

ON PAPERS**Registration Appeals Committee
(CPD Appeal Hearing)****23 - 24 April 2025****Name:** CAMENSCHI, Mariana**Registration number:** 267636**Case number:** CAS-209471-L0X4G0

General Dental Council: Instructed by Harriet Goodhew, ILAS**Registrant:** Unrepresented

Outcome: Appeal dismissed

Committee members: Emily Knapp (Dentist) (Chair)
Alastair Cannon (Lay)
Caroline Ross (Dental Care Professional)**Legal adviser:** Claire Robinson**Committee Secretary:** Jenny Hazell

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 Miss Camenschi from the Register for non-compliance with the statutory Continuing Professional Development (CPD) requirements. This was in respect of her failure to provide an annual Continuing Professional Development statement in accordance with Rule 4 of the General Dental Council (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017 ('the CPD Rules').

2. The meeting was 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'). The meeting was conducted remotely via Microsoft Teams in line with current GDC practice.

Decision to conduct the appeal in the absence of Miss Camenschi and on the papers

3. Neither party was present at today's meeting. The Committee first considered whether to conduct the appeal in the absence of Miss Camenschi and on the papers. It accepted the advice of the Legal Adviser on this matter.

4. Notification of this appeal was sent to Miss Camenschi by Recorded Delivery and secure email on 20 February 2025 in accordance with Paragraph 5(2) of the Registration Appeal Rules. The Convening Notice stated that the appeal was being dealt with on the papers and that neither the Registrant nor the GDC representative need attend. The GDC followed this up by sending a letter dated 27 March 2025 to Miss Camenschi enclosing a bundle of documents and the case summary. The letter further advised Miss Camenschi that the appeal was being dealt with on the papers unless she submitted a request for an oral hearing. No such request was received. Miss Camenschi was invited to submit any further written submissions and/or CPD evidence from her 2023-2024 cycle no later than 15 April 2025. No response has been received by Miss Camenschi.

5. The Committee was satisfied that there had been service in accordance in the rules and that it was appropriate to consider today's appeal in the absence of the parties and on the papers.

Decision and reasons on the appeal

Background

6. 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.

7. The CPD Rules came into force on the 1 January 2018 and took effect in respect of dental care professionals on 1 August 2018.

8. 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.

9. Miss Camenschi first registered with the Council as a dental care professional, with the title of Dental Nurse, on 9 November 2016. Therefore her current CPD cycle began on 1 August 2022 and will end on 31 July 2027.

10. The GDC advises that it has three registered addresses on record for Miss Camenschi. Her preferred address is that contained in the GDC's factual summary. Where reference is made to Miss Camenschi's registered address, it is in relation to that address.
11. On 22 May 2024, the GDC sent an email reminder to Miss Camenschi's registered email address. The email notified Miss Camenschi that her CPD year was coming to an end and reminded her that she was required to submit her CPD statement by 28 August 2024. Miss Camenschi was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.
12. On 11 June 2024, the GDC sent Miss Camenschi an Annual Renewal Notice letter by post to her registered address. The Annual Renewal Notice reminded Miss Camenschi that her registration with the GDC was due for renewal, that she needed to pay her Annual Retention Fee (ARF) by 31 July 2024 and make her indemnity declaration by 31 July 2024 and make her CPD statement by 28 August 2024. The letter also advised Miss Camenschi that she would need to have completed at least 10 hours of CPD over the preceding two years.
13. On 12 June 2024 the GDC sent a further email to Miss Camenschi's registered email address. This reminder again notified Miss Camenschi that her CPD statement was due by 28 August 2024. Miss Camenschi was also advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.
14. On 4 July 2024, 19 July 2024 and 5 August 2024 the GDC sent further email reminders to Miss Camenschi's registered email address, notifying her that her CPD statement was due by 28 August 2024. It was noted that the Council was yet to receive her ARF and indemnity declaration.
15. Between 12 August 2024 and 28 August 2024, the GDC sent three text message reminders to Miss Camenschi's registered mobile number requesting that she submit her 2023-2024 CPD annual statement by 28 August 2024.
16. On 25 September 2024, the GDC sent Miss Camenschi a Rule 7 notice by recorded delivery to her registered address. The notice stated that Miss Camenschi had not submitted her CPD statement to the GDC. The notice further stated that if Miss Camenschi wished to retain her registration, she should submit her CPD statement to the Registrar by 23 October 2024 to demonstrate that she had met the requirement. Miss Camenschi was informed that if the GDC did not receive a response to the notice or if her response was unsatisfactory, she may be erased from the dental care professionals register.
17. On 27 September 2024, the GDC sent a copy of the notice under Rule 7 via email to Miss Camenschi's registered email address.
18. On 5 November 2024, the GDC sent a Rule 8 notice to Miss Camenschi's registered address by recorded delivery. This notice confirmed that Miss Camenschi had failed to provide a CPD statement for the period 1 August 2023 to 31 July 2024 by the required deadline. The notice also confirmed that the Registrar had decided to remove Miss Camenschi's name from the dental care professionals register for non-compliance with the Rules. Miss Camenschi was notified that unless an appeal was submitted, the Registrar's decision would take effect on 5 December 2024.
19. On 2 December 2024, Miss Camenschi submitted a Notice of Appeal (NOA) in which she confirmed that she was appealing against the Registrar's decision to remove her from the dental care professionals register. In her NOA, she stated that she was "a good nurse" but at the moment she was busy with family commitments. She explained that she understood that the CPD requirements were "very easy", but that she did not have time and that she would try to be "in time". She apologised for the situation and requested that her name not be erased from the register.

20. On 9 December 2024, Miss Camenschi's CPD evidence was assessed by a Registration Operations Officer. They deemed that Miss Camenschi remained non-compliant with her CPD requirements. This was on the basis that she failed to submit an annual CPD statement for the cycle year 2023-2024 by the required deadline dated 28 August 2024. She was issued with a Notice 7, in which to submit her CPD statement and again failed to provide an annual CPD statement by the deadline 23 October 2024. As of 9 December 2024, Miss Camenschi's CPD statement was still outstanding.

GDC submissions

21. The GDC's position is that Miss Camenschi is non-compliant with the CPD requirements because she failed to provide an annual CPD statement in accordance with Rule 4. She was reminded on numerous occasions of the need to submit her annual CPD statement, as set out above. As of 9 December 2024, Miss Camenschi had not submitted an annual CPD statement, which breaches the Rule 4 requirement that dental care professionals submit an annual CPD statement.

22. As set out above, there is no power to waive these provisions. It is open to Miss Camenschi to apply to restore her registration at any time following this appeal.

Committee's decision

23. The Committee had regard to the documentary evidence provided today and took account of the written submissions dated 26 March 2025 made on behalf of the GDC and those made by Miss Camenschi in her Notice of Appeal. It accepted the advice of the Legal Adviser. The Committee also had regard to the GDC's Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance (February 2024) which sets out the factors to be taken into account by the Registrar when considering whether to erase a registrant for failing to comply with their CPD requirements.

24. The Committee was satisfied that Miss Camenschi was required to provide an annual CPD statement in accordance with Rule 4. It noted that she was reminded on numerous occasions of the need to submit her annual CPD statement, as set above. The Committee is satisfied that Miss Camenschi had not complied with this requirement.

25. The Committee determined that it was Miss Camenschi's responsibility to be familiar with the CPD requirements. Having considered carefully Miss Camenschi's personal circumstances, the Committee did not consider these to amount to exceptional circumstances that would have prevented her from either completing her CPD requirements or submitting her annual CPD statement in the statutory time frame. Miss Camenschi has not submitted an annual CPD statement, which is in breach of Rule 4. The Committee is satisfied that Miss Camenschi was non-compliant with her CPD requirements.

26. The Committee was satisfied that the Registrar has complied with the 2017 Rules in dealing with Miss Camenschi's CPD requirements including the serving of the statutory notices on her.

27. The Committee has balanced the interests of Miss Camenschi against the wider public interest and the public expectation that registered dental professionals will meet their statutory CPD requirements in order to remain on the Register. The Committee was satisfied that the decision was proportionate, and this appeal therefore fails.

28. Accordingly, the appeal is dismissed. The Committee wishes to remind Miss Camenschi that it is open to her to apply for the restoration of her name to the Register upon submission of her CPD Annual Statement declaration.

29. This will be confirmed to Miss Camenschi in writing.
30. That concludes this determination.