

PUBLIC HEARING**Registration Appeals Committee
(Registration Appeal Hearing)****21 July 2026****Name:** Owotomo, Tayo**Case number:** CAS-215178-W4T6L7

General Dental Council: Ms, Michaela Onuchukwu Counsel.
Instructed by Jack Chaffey, ILAS**Registrant:** Present and unrepresented

Outcome: Appeal dismissed

Committee members: Helen Wagner (Chair, Lay Member)
Nicola Jordan (Dentist Member)
Emma Haywood (DCP Member)**Legal Adviser:** Nicola Bircher**Committee Secretary:** Jamie Barge

Mr Owootomo,

1. This Registrations Appeal Committee (RAC) has convened in accordance with the '*General Dental Council (Registration Appeals) Rules 2006*' ('the Appeal Rules'), pursuant to Schedule 4A of the '*Dentists Act 1984*' (as amended) ('the Act'). The purpose of the hearing is to consider your appeal against the decision taken by the GDC's Registrar to your application for entry to the register as a dental therapist.
2. 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 General Dental Council (GDC) practice.
3. You were present at the hearing and unrepresented.
4. Ms Michaela Onuchukwu Counsel, appeared as case presenter on behalf of the GDC.

Case summary

5. Your application for registration was received by the GDC on 26 September 2025. For the purposes of this appeal, the GDC has referred to the relevant parts of the Dentists Act 1984 ("the Act") which were in force at the time of your application to the GDC. Section 36C of the Act sets out the requirements for qualification for registration in the DCP register.
6. Your application for registration was made under Matter C and D, relevant to Sections 36C(4)-(6). Section 36C of the Act sets out the requirements for qualification for registration in the DCP register. Section 36C states:
 - (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.*
 - (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 practice as a member of the profession or class to which the title applies...*
 - (6) *Matter D is—*
 - (a) *the person's identity;*
 - (aa) **that he has the necessary knowledge of English;**
 - (b) *that he is of good character; and*
 - (c) *that he is in good health, both physically and mentally.*

7. The GDC Guidance document, *'Evidence of English language competence: Guidance for applicants (July 2017)'*, states that there are four types of evidence the GDC is likely to accept from an applicant, to demonstrate their knowledge of English:

- a) *Type 1: An International English Language Testing System (IELTS) certificate at the appropriate level,*
- b) *Type 2: A recent primary dental qualification that has been taught and examined in English,*
- c) *Type 3: A recent pass in a language test for registration with a regulatory authority in a country where the first language is English,*
- d) *Type 4: Recent experience of practising in a country where the first language is English.*

Background

8. Your application for registration was made under Matter C and D. The only matter under consideration in this appeal is whether you have the necessary knowledge of English to practise as a dental therapist (Matter D).

Application

- 9. On 10 October 2025, the Council wrote to you to explain that your application was incomplete. The Council requested you to complete a missed section of the Application Form, some CPD evidence, self-declarations, and self-reflections. Relevantly, the Council explained that further evidence of English Language competence was required.
- 10. On 13 October 2025, you wrote to the Council seeking advice about the English language evidence requirement. You also attached the completed application form and included your interpretation of Guidance for Applicants. Relevantly, in your view, the Structured Reference from your employment at the nursing home should be accepted as evidence of your English language.
- 11. On 16 October 2025, the Council emailed you in relation to your English language evidence. The Council referred you to the GDC Evidence of English language competence: Guidance for applicants and asked you to indicate what type of evidence you have provided in the application.
- 12. Around 7 November 2025 you sent a letter to the Council, addressing the initial requisitions made by the Council in the email of 10 October 2025. You raised that the Council should assess your evidence in accordance with Paragraph 26 of the Guidance. In particular, you submitted that the following were credible evidence that demonstrate the required knowledge of English language:
 - i. You are a Nigerian citizen, and English is the official language of Nigeria. English is submitted to be the common language in government, education, healthcare and professional interactions.
 - ii. You had undertaken all primary, secondary and tertiary studies in English, including your Higher National Diploma in Dental Therapy. All were taught and examined in English.
 - iii. Your practice experience as a Dental Therapist in Nigeria was in English.
 - iv. You have lived and worked in the UK for the past three years. English is the only language spoken in your workplace.
 - v. You have submitted a Structured English Language reference from your manager and included a statement from another colleague.
- 13. You submitted that this was the evidence which you relied upon in your application. On 09 December 2025 you emailed the Council to inquire about the status of the application.

14. On 17 December 2025 the Council emailed you and notified you that the application was rejected on the basis of English language grounds. In the decision letter, the Council explained that it had considered all the evidence provided (including the structured reference) and that it had decided you were currently not eligible for registration. The reasons for this decision were:

1. You provided a structured reference to assess knowledge of English for your work as a Care Assistant at MHA Horfield Lodge Bristol. We cannot accept this as document as it does not satisfy the English language requirements. Working as a Care Assistant is not experience of practising your profession in the dental capacity.

2. You also state you are a citizen of Nigeria, "where English is the official language and the principal medium of communication in all formal, educational, religious and professional settings".

The GDC is guided by the guidance provided by the Home Office's list of "nationalities to satisfy the English language criteria. This can be found at: Prove your knowledge of English for citizenship and settling: Who does not need to prove their knowledge of English - GOV.UK

Nigeria is not listed on the Home Office's list of "nationalities that do not need to prove their knowledge of English". Therefore, we cannot accept this as evidence of your knowledge of English.

15. The Council explained that you had a right to appeal, and any appeal must be lodged within 28 days, being no later than 22 January 2026

Notice of appeal

16. You submitted an undated Notice of Appeal ("NOA") received in October 2025.
17. Within your NOA, you stated that the Council failed to assess the evidence submitted in accordance with the published guidance, in particular Paragraph 26 of the GDC's *Evidence of English language competence: Guidance for applicants*. Also, you disputed that the reference provided relating to your employment as a 'Care Assistant' in a nursing home should be considered. You further asserted the equivalence between this role and practice in the dental profession. In addition, you submitted that the cumulative evidence was not properly considered in the application. The relevant evidence you relied upon, in addition to the reference are: Completion of an English taught tertiary qualification in Nigeria; 'Independent clinical supervision within a UK healthcare setting' [sic]; Residing and working in the UK for three years. In support of your Appeal, the following documents were resubmitted:

- a. Copy of Structured reference to assess knowledge of English.
- b. Copy of Additional Statement of Knowledge of English Language.
- c. Copy of letter addressed to GDC dated 7 November 2025.

18. A copy of your Care Assistant Job Description was newly submitted.

Submissions

19. Ms Onuchukwu on behalf of the GDC, provided a background to your appeal today. She stated that the Council's position is that you have not demonstrated the necessary knowledge of English, and that the additional evidence (completion of the primary, secondary and tertiary qualification in Nigeria, working and residing in the UK) is insufficient to demonstrate knowledge of English language. Accordingly, she submits that the appeal should be dismissed on this basis. The Council accepts that the guidance requires consideration of all *credible evidence which meet the criteria*, subject to the limitations set out in Paragraph 25 of the Guidance. However, the

Council concludes that you have not provided evidence to the requisite standard, as set out in Paragraph 2 of the guidance.

20. Ms Onuchukwu submitted the Council has considered your professional reference, and the issue of whether this is 'Type 4' evidence, per the Guidance. The Council does not accept that the English Language reference is compliant with the 'Type 4' evidence, as it is not relevant 'practice'. While the reference may hold some evidential value pertaining to English language skills, the role of care assistant in a nursing home is not comparable to the clinical responsibilities of a dental therapist. The Council has considered that your tertiary education was taught in English, however, you graduated in 2018 which does not fulfil the criteria of "recent" in the Guidance. The Council accepts that you have provided some evidence that demonstrates your English language skills, however, there is insufficient evidence to satisfy the Council to the requisite standard.
21. You provided submissions and oral evidence under affirmation to the Committee. You stated that you understand the requirement why all dental professionals need to have the necessary level of English. You stated all your qualifications have been carried out in English, and you are currently working in a Nursing Home as a Care Assistant, where English is the sole language of communication. You invited the Committee to consider all the written evidence you have provided, particularly the effective communication you have maintained with colleagues and patients. You stated that you are a professional person and a qualified person and that you know you are fluent in English.
22. You were cross examined by Ms Onuchukwu where you gave some background to your Higher National Diploma. You confirmed that your last clinical position was as a dental therapist in Nigeria from 2019 to 2022, which was the last time you treated a patient before you moved to the United Kingdom. You acknowledged you have not worked in a dental setting in the United Kingdom because of your visa. You confirmed that you have not sat the IELTS examination, because you want to do your appeal hearing first. You stated that you have worked as Care Assistant at a nursing home since 21 July 2023 and gave details of your role and the daily tasks you perform. However, you were not able to confirm why no dates of supervision were contained in the reference from your manager at the Care Home. You asked for your evidence to be re-considered and that you are not applying for automatic registration.
23. Ms Onuchukwu in her closing submissions, submitted that your own evidence doesn't address the fact that you haven't worked in the dental profession since 2022. You have not been able to work in the UK as you do not hold the license to do so. The GDC accepts your training was done in English, however, GDC Guidance states recency, that of less than 2 years old. Your graduation was in 2018. Ms Onuchukwu submitted that your own evidence does not establish a recent run of practice.
24. Ms Onuchukwu reminded the Committee that as this is your appeal, the burden is on you to satisfy the Committee that you have the necessary knowledge of English required for registration under section 36C(6(aa)) of the Act (Matter D). She stated that although you did complete a course in English, she reminded the Committee to carefully consider whether you have provided verified evidence that you have a good command and necessary knowledge of the English language. Ms Onuchukwu informed the Committee that even if your appeal were to be successful in relation to Matter D, it would be for the Committee to remit the decision back to the Registrar to consider whether all other criteria have been addressed before allowing you to join the Register as a dental therapist.
25. You stated that you appreciate the GDC's role to protect patients and the public. You believe the totality of your evidence satisfies that you have a good command of English. You stated that all your education and training have been conducted in English.

Committee's decision and reasons on application

26. The Committee has had regard to the evidence that you have provided in support of your appeal. It accepted the advice of the Legal Adviser. The Committee took into account that a decision on your appeal was a matter for its determination, notwithstanding any submissions made by the parties.
27. The Committee's powers when considering such appeals are set out at paragraph 4(8) of Schedule 4A of the Act. The Committee may, in short, decide to dismiss the appeal, allow the appeal and thereby quash the decision appealed against, substitute for the decision appealed against any other decision that the Registrar could have made, or remit the case to the Registrar for disposal in accordance with any directions that it may wish to give.
28. The Committee also considered paragraph 25 of the GDC Guidance, as follows:

Criteria for assessing whether applicants have the necessary knowledge of English

We will apply the following criteria for determining whether any evidence that you provide is sufficient to satisfy us that you have the necessary knowledge of English. Any evidence:

- must clearly demonstrate that you have a good command of the English language that should suffice to fulfil the requirements of the Dentists Act in relation to English language competency;*
- must be recent, objective, independent and robust;*
- must be readily verifiable by the GDC.*

Readily verifiable means that we must be able to verify it without too much difficulty, for example through contact with recognised dental institutions, healthcare employers, regulators, relevant ministries or government departments.

29. The Committee also considered paragraph 40 of the GDC guidance, as follows:

Evidence type 4: Recent experience of practising in a country where the first language is English

40. *We define recent in this context as no more than two years old. If you choose to provide this evidence you must provide original references from employers over the preceding two years detailing your practice in English (see section 27 above). This provides assurance that your experience of practising the profession in an English speaking dental environment is recent and your language skills are up to date.*

Other evidence

There are many ways in which you may be able to satisfy us that you have the necessary knowledge of English for registration. If you provide evidence other than those we have listed, they must meet the criteria we have set out i.e. the evidence must be robust, recent and readily verifiable by the GDC. For example, we may accept IELTS test scores that are more than two years old if you can provide evidence that your language skills have not deteriorated in that time, this could be demonstrated by having subsequently undertaken a postgraduate course of study which has been taught and examined in English, or evidence that you have

subsequently practised your profession in a country where English is the first language.

30. During your oral evidence, you told the Committee that you had not undertaken the IELTS examination as you wanted to concentrate on your appeal. In addition, you stated that you have secured employment in the UK, commencing your role in July 2023 where you speak English, and that you considered that this was sufficient evidence to satisfy the criteria for your application.

Committee's decision

31. The Committee bore in mind that the burden was on you to satisfy it that you have the necessary knowledge of English as required by section 36C(6)(aa) under Matter D of the Dentists Act for registration as a dental therapist. In reaching its decision, the Committee had regard to the overarching objective of the GDC which includes the protection of the public and safeguarding the wider public interest.
32. The Committee considered whether you had met the necessary criteria as contained in the GDC's Evidence of English Language Competency Guidance for applicants. In respect of a recent IELTS certificate, it notes that you have not completed this as you state that you wished to concentrate on your appeal hearing today. Therefore, this Committee has not been provided with the necessary certificate to demonstrate that you have the necessary knowledge of English.
33. The next criteria is evidence of a recent primary dental qualification taught in English and no more than two years old. You have provided a certificate confirming your dental qualification, gained in Nigeria that was taught in English. However, the graduation was in 2018, over 8 years ago, which far exceeds the two year period. Therefore, the Committee finds that you have failed to meet the criteria in respect of recent primary dental qualification.
34. The Committee then considered whether if your primary qualification is not recent, you have provided evidence that dentistry has been practised within the last two years in a country where English was the main language. The Committee noted you last worked in a dental setting in Nigeria in 2022, which is 4 years ago. In addition, you have worked in the UK since 2022 as a Health Care Assistant in a Care home. The Committee considers that working as a Health Care Assistant, does not constitute working in a dental capacity. Therefore, the Committee finds that you have failed to meet the criteria in this respect.
35. The Committee considers that whilst you have provided evidence of dental qualifications, taught in English and experience of you working in a dental environment, both of these occurred well over 2 years ago. It is satisfied that you have failed to meet any of the criteria required.
36. In all the circumstances, the Committee was satisfied that, you have failed to demonstrate that you have the necessary knowledge of English for registration as a dental therapist, as required by section 36C(6)(aa) under Matter D of the Dentists Act.
37. The Committee has therefore determined to dismiss your appeal application.
38. That concludes this determination.