

**ON PAPERS****Interim Order Committee  
Review Hearing****18 March 2024****Name:** SHARMA, Chetan Pal**Registration number:** 264583**Case number:** CAS-203065-F3L3R2

---

**General Dental Council:** Carla Marie Clough, IHLPS**Registrant:** Represented by Clyde & Co Solicitors

---

**Outcome:** Interim conditions confirmed**Duration:** For the remainder of the period of the order

---

**Committee members:** Andrea Hammond (Chair, Dental Care Professional member)  
Alison Mayell (Dentist member)  
Kamaljit Sandhu (Lay member)**Legal adviser:** Edward Hosking**Committee Secretary:** Andrew Keeling

---

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.

---

1. This was an Interim Orders Committee (IOC) review hearing in respect of an interim order currently in place on Mr Sharma's registration. The hearing was conducted remotely on Microsoft Teams.

2. Neither party was present today, following a request for the review of the interim order to be conducted on the papers.
3. The Committee first considered the issues of service and whether to proceed with the hearing on the papers in the absence of Mr Sharma and any representatives for either party. The Committee accepted the advice of the Legal Adviser on both of these matters.

### **Decision on Service**

4. The Committee considered whether notice of the hearing had been served on Mr Sharma in accordance with Rules 35 and 65 of the *GDC (Fitness to Practise) Rules Order of Council 2006* ('the Rules') and Section 50A of the *Dentists Act 1984 (as amended)* ('the Act').
5. The Committee received from the General Dental Council (GDC) an indexed hearing bundle which contained a copy of the Notice of Hearing, dated 5 March 2024 ('the notice'). The notice was sent to Mr Sharma's registered address by Special Delivery. The Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent. However, it noted from the Royal Mail 'Track and Trace' receipt, also provided in the bundle, that the notice was delivered on 7 March 2024. A copy of the notice was also sent to Mr Sharma by first class post and email on 5 March 2024, and to his legal representatives by email on the same date.
6. The Committee was satisfied that the notice contained proper notification of today's hearing, including its date and time, although it noted that the notice did not mention that the hearing would be taking place remotely. Mr Sharma was also notified that the Committee had the power to proceed with the hearing in his absence.
7. On the basis of all the information provided, the Committee was satisfied that notice of the hearing had been served on Mr Sharma in accordance with the Rules and the Act. The Committee was also satisfied that the period of notice given was reasonable in all the circumstances.

### **Decision on Proceeding in the Absence of the Registrant and On the Papers**

8. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Sharma, and any representative for either party. It approached this issue with the utmost care and caution. The Committee took into account the factors to be considered in reaching its decision, as set out in the case of *R v Jones [2003] 1 AC 1HL* and as explained in the cases of *General Medical Council v Adeogba* and *General Medical Council v Visvardis [2016] EWCA Civ 162*.

9. The Committee remained mindful of the need to be fair to both Mr Sharma and the GDC, considering the public interest in the expeditious review of the interim order.
10. The Committee was satisfied that the notice had been served on Mr Sharma at his registered address within a reasonable period of time in accordance with the Rules and the Act. There has been no response from Mr Sharma or his legal representatives in relation to the notice and there has been no request for an adjournment. The Committee concluded that Mr Sharma had voluntarily absented himself from today's hearing. The Committee bore in mind that there is a statutory requirement for an interim order to be reviewed within six months of the immediately preceding review hearing. Having weighed the interests of Mr Sharma with those of the GDC and the public interest in an expeditious disposal of this hearing the Committee has determined to proceed in Mr Sharma's absence and on the papers.

## **Background**

11. This was the second review of the interim order of conditions, first imposed on Mr Sharma's registration on 11 April 2023 for a period of 18 months. The order was considered to be necessary for the protection of the public and otherwise in the public interest.
12. The background information considered at that initial hearing was that on 9 March 2023, the GDC received information from Mr Sharma's former employer (the Informant), raising concerns about his fitness to practise. Mr Sharma was employed as a Dental Associate by the Informant between April 2020 to January 2022.
13. The Informant, in their letter, outlined concerns about Mr Sharma's practice following complaints made by patients who had returned mid-way through their treatment. In light of this, the Informant carried out a record audit of the treatments provided by Mr Sharma and found evidence of "*gross neglect in note writing*". As a result, the Informant commissioned a full official review of Mr Sharma's records. A copy of the report dated 15 January 2023 relating to this review was provided to the GDC.
14. The report consisted of information of the reviewed dental records of 14 patients and identified consistent failures to record medical histories, take radiographs, and record periodontal condition across all Invisalign patients that were treated. The report also identified potential financial irregularities with patients having paid for treatment directly to Mr Sharma. The Informant stated that Mr Sharma was contacted about the concerns but had not responded to their emails.
15. The report further identified that Mr Sharma had acted inappropriately towards a patient in that he "harassed" her for a personal relationship. The report also opined that he had acted outside of his expertise in treating orthodontic cases and that he "*fell seriously below the standards expected of his peers*". A summary of the

concerns, identified within the report, in respect of each of the 14 patients was also provided.

16. At that initial hearing, the Committee noted that the inappropriate professional conduct matter (in relation to professional boundaries) was still being investigated and based on the information before it, it was not satisfied that there was sufficient information at that stage to impose an interim order to address this particular concern.
17. The conditions imposed on Mr Sharma's registration included the requirement to be supervised by a workplace supervisor, who must provide reports to the GDC every three months and at least 14 days prior to any review hearing.
18. The interim order was reviewed at a hearing on 29 September 2023, which took place on the papers in the absence of either party. The interim order of conditions was continued on the same statutory grounds.

## **Submissions**

19. In its written submissions, the GDC stated that there has been no material change in circumstances following the previous review hearing on 29 September 2023 that would necessitate an amendment to the current interim order of conditions. The GDC further stated that its investigation was ongoing and that an interim order of conditions remained necessary for the protection of the public and was otherwise in the public interest.
20. No written submissions were received from or on behalf of Mr Sharma.

## **Committee's Decision on Interim Order**

21. In comprehensively reviewing the order, the Committee had regard to all the documentary information provided to it. It also took account of the written submissions from the GDC and had regard to the GDC's *Guidance for the Interim Orders Committee (December 2023)*. The Committee heard and accepted the advice of the Legal Adviser.
22. The Committee noted that there has been no material change in circumstances since the previous review hearing to undermine the necessity for an interim order on Mr Sharma's registration. It considered that the concerns raised involved alleged multiple clinical failings in respect of a number of patients, in addition to serious probity matters. The Committee noted that there was cogent information received in support of these concerns with a clinical report on each of the patients affected. The Committee considered that there continued to be a risk of repetition of these concerns. Accordingly, the Committee determined that an interim order remained

necessary for the protection of the public and was otherwise in the public interest for the same reasons as set out at the initial and previous review hearings.

23. The Committee was satisfied that the current interim conditions remain workable, proportionate and sufficient to address the risks identified in this case. It received no information to suggest any change to the level of risk and therefore decided that it would not be appropriate or proportionate to vary the order or to change it to one of suspension. It noted that Mr Sharma appears to be complying with the conditions and they appear to be working well, with no further concerns identified by the workplace supervisor.
24. Accordingly, the Committee has determined to continue the interim order of conditions for the remainder of the term of the order.
25. The interim conditions as they will appear against Mr Sharma's name in the Register are as follows:
1. *He must notify the GDC within 7 days of any post he accepts for which GDC registration is required and the Commissioning Body on whose Dental Performers List he is included.*
  2. *He must provide contact details of his employer to the GDC within 7 days and allow the GDC to exchange information with his employer or any contracting body for which he provides dental services.*
  3. *He must inform the GDC within 7 days of any formal or informal disciplinary proceedings taken against him, from the date of this determination.*
  4. *He must inform the GDC within 7 days of any complaints made against him from the of date this determination.*
  5. *He must inform the GDC within 7 days from the date of application, if he applies for dental employment outside the UK.*
  6. *At any time he is employed or providing dental services, which require him to be registered with the GDC, he must agree to the appointment of a workplace supervisor nominated by himself and approved by the GDC. The level of supervision will be supervised\*, as defined at the end of these conditions. The workplace supervisor shall be a GDC registrant in the same category of the register as the registrant or higher.*
  7. *He must not start, or restart work, until his workplace supervisor has been approved by the GDC*

8. *He must allow the workplace supervisor to exchange information with the GDC.*
9. *He must allow his workplace supervisor to provide reports to the GDC every 3 months and at least 14 days prior to any review hearing. The workplace supervisor should provide information and/or feedback concerning the following:*
  - *Medical history;*
  - *Pre-assessment;*
  - *Basic periodontal examination;*
  - *Radiographic practice;*
  - *Risks and benefits;*
  - *Consent;*
  - *Treatment plans; and*
  - *Record keeping.*
10. *He shall maintain record keeping audits of the areas of concern listed in Condition 9.*
11. *The audits must be signed by his workplace supervisor. He must provide copies of these audits to the GDC every 3 months and at least 14 days prior to any review hearing.*
12. *He must allow the GDC to exchange information with his workplace supervisor.*
13. *He must not provide dental services work as a locum or out-of-hours.*
14. *He must not accept direct payments from patients where there is a third-party financial interest.*
15. *He must inform within 7 days the following parties that his registration is subject to the conditions and provide evidence of this to the GDC, listed at (1) to (14), above:*
  - a) *any organisation or person employing or contracting with him to undertake dental work;*
  - b) *any prospective employer (at the time of application); and*
  - c) *any Commissioning Body in whose Dental Performers List he is included or seeking inclusion (at the time of application).*
16. *He must permit the GDC to disclose the above conditions, (1) to (15), to any person requesting information about his registration status.*

**\*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 himself/herself 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 focussed on all areas of concern identified by the conditions.*

**Review of the Order**

26. Unless there has been a material change of circumstances, the Committee will review the interim order on the papers at an administrative meeting within the next six months. The Committee will be invited by the GDC to confirm the order and Mr Sharma will be asked whether he wishes to put any written submissions before the Committee. Mr Sharma will be notified of the outcome in writing following the decision of the Committee.
27. Alternatively, Mr Sharma is entitled to have the interim order reviewed at a hearing. This means that he will be able to attend and make representations, send a representative on his behalf or submit written representations about whether the order continues to be necessary. Mr Sharma must inform the GDC if he would like the interim order to be reviewed at a hearing. Even if Mr Sharma 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 Mr Sharma will be invited to attend.
28. That concludes this determination.