

ON PAPERS**Registrations Appeal Hearing
CPD Appeal Hearing****19 March 2025****Name:** SASARMAN, Ana**Registration number:** 273766**Case number:** CAS- 209287-S7T4F3

General Dental Council: Instructed by Noranne Griffith, ILAS**Registrant:** Unrepresented

Outcome: Appeal dismissed

Committee members: Zareen Elleby (Chair, Dental Care Professional member)
Amit Gadhavi (Dentist member)
Jane Reynolds (Lay member)**Legal adviser:** Valerie Paterson**Committee Secretary:** Sara Page

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 Mrs Sasarman from the Register for apparent non-compliance with the statutory Continuing Professional Development (CPD) requirements. The hearing is being held in accordance with the terms of 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. The hearing was conducted remotely via Microsoft Teams in line with current GDC practice. Neither party was present at today's hearing, following notification from the GDC that the appeal was to be conducted on the papers.

Preliminary matters

Application for the hearing to be held partly in private

3. At the beginning of the hearing, the Committee considered an application under Rule 14(1) of the Appeal Rules that that this hearing be held partly in private since the matters under consideration relate to Mrs Sasarman's private and family life. The Committee heard and accepted the advice of the Legal Adviser in this regard
4. The Committee bore in mind that, as a starting point, hearings should be conducted in public session. Having considered the information before it today, the Committee was satisfied that it could conduct the meeting without specific reference to Mrs Sasarman's private and family life and therefore the appeal could be conducted in public session.

Decision to conduct the appeal in the absence of Mrs Sasarman and on the papers

5. 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 Mrs Sasarman had made no such request.
6. Notification of this appeal was sent to Mrs Sasarman by Recorded Delivery and secure email on 13 February 2025 in accordance with Rule 5 of the Registration Appeal Rules.
7. The Committee was satisfied that it was appropriate to consider today's appeal in the absence of either party and on the papers.

Decision and reasons on the appeal

Background

8. The General Dental Council (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017 ('the CPD Rules') set out the CPD requirements placed on DCP 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.
9. The CPD Rules came into force on the 1 January 2018 and took effect in respect of dental care professionals on 1 August 2018.

10. 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.
11. Mrs Sasarman appealed against the Registrar's decision that her CPD is non-compliant because she failed to provide a compliant CPD record demonstrating that she met the minimum requirement for the period 1 August 2022 – 31 July 2024.

Summary

12. The GDC's case in support of its decision was summarised as follows:

The Appellant first registered with the Council as a dental care professional, with the title Dental Nurse, on 3 October 2017. Therefore, in accordance with Rule 1 as set out above, the Appellant's current CPD cycle began on 1 August 2023 and will end on 31 July 2028.

On 22 May 2024, the Council sent an email reminder to the Appellant notifying her that her CPD year was coming to an end and that she was required to submit her CPD statement, detailing how many verifiable CPD hours she had completed during that year, by 28 August 2024. The Appellant was also reminded to ensure that she had completed at least ten hours CPD over the last two years and the reminder explained the Enhanced CPD Scheme requirements. The Appellant was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.

On 11 June 2024, the Council sent an Annual Renewal Notice ("ARF Notice"). The ARF Notice is designed to remind registrants that their registration with the Council is due for renewal, of the need to pay their annual retention fee, and to make their indemnity declaration and their CPD statement. The Appellant was reminded in the ARF Notice that she was required to submit her CPD statement by 28 August 2024. The ARF Notice stated that the Appellant needed to complete at least ten hours of CPD in each two year period.

Between 12 June and 28 August 2024, the Council sent a number of reminders to the Appellant regarding her CPD requirements.

Rule 6 notice

On 25 September 2024, the Council sent a notice under Rule 6 ("Rule 6 Notice") to the Appellant. The Rule 6 Notice stated that although the Appellant had submitted a CPD statement to the Council, she had not declared enough hours to meet the minimum requirement of ten hours over two consecutive years. It was noted that the 2022 - 2023 CPD annual statement was of zero verifiable hours and the recently submitted 2023 - 2024 CPD annual statement was also of zero verifiable hours. The Rule 6 Notice stated that if the Appellant wished to retain her registration, she should submit her CPD record and evidence for each item of verifiable CPD completed during the two consecutive years to the Registrar by 23 October 2024 to demonstrate that she had met the requirement. It also stated that the Appellant should let the Council know if there were any reasons or exceptional circumstances that meant she was unable to submit a compliant statement which would be considered by the Council when deciding whether to take any further

action. The Appellant was informed that if the Council did not receive a response to the notice or if her response was unsatisfactory, she may be erased from the dental care professionals register.

On 10 October 2024, the Council received an email from the Appellant in which she stated she had received an email and that she understood she was going to be removed from the register. She informed the Council that she had been away from the UK for two years and as a result, she had not completed any CPD. She stated that she had returned to the UK and hoped to be *"be back on track (sic) with everything"*. Attached to this email were annual declarations for 1 August 2022 - 31 July 2023 and 1 August 2023 - 31 July 2024 for zero CPD hours

On 11 October 2024, the Council acknowledged the email and informed the Appellant that her CPD evidence would be assessed.

Rule 8 notice

On 5 November 2024, the Council sent a notice under Rule 8 ("Rule 8 Notice") to the Appellant stating that the evidence demonstrated that the Appellant had completed zero hours of verifiable CPD between 1 August 2022 - 31 July 2023 and zero hours of verifiable CPD between 1 August 2023 - 31 July 2024 which was not enough to meet the minimum of ten hours for the two consecutive CPD years. She was informed that her CPD remained deficient as she had 10 hours verifiable CPD outstanding, and she had not completed a PDP.

The Rule 8 Notice also stated that the GDC had not been provided with any evidence of exceptional personal circumstances which may have prevented her completing her CPD as required. Therefore, the Registrar's decision was to remove the Appellant's name from the DCP register for non-compliance with CPD requirements.

Finally, the Appellant was notified that unless an appeal was submitted by 3 December 2024, the Registrar's decision would take effect on 5 December 2024.

Notice of Appeal

On 20 November 2024 the Appellant submitted a Notice of Appeal ("NOA") by email and provided her annual declarations for 2022 - 2024.

On 21 November 2024, the Appellant's CPD evidence was assessed by a Registration Operations Officer and was deemed to be non-compliant with her CPD requirements as she had failed to provide sufficient evidence to demonstrate compliance with the requirement to submit ten CPD hours over two consecutive years.

On 23 November 2024, the Appellant provided a further copy of her NOA with a revised address. On 27 November, a Registrations Operations Officer again assessed the Appellant's CPD evidence, and it was determined that as no further CPD evidence submitted with the further NOA, the position remained unchanged.

Submissions

13. In its written submissions, the GDC submitted that the Appellant is non-compliant with CPD requirements because she has failed to provide a CPD record demonstrating that she has

completed the minimum requirement for the period 1 August 2022 - 31 July 2024, in accordance with Rule 2. As at the date of the latest assessment, the Appellant had completed zero hours between 1 August 2022 - 31 July 2024, which clearly breaches the requirement that dental care professionals submit evidence that they have completed a minimum of ten verifiable CPD hours in each two-year period.

14. The Council acknowledged that the Appellant stated that he was out of the country but has not provided specific dates or other evidence in this regard. The Appellant states she was unaware of the requirement to complete CPD, but it is submitted by the Registrar that the Appellant was reminded on numerous occasions, by numerous methods, of the need to complete her CPD hours and of the requirement to complete ten verifiable CPD hours in each two-year period, in particular.
15. In Mrs Sasarman's Notice of Appeal, it was submitted that had been away for two years from the United Kingdom and, for the first time, stated that the reason for this was because she had caring responsibilities for family living abroad. The Appellant stated that she "*stopped anything with my work*" but indicated that she was now back in the UK. The Appellant also stated that she had continued to pay the annual fees but did not know that she still had to do CPD if she had stopped working. The Appellant requested that she be given another chance, stating that she would create a PDP, continue to do her job and CPD, and be "*more conscientious*".

Committee's decision

16. The Committee had regard to the documentary evidence provided today and took account of the written submissions made on behalf of the GDC and those made by Mrs Sasarman in her Notice of Appeal. It heard and accepted the advice of the Legal Adviser. The Committee had regard to the GDC document, '*Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance (February 2024)*' in coming to its decision on Mrs Sasarman's appeal.
17. Mrs Sasarman has been a dental nurse since 2017 and the Committee considered that she would have been aware of her CPD requirements and despite this, she had not submitted ten hours of verified CPD for the period of 2022 – 2024. It noted that Mrs Sasarman was abroad for a period of time and, although there is no specific information regarding dates, this appeared to be during the relevant period. Mrs Sasarman has provided limited details about the time she was out of the country, dates when she was not practising, or any specifics of her caring responsibilities.
18. The Committee was not satisfied that there was any evidence of exceptional circumstances in Mrs Sasarman's case.
19. Accordingly, the appeal is dismissed. The Committee wished to remind Mrs Sasarman that it is open to her to apply for the restoration of her name to the Register upon completion of the required number of CPD hours.
20. This will be confirmed to Mrs Sasarman in writing.
21. That concludes this determination.