and/or dental hygienist, you could not undertake treatment that only a dentist could provide, and that you

should only work to the prescription of a dentist. You went on to further outline your experience in a number of clinical areas.

43. You submitted that your main goal is to contribute to society as a dental professional, staying connected to dentistry, and that you would do so safely and in accordance with rules and guidance, for the best interests of patients.

The Committee's decision on your appeal

44. The Committee considered all the evidence presented to it. It noted that it had before it today evidence that was not before the second assessment panel, namely, your oral evidence.

45. The Committee took account of the submissions made by Ms Kerridge and your submissions. It accepted the advice of the independent Professional Adviser and that of the independent Legal Adviser present at these proceedings.

46. The Committee bore in mind that the burden was on you to satisfy it that you have the requisite knowledge and skill required by section 36C(4) of the Dentists Act (Matter C) for registration as a dental therapist and/or dental hygienist. The Committee also remained mindful of the overarching statutory objective of the GDC and its task in assessing whether you would be a safe and competent practitioner under either of the relevant titles.

47. In reaching its decision, the Committee took into account that the scope of a dental therapist includes the scope of practice of a dental hygienist. It therefore considered that if it were to be satisfied that you had the requisite knowledge and skill for registration as a dental therapist, it would follow that you would also have the requisite knowledge and skill to be registered as a dental hygienist. However, if it was not satisfied that you possess the requisite knowledge and skill to be eligible for registration as a dental therapist, it would need to consider separately your application for registration as a dental hygienist.

48. The Committee considered whether you have met the learning outcomes relevant to the role of a dental therapist, which were identified as deficient by the second assessment panel, as set out in the relevant decision letter of 27 February 2025. In doing so, it had regard to all the documentation that was before that panel, including in relation to your primary qualification. The Committee accepted the advice of the independent Professional Adviser that your training for your BDS and your internship included all the elements that would have been covered as part of training for a dental therapist in the UK.

49. The Committee also took account of the comprehensive oral evidence that you gave at this hearing and considered that it was cogent and credible. It considered that after hearing from you, it received a considerable amount of further information in relation to your knowledge, skills and experience. The Committee found that you addressed a number of areas pertinent to the practice of a dental therapist in your oral evidence. In particular, it took account of your experience working as a dentist in India which, the Committee noted, has featured intermittent periods of work over a number of years, and has covered a wide range of clinical practice, including areas of practice that would be expected of a dental therapist. Your oral evidence is supported by the Professional Work

Reference dated 7 June 2024 in relation to your practice in India, which outlines a range of procedures and treatments that you carried out independently.

50. The Committee also took into account your oral evidence about what you have drawn from the eight months that you worked as a trainee dental nurse in the UK, which you said included undertaking relevant CPD such as basic life support training. The Committee considered it clear from listening to you, that you have a good understanding of general dental practice in the UK and how it can differ from practice in India in some respects. The Committee also found that you were sufficiently aware of the GDC's Scope of Practice for registrants, and that there are limitations to the practice of a dental therapist, when compared with that of a dentist. The Committee considered that you were clear in stating that you understood the importance of working to a prescription from a dentist. The Committee further noted the emphasis you placed on effective patient communication, and the need to take a holistic view of patient care. The Committee considered that you demonstrated a good knowledge of the link between general health and oral health, and when it might be appropriate to communicate with or make referrals to other medical professionals.

51. In considering your knowledge, skills and experience to date, the Committee also had regard to the evidence of your CPD. It noted that the majority of the certificates provided are from 2022, with a course in radiography having been taken more recently in 2024. However, the Committee took into account your oral evidence about the work that you have been undertaking as part of your preparation for the ORE, which you said has included hands-on courses working on mannequins. You stated that you have a tutor as part of that process, who is able to review your work and provide advice. Having considered your evidence, the Committee was satisfied that you are actively training to develop your skills preparing for the ORE. In the circumstances, it did not consider the absence of more recent CPD to be a significant disadvantage to your application for registration. The Committee was reassured by the observation of the independent Professional Adviser that you are currently accessing supervised practice as part of the ORE process.

52. Having considered all the evidence before it in the round, the Committee was satisfied that you have sufficiently addressed all the learning outcomes in relation to a dental therapist that were identified as deficient by the second assessment panel. Given that the scope of a dental therapist encompasses that of a dental hygienist, the Committee was also satisfied that you have sufficiently addressed all the learning outcomes identified as deficient in respect of the role of a dental hygienist.

53. Accordingly, it was the conclusion of the Committee that you have demonstrated that you have the requisite knowledge and skill to be registered under either or both titles.

54. The Committee therefore determined to grant your appeal.

Remittal back to the Registrar in relation to Matter D only

55. The only matters for consideration at this appeal were in relation to your knowledge and skills for registration as a dental therapist and dental hygienist. The Committee has determined that you do have the requisite knowledge and skills to be registered under both titles and has determined to grant your appeal on this basis.

56. However, as explained during the course of these proceedings, there remain the outstanding requirements for registration under Matter D which, the Committee understands, may not have been fully assessed by the GDC's Registrations Department. These are the requirements relating to your identity, whether you have the necessary knowledge of English, are of good character and are of good health.

57. In the circumstances, the Committee remits your case to the Registrar to dispose of in accordance with its direction that:

You are entitled to be entered onto the DCP Register as a dental therapist and/or a dental hygienist subject to the GDC having assessed you as suitable for registration under Matter D.

58. That concludes this determination.