

**ON PAPERS****Interim Order Committee  
Review Hearing****17 April 2024****Name:** AYDON, Ashley Alexandra**Registration number:** 216684**Case number:** CAS-201193-P7F5W1

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**General Dental Council:** IHLPS**Registrant:** Represented by Markel Law LLP

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**Outcome:** Conditions of practice continued**Duration:** For the remainder of the extended High Court period

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**Committee members:** Andrea Hammond (Chair and DCP member)  
Hall Graham (Dentist member)  
Jim Hurden (Lay member)**Legal adviser:** Valerie Paterson**Committee Secretary:** Jamie Barge

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The role of the Interim Orders Committee (IOC) is to undertake a risk assessment based on the information before it. Its role is to assess the nature and substance of any risk to the public in all the circumstances of the case and to consider whether it is necessary for the protection of the public, is otherwise in the public interest, or is in the registrant's own interests to impose an interim order on their registration. It is not the role of the IOC to make findings of fact in relation to any charge. That is the role of a differently constituted committee at a later stage in the process.

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1. Neither party was present at today's hearing, following a request for the review of the interim order to be conducted on the papers. The hearing was conducted remotely via Microsoft Teams in line with current General Dental Council (GDC) practice.
2. 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 Miss Aydon and any representatives for either party. The Committee accepted the advice of the Legal Adviser on these matters.

**Decision on service of notice of hearing:**

3. Neither party was present at today's hearing. The Committee first considered whether notice of this hearing had been served on Miss Aydon in accordance with Rules 35 and 65 of the *General Dental Council (Fitness to Practise) Rules Order of Council 2006* (the rules).
4. The Committee has received a bundle of documents which contains a copy of the notification of today's review hearing, dated 27 March 2024, that was sent to Miss Aydon's registered address by special delivery, first class post and also via email. Notification was also sent to Miss Aydon's representatives, Markel Law LLP.
5. The Committee was satisfied that the letter contained proper notification of this hearing, including notification that the Committee had the power to proceed with the hearing in Miss Aydon's absence and on the papers.
6. On the basis of the information provided, the Committee was satisfied that notice of the hearing had been served on Miss Aydon in accordance with the Rules.

**Decision on proceeding in the absence of Miss Aydon and on the papers:**

7. The Committee next considered whether to exercise its discretion under Rules 54 and 36 of the Rules to proceed with the hearing and on the papers in the absence of Miss Aydon and any representative for either party. It remained mindful of the need to be fair to Miss Aydon and to the General Dental Council (GDC), and it had regard to the public interest in the expeditious review of the interim order in place on Miss Aydon's registration.
8. The Committee noted that Miss Aydon was informed in the Notification of Hearing letter of the GDC's proposal to request that this interim order be reviewed on the papers in the absence of both parties.
9. The Committee also had sight of written submissions from the General Dental Council (GDC) inviting the Committee to consider this review hearing in the absence of the parties and for it to be dealt with on the papers.
10. The GDC received email confirmation from Markel Law LLP, dated 2 April 2024 that notice had been received and confirmed that they were content for the review to take place on the papers.

11. On the basis of the information before it, the Committee concluded that Miss Aydon had voluntarily absented herself from today's hearing. It noted that there had been no objection to the review being conducted on the papers, and there was nothing to suggest that an adjournment would result in Miss Aydon's attendance, particularly given both parties had confirmed that they were content for the review to proceed on the papers. In all the circumstances, the Committee determined that it was fair and in the public interest to proceed with the hearing on the papers in the absence of Miss Aydon and any representatives for either party.

## **Background**

12. The initial Committee IOC considered information arising from a referral made to the GDC by BUPA. The referral stated that, following an audit visit conducted in January 2022, concerns had arisen in relation to alleged breaches of cross-infection control measures and health and safety protocols at a dental practice at which Miss Aydon was the practice manager and a dental nurse. 49 separate points of concern are said to have been raised, including in relation to the maintenance of the surgery, COVID-19 protocols, the emergency drug kit, servicing of handpieces and the implementation of policies and procedures. BUPA closed the practice while it implemented actions to ensure the safety of patients and staff.
13. This is the fourth review of this order, imposed in August 2022. The order reviewed on 27 January 2023, 7 July 2023 and 18 December where the conditions of practice order was continued.
14. The order was extended by the High Court on 23 January 2024 for a further period of 12 months. The order is due to expire on 9 February 2025.

## **Today's review**

15. At today's hearing, the Committee comprehensively reviewed the order. In so doing, it took account of the information contained in the bundles. It noted that neither party had indicated that they were seeking any variation of the current order. The Committee is satisfied that there has been no material change.
16. The Committee was satisfied it remains necessary for the protection of the public and otherwise in the public interest that Miss Aydon's registration remains subject to an interim order. These allegations relate to serious clinical concerns that resulted in the practice having to be closed while BUPA implemented actions to ensure the safety of patients and staff. The Committee noted that neither the GDC nor Miss Aydon object to the continuation of the conditions, and the information in the bundle shows that there is no indication that Miss Aydon is not complying with the interim conditions, and does not appear to be practising at the moment.
17. The Committee considered that the continuation of the current conditions, for the remainder of the term of the extended order was both proportionate and sufficient to protect the public and uphold the public interest.
18. The Committee was of the view that the public and the public interest would remain suitably protected by the continuation of the following conditions of practice:
  1. She must notify the GDC within seven days of any post she accepts for which GDC registration is required and inform the GDC of what role she will be undertaking.
  2. If employed, she must provide contact details of her employer within seven days from the date these conditions take effect and allow the GDC to exchange information with her employer or any contracting body for which she provides dental services.

3. At any time she is providing dental services which require her to be registered with the GDC, save for her existing NHS '111' triage employment, she must agree to the appointment of a reporter nominated by herself and approved by the GDC. The reporter shall be a GDC registrant.
4. She must allow the reporter to provide reports to the GDC at intervals of not more than 3 months and at least 14 days prior to any review hearing. The GDC will make these reports available to any workplace supervisor referred to in these conditions.
5. She must allow the reporter to exchange information with the GDC.
6. She must inform the GDC within seven days of any formal disciplinary proceedings taken against her from the date these conditions take effect.
7. She must inform the GDC within seven days of any complaints made against her from the date these conditions take effect.
8. She must inform the GDC if she applies for dental employment outside the UK within seven days of making any application.
9. She must not work as Practice Manager, Lead Nurse or otherwise in a Clinical Governance or Management role at any dental practice.
10. She must not be responsible for the administration/management of any dental practice.
11. At any time she is employed or providing dental services, which require her to be registered with the GDC, save for her existing NHS '111' triage employment, she must agree to the appointment of a workplace supervisor nominated by herself and approved by the GDC. The level of supervision will be "supervised" as defined in the GDC Glossary of Terms\*. The workplace supervisor shall be a GDC registrant in the same category of the register as the registrant or higher.
12. Any workplace supervisor and the reporter could be the same person.
13. Save for her existing NHS '111' triage employment, she must not start or restart work until any workplace supervisor has been approved by the GDC.
14. She must provide any workplace supervisor with a copy of this determination immediately after the supervisor, if needed under condition (11) above, has been approved by the GDC. Evidence that this information has been provided to the workplace supervisor must be forwarded to the GDC within 7 days of disclosure.
15. She must allow any workplace supervisor to exchange information with the GDC.
16. If a workplace supervisor is required under condition (11) above, she must provide a report from the workplace supervisor to the GDC every three months and at least 14 days prior to any review. The report will address adherence to the following areas:
  - a) Infection control procedures
  - b) Decontamination procedures
  - c) COVID 19 prevention measures
  - d) Adherence with conditions (9) and (10) above
17. Save for her existing NHS '111' triage employment, and if undertaking a clinical role, she must maintain a log, which must be signed by any workplace supervisor, confirming compliance with the following areas:
  - a) Infection control procedures
  - b) Decontamination procedures

- c) COVID-19 prevention measures
- 18. She must provide copies of any logs referred to at condition (17) above to the GDC every three months and at least 14 days prior to any review hearing, or confirm to the GDC that she has not undertaken any such work requiring logs.
- 19. She must inform within 7 days the following parties that her registration is subject to the conditions, listed at (1) to (18), above:
  - a) Any organisation or person employing or contracting with her to undertake dental work
  - b) Any prospective employer (at the time of application)
  - c) The Commissioning Body on whose Dental Performers List she is included or seeking inclusion, or Local Health Board if in Wales, Scotland or Northern Ireland (at the time of application)
- 20. She must permit the GDC to disclose the above conditions, (1) to (19), to any person requesting information about her registration status.

**Next review of the interim order**

- 19. Unless there has been a material change of circumstances, a Committee will review the interim order on the papers within the next six months. That Committee will be invited by the GDC to confirm the order and Miss Aydon will be asked whether there are any written submissions to be put before the Committee on her behalf. She will then be notified of the outcome in writing following the decision of the Committee.
- 20. Alternatively, Miss Aydon is entitled to have the interim order reviewed at an oral hearing. This means that she will be able to attend and make representations, send a representative on her behalf, or submit written representations about whether the order continues to be necessary. Miss Aydon must inform the GDC if she would like the interim order to be reviewed at a hearing.
- 21. Even if Miss Aydon does not request a hearing, where there has been a material change of circumstances that might mean that the order should be revoked, varied, or replaced, the Committee will review the order at a hearing to which Miss Aydon and any representative will be invited to attend. At the review hearing the Committee may revoke the order, it may confirm the order, it may vary the order, or it may replace it with an interim suspension order.
- 22. That concludes this determination.

**\* Supervised**

*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. The supervisor need not work at the same practice as the registrant, but must make themselves available to provide advice or assistance should they be required. The registrant's work must be reviewed at least once fortnightly by the supervisor via one to one meetings and case-based discussion. These fortnightly meetings must be focused on all areas of concern identified by the conditions/undertakings. These meetings should take place face to face however, as a minimum, at least one of the two meetings must be face to face per month.*