

PUBLIC HEARING

Professional Performance Committee Review Hearing

31 March 2025

Name: YOVEV, Dimitar Yovchev

Registration number: 274588

Case number: CAS-193694-K4D0X

General Dental Council: Natalie Bird, Counsel
Instructed by Amy Jones, IHLPS

Registrant: Present
Unrepresented

Fitness to practise: Impaired by reason of misconduct and deficient professional performance

Outcome: Suspended indefinitely

Duration: Indefinite

Committee members: Michael Speakman (Chair, Dentist member)
Alastair Cannon (Lay member)
Natalie Lloyd (Dental Care Professional member)

Legal adviser: Karen Rea

Committee Secretary: Paul Carson

Mr Yovev,

1. This is a resumed hearing pursuant to Section 27C of the Dentists Act 1984. The hearing was held remotely using Microsoft Teams.

Background

2. On 3 March 2021, the Professional Performance Committee (PPC) found your fitness to practise to be impaired by reason of misconduct and deficient professional performance (DPP) in relation to your clinical performance between September and November 2019 whilst undertaking dental foundation training.
3. You had qualified as a dentist in Bulgaria in 2016, but did not practise until commencing dental foundation training in the United Kingdom in September 2019 with NHS Health Education England South West (HEESW) Region. The purpose of the training was summarised in the findings of fact of the Professional Performance Committee (PPC) on 1 March 2021 as being “...to provide a one-year programme of foundation training to make a safe beginner (a new graduate) into an independent practitioner.”
4. In November 2019 you were suspended from treating patients as part of the dental foundation training, owing to concerns regarding your clinical performance. In February 2020, the Postgraduate Dental Dean for HEESW decided to terminate your training over those concerns and reported the matter to the General Dental Council (GDC).
5. The March 2021 PPC conducted a factual inquiry into the concerns and found proved that, during your brief period of dental foundation training in 2019, you failed to maintain an adequate standard of care in respect of 10 patients and that you failed to demonstrate the standards of knowledge and skill required of a Foundation Dentist in the areas of treatment planning, patient communication and diagnosis.
6. The March 2021 PPC found that your clinical failings amounted to misconduct, summarising this as follows:

“...numerous clinical failings by you in relation to several patients and [the Committee] considered that these failings concern fundamental aspects of dentistry and directly impacted upon the overarching issue of patient safety. It identified the following areas (listed below) covering poor clinical practice into which your failings fall:

- *Treatment planning*
- *Diagnosis*
- *Patient communication*
- *Taking of medical histories*



- *Placing a filling*
- *Radiography*
- *The use of dental instruments*
- *Administration of ID block injections*

The Committee was satisfied that the clinical failings in these areas were wide-spread, repeated and serious. The failures concern basic and fundamental knowledge and skills of a competent dentist.”

7. The March 2021 PPC also found that the lack of knowledge and skills which you demonstrated amounted to DPP, summarising this as follows:

“The Committee considered DPP and noted that the evidence of treatment you provided (under supervision) related to twelve patients over six days. It accepted this was a fair sample of your work over a period of time. It considered that the sample was sufficient to show that the breaches were repeated and persistent and demonstrate a pattern of conduct that underlies Charges 2. The matters set out in Charge 2 span the entire period of your clinical practice. Therefore, in the circumstances of this particular case a relatively small sample of twelve patients is in fact demonstrative of your practice overall.

The Committee considered that your failures in treatment planning, patient communication and diagnosis led to a poor standard of care to patients. Whilst these failures did not cause actual harm, they had the potential to do so. The Committee considered that these failings concern fundamental aspects of basic dentistry and directly impacted upon the overarching issue of patient safety. Given the number of patients and the nature of the matters where facts have been found proved over a period of just 6 days of practice, the Committee was satisfied that this connoted a standard of professional performance which was unacceptably low.”

8. In finding your fitness to practise to be impaired on the grounds of both misconduct and DPP, the March 2021 PPC stated:

“The Committee considered there to be insufficient evidence of how you have addressed the fundamental issues arising in this case or that you have fully reflected on what you have learned. There was no evidence before the Committee to demonstrate any improvement in your clinical practice or the standards that are expected of you. The Committee is satisfied that you have developed some insight into your clinical shortcomings. It also took into account the full admissions you made at the outset of the hearing and the apology given. However, it was concerned as to your level of insight given your attempt at remediation which it considered to be at a very early stage. The Committee recognises that the matters outside your control (the



pandemic) may have impacted your ability to fully remediate. However, in the Committee's view, the position as of today is that you are significantly deskilled and a significant amount of learning is required before you can safely treat patients. Given its concerns regarding your level of insight and insufficient remediation, the Committee concluded that the risk of repetition was high and that your misconduct and DPP had the potential to place patients at future unwarranted risk of harm.

A finding of no impairment would seriously undermine public confidence in the dental profession as well as the regulatory process."

9. The March 2021 PPC directed that your registration be suspended for a period of 12 months with a review, stating:

"The Committee then considered whether a period of suspension was appropriate. Having decided that the proven facts were capable of being remedied by way of conditions, but that conditions were inappropriate given that you lack the basic necessary knowledge and experience required of a qualified dentist and that you demonstrate limited insight. The Committee noted that during your clinical skills assessment day at Portsmouth University, the remediation team reviewed the level of your practice and planned a bespoke remediation support programme for you. It was recommended that you undertake a pre-clinical practice phantom heads-based skills module. The module contains six targeted topics each addressing a range of clinical skills. Your progression to clinical practice would then be dependent on satisfactory completion of the topics in the pre-clinical module. The Committee determined that an order of suspension for 12 months with a review would be proportionate and that it would still allow you to engage with the remediation support programme at Portsmouth University. Further, a period of suspension would allow you to demonstrate to a reviewing panel, that you have the requisite level of insight and provide evidence of your remediation."

10. The case was reviewed by the PPC on 25 March 2022. The PPC found on that occasion that your fitness to practise continued to be impaired by reason of both misconduct and deficient professional performance and directed that the suspension of your registration be replaced with a period of conditional registration for 12 months with a review. In reaching its decision, it stated:

"...you have undertaken a good amount of theoretical and practical learning. [The Committee] considered that, given the level of insight and proactivity that you have demonstrated thus far, it could formulate a set of workable conditions that would protect the public and the wider public interest, whilst assisting you in addressing the gaps in your practical experience in a clinical setting. The Committee was satisfied on the evidence received, both documentary and oral, that you would be willing to comply with any

conditions imposed. It therefore decided that conditional registration would be an appropriate and proportionate sanction...

11. In August 2022, you commenced employment at a dental practice to work under close supervision in accordance with the requirements of the conditions on your registration. However, your employment was withdrawn the same month owing to concerns regarding your clinical practice and the corresponding workability of supervision.
12. The PPC reviewed the case on 13 October 2022 and found that your fitness to practise continued to be impaired by reason of misconduct and deficient professional performance. It reinstated the suspension of your registration for a period of 6 months with a review. In its decision, it stated:

“...in August 2022 you had commenced employment at a dental practice. However, during the course of that employment, your development adviser contacted the GDC to indicate that it will be unlikely that you will continue practising at the dental practice. Subsequent to this notification, your employment was terminated on 18 August 2022. It was the view of your employer that you require supervision for all of your cases and that it will take a period of time before you are considered safe to practice unsupervised. It was further stated that you may want to consider embarking upon non-clinical roles in dentistry.

The Committee had sight of a report titled “REPORT ON THE CLINICAL PERFORMANCE OF DIMITAR YOVEV”. The author of the report was one of your employers who had supervised you at the dental practice and was based on their supervision of you with 4 patients on 4 separate dates. The report highlights a number of concerns at each appointment and your employer concluded that “Although he has an acceptable knowledge of the theoretical basis, Mr Yovev appears to lack the dexterity and follow through for clinical work. His clinical skills in my opinion are at par with that of a young dental student just starting clinical dentistry. While some degree of anxiety is understandable given the length of time out of practice, Mr Yovev appears to be lacking some basic skills even for simple routine dental appointments. I am of the opinion that Mr Yovev should be supervised at all times for at least 6 months should he wish to practice clinical dentistry. Unfortunately, this is not a role that I am able to provide hence my reason for regretfully terminating his employment.”

The Committee noted that there still appear to be residual concerns that have been highlighted previously within your clinical practice...

...The Committee is satisfied that you have complied with your conditions and there is no evidence of any breaches before it. However, it went on to



consider the comments made by your previous employers which leads it to determine that conditions are not suitable or workable at this current time. Whilst the Committee has taken account of your perseverance in wanting to enhance your skills and further develop your clinical practice, its main focus is public safety. There is a risk that patients may be at risk of harm if you were to continue practising at this moment of time. The Committee had regard to your oral evidence and acknowledges your determination in wanting to continue practising dentistry, however it considered ...that the concerns raised within your clinical practice to be serious. Whilst the Committee is not unsympathetic towards your current situation, in light of all the evidence, it considered that conditional registration is no longer workable.

The Committee has therefore determined to suspend your registration. It considered that it is proportionate in all the circumstances. Whilst it had regard to the serious nature of such a sanction and the potential consequences for you, the Committee considered that the need to protect the public and the wider public interest is paramount.”

13. The PPC reviewed your case again at a hearing on 13 April 2023. At that hearing, you explained to the Committee that your circumstances had remained unchanged since the October 2022 hearing. You had remained out of work since that time and had not been able to secure any training to help develop your clinical skills. That Committee noted that the serious and clinical failings in the case had not been remedied by you, and there was a marked lack of evidence of any relevant CPD activity. That Committee determined that your fitness to practise continued to be impaired by reason of misconduct and also by reason of deficient professional performance. It further determined that the suspension of your registration should be extended by a further period of 12 months with a review hearing before its expiry.

14. That Committee also re-iterated the recommendations given to you at the initial hearing that the reviewing Committee may be assisted by the following:

- A reflective piece addressing and demonstrating insight into the areas of deficiency in your practice as found proved.
- Any steps taken by you to remedy the deficiencies in your practice, including any evidence of training or other remedial actions, testimonials and references.
- A structured Personal Development Plan which includes addressing the shortcomings identified at this [the initial] hearing. Recent revised enhanced Continued Professional Development.

15. In particular, the PPC stated that the reviewing Committee might also be assisted by the following:

- Evidence that you have continued to maintain and develop your theoretical knowledge of dentistry.
- Evidence that you have continued to maintain and develop your clinical skills in so far as you are able, by, for example, practising on phantom heads.
- Evidence of a mentor relationship with an experienced dentist and/or a Development Adviser in relation to formulating, maintaining and reviewing a Personal Development Plan.

16. The next review before the PPC took place on 27 March 2024. The PPC on that occasion found that your fitness to practise continued to be impaired by reason of misconduct and DPP and directed that the suspension of your registration be extended by a further period of 12 months with a review. In its determination, it stated:

“The Committee noted that there has been no change in the circumstances of your case since the conclusion of the previous review hearing in April 2023. The Committee acknowledged that you had attended the hearing and appeared to be engaging with the proceedings. However, the Committee was concerned that there was no evidence before it that you had made any productive steps in addressing the failings found proved at the substantive hearing. The Committee noted that these clinical failings were serious and wide-ranging and involved fundamental and basic aspects of dentistry. The Committee had not received any evidence that you had undertaken any remediation and it noted that you acknowledged that you had not complied with the previous recommendations of the previous reviewing Committee. In the absence of any remediation or attempts to undertake any, including the formulation of a PDP or verifiable CPD undertaken, the Committee considered that you possessed little insight into how to remedy your clinical failings. As a result, the Committee was of the view that there remained a high risk of repetition of these failings and that there remained a real risk of harm to patients if you were allowed to practise without any restrictions.”

17. In deciding to extend the period of suspension rather than replace it with a period of conditional registration, the March 2024 PPC stated: “...in view of the lack of any evidence of remediation or full insight into your clinical failings, conditions would not be appropriate, workable or sufficient for this case.”

18. When directing that the extended period of suspension be reviewed prior to its expiry, the March 2024 PPC reiterated the factors recommended by the April 2023 PPC for the review hearing and also recommended that: “In addition to the above,

the Committee noted from your submissions that your focus for the future was on securing a place at a university to repeat your final year. Therefore, the Committee was of the view that it would be helpful at your next review hearing if you could provide any evidence of the attempts you have made to do this, for example copies of your correspondence with universities.”

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19. It is the role of the Committee today to undertake the review directed by the March 2024 PPC. In so doing, the Committee had careful regard to all the documentary evidence before it and took account of the submissions made by Miss Bird and yourself.
20. Miss Bird submitted that your fitness to practise continues to be impaired by reason of misconduct and DPP. She submitted that, beyond a log of 17 Continuing Professional Development (CPD) courses completed over a six-day period from December 2024, you demonstrate no evidence of remediation. She submitted that there would have been further deskilling during your period of suspension and that there remains a high risk of repetition of your clinical failings with a consequential risk of harm to the public and to public confidence in the dental profession should a finding of continued impairment not be made.
21. With regard to sanction, Miss Bird invited the Committee to extend the period of suspension for a further period of 12 months with a review. She submitted that your continued lack of remediation means that it would not be appropriate for your registration to be subject to conditions.
22. You confirmed that you agreed with the GDC’s submission that the suspension of your registration should be extended by a further period of 12 months with a review. You submitted that you had concluded that the best way to address the deficiencies identified in your practice is to return to Bulgaria to continue your dental education there. You stated that this would consist of a mixture of academic and clinical work. You stated that you had the intention to start the process of submitting your application for this and that the likely duration of your studies in Bulgaria would be for a minimum of 12 months to commence in the Autumn of this year.

Decision

23. The Committee accepted the advice of the Legal Adviser.
24. The Committee had regard to the GDC’s *Guidances on Impairment, Resumed Hearings and Indicative Sanctions Guidance* (October 2016, updated December 2020).
25. The first consideration for the Committee was whether your fitness to practise continues to be impaired by reason of your misconduct and/or DPP. In reaching its

decision, the Committee exercised its independent judgement and was not bound by the decisions of the previous committees. It bore in mind that its primary duty is to protect the public, including maintaining public confidence in the profession and declaring and upholding proper standards and behaviour.

26. Beyond your recent CPD activity log, you have not adhered to the recommendations of the March 2024 PPC or otherwise provided evidence of remediation. The CPD activity you had undertaken consists of only 23 hours of online courses completed between 26-30 December 2024 with an additional 4 hours of online courses completed on 22 March 2025, just under 2 weeks before this hearing. Most of this CPD is also generic and does not directly address the basic clinical failings and fundamental lack of knowledge and skill identified in these proceedings. Further, in any event, you would be unable to demonstrate any embedded improvement in practice in respect of any learning from these activities, as you are not currently practising. In respect of your intention to return to Bulgaria to undertake further studies, you failed to provide the Committee with any evidence that you are actively engaged in this plan. Contrary to the recommendation of the March 2024 PPC, you provided no written evidence today in support of making an application for those further studies. Neither in your oral submission to the Committee today could you provide any clear explanation of what those further studies would encompass, how you would be assessed and the length of the course beyond saying it would last "at least a year". Your stated intention to the Committee today regarding further studies did not appear to be any different to the intentions you expressed to the last PPC in March 2024.
27. Having heard your submissions and reviewed the case, the Committee concluded that you are still yet to undertake any clear remedial steps. The Committee today is in no different a position to the April 2023 and March 2024 PPCs. Indeed, there has been little or no progress in your remediation since your registration was first suspended by the initial PPC in March 2021. In the Committee's judgement, rather than demonstrate remediation, your clinical knowledge and skills are likely to have deteriorated further through the passage of time.
28. In these circumstances, the Committee determined that there remains a high risk of repetition of the wide-ranging basic clinical failings which you had previously repeatedly demonstrated in respect of most of the limited number of patients you had seen over a period of several weeks. The Committee therefore concluded that there continues to be a significant risk of harm to patients and to public confidence in the profession should you be allowed to resume practice without any restriction on your registration. The Committee therefore determined that your fitness to practise continues to be impaired by reason of both misconduct and DPP.
29. The Committee next considered what further action, if any, to take in respect of your registration. The Committee determined that the continued restriction of your

registration is necessary for the protection of the public and to meet the wider public interest.

30. The Committee next considered whether to replace the current suspension order with one of conditions. It determined that conditions could not be formulated at this stage to be workable, measurable and proportionate. The clinical failings and lack of knowledge and skill you had demonstrated in this case are too substantial for conditions to be workable. When previously practising under supervision, you were assessed as not even being at the level of “safe beginner”. In the Committee’s judgment, by the passage of time with little remedial action on your part, your clinical skills and knowledge would have deteriorated further since that assessment. When conditions were imposed by the PPC these proved to be unworkable after just a short period and therefore the suspension of your registration had been reinstated.
31. Having regard to all the circumstances, the Committee determined that the continued suspension of your registration remains necessary to protect the public and maintain public confidence in the dental profession. The Committee considered whether to direct your suspension for up to 12 months with a review, or whether to give a direction for indefinite suspension which is a sanction now available at this review given that your registration would have been continuously suspended for at least 2 years by the time any direction of this Committee is to take effect.
32. The Committee determined that, in 12 months, a reviewing PPC would be in no different a position to the Committee today. Given your repeated failure to demonstrate remedial steps so far, there is unlikely to be any meaningful progress in your remediation. On the timeframe you indicated to the Committee today, you would at best still be in the early stages of the minimum of 12 months further study if it was to commence in the Autumn of this year.
33. In those circumstances, the Committee questioned whether giving a direction for yet another 12-month suspension (the maximum period the Committee can direct) with a review would serve any purpose. Having carefully deliberated over this matter, the Committee determined that a direction for indefinite suspension is the only proportionate and appropriate outcome today. The effect of indefinite suspension is that your registration would be suspended indefinitely but that you would have the right for the suspension to be reviewed after 2 years. In this regard, the Committee concluded that indefinite suspension would not only be a proportionate use of the GDC’s resources but, more importantly, would allow you to apply for a review hearing once you consider yourself to be ready to show evidence of remediation without what is likely to be the stress of another review after 12 months from 9 May 2025. This would take any pressure off you in attending periodic review hearings in circumstances where you are yet to complete your journey of remediation. In that regard, the Committee noted that an indefinite suspension is not anymore restricting than you are restricting yourself through the lack of remedial steps you have so far taken since the findings of impairment by the initial PPC in 2021. Indefinite

suspension would allow you to apply after 2 years for the Committee to review your case once you have taken those steps and feel ready for your case to be reviewed.

34. Accordingly, the Committee directs that your registration be indefinitely suspended noting that it is open to you to apply at any point after 2 years for a review of the suspension.

35. That concluded this determination.