

PART IN PRIVATE**Registration Appeals Committee
(CPD Appeal Hearing)****23 April 2025**

Name: KHANOM, Jaslima
Registration number: 300069
Case number: CAS-209360-Q4T5L7

General Dental Council: James Halliday, Counsel
Instructed by Sushuma Chandrasekhar, IHLPS

Registrant: Present
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

At this hearing the Committee made a determination that includes some private information. That information shall be omitted from this public version of this determination and the document marked to show where private material is removed.

1. This is an appeal hearing before the Registration Appeals Committee (RAC). The appeal is against the decision of the Registrar of the General Dental Council (GDC) to erase your name from the Register of Dental Care Professionals for non-compliance with the statutory Continuing Professional Development (CPD) requirements.
2. 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').
3. Miss Khanom you are present and representing yourself at this hearing. Mr Halliday, Counsel, appears on behalf of the GDC.
4. The hearing was conducted remotely via Microsoft Teams in line with current GDC practice.

Preliminary matter

5. At the outset Mr Halliday, on behalf of the GDC, made an application under Rule 14(1) of the Registration Appeals Rules 2006 that part of this appeal should be heard in private to protect your right to a private and family life. You indicated that you do not object to this course of action. The Committee accepted the advice of the Legal Adviser on this matter.
6. Given the nature of the matters on which you intend to rely, the Committee was satisfied that it was appropriate that the hearing be part-held in private. It therefore acceded to the GDC's application under Rule 14(1).

Background

7. 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.
8. The CPD Rules came into force on the 1 January 2018 and took effect in respect of dental care professionals on 1 August 2018.
9. 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.
10. Rule 2 sets out for each CPD cycle a Dental Care Professional (DCP) must complete the minimum number of hours of CPD. For a dental nurse, this is 50 hours of CPD, of which 10 hours of CPD must be completed during each period of two consecutive CPD years.

Summary

11. You first registered with the GDC as a DCP, with the title dental nurse, on 12 April 2022. Your current CPD cycle began on 1 August 2022 and runs until 31 July 2027. The GDC has one registered address on record for you and this is your preferred contact address
12. The Committee has been provided with a bundle of documents which sets out screen shots of your registered address and contact details as well as a table setting out a summary of the letters, text messages and email reminders that were sent to you about CPD and the timeline of these.
13. On 22 May 2024, the GDC sent an email to your registered email address, reminding you that your 2023-24 CPD year was coming to an end. The email stated that you were required to submit your CPD statement by 28 August 2024. This reminder explained the requirement of detailing the verifiable CPD hours for the current CPD year of 1 August 2023 to 31 July 2024 and also explained that you were required to complete at least 10 verifiable CPD hours over the last two CPD years. The email advised you that if you did not submit a compliant statement before the deadline, your registration may be put at risk.
14. On 11 June 2024, the GDC sent an Annual Renewal Notice letter to your registered address. The Annual Renewal Notice reminded you that your annual retention fee (ARF) with the GDC was due for renewal by 31 July 2024; it also reminded you that you were required to make your CPD statement by 28 August 2024. The Notice letter stated that you would need to ensure that you declared at least 10 hours of verifiable CPD for every two consecutive CPD years. The notice also advised you that if you were short of completed CPD hours, you should take the opportunity to be compliant by the deadline.
15. On 12 June 2024 the GDC sent an email to you in which you were reminded of the annual statement that you were required to make in respect of your CPD. You were informed that your CPD year was coming to an end and that you were required to submit your CPD statement by 28 August 2024. This reminder explained the requirement of detailing the verifiable CPD hours for the current CPD year of 1 August 2023 to 31 July 2024 and also explained the requirement to complete at least 10 verifiable CPD hours over the last two CPD years. You were advised that if you not submit a compliant statement before the deadline, your registration may be put at risk.
16. On 4 July 2024 the GDC sent you an email, reminding you that your ARF for 2024 was due on or before 31 July 2024. The GDC noted that its records showed that you had not paid your ARF or made your indemnity declaration. You had also not provided the GDC your annual CPD statement. The email stated that the annual CPD statement should include the number of verifiable CPD hours completed between 1 August 2023 and 31 July 2024, noting that there was a requirement to complete a minimum of 10 verifiable CPD hours during any two consecutive years. You were reminded that you needed to complete your CPD statement by 28 August 2024 as otherwise your registration may be put at risk.
17. On 19 July 2024 and 5 August 2024 the GDC sent you an email to your registered email address, reminding you that you were required to detail the verifiable CPD hours for the current CPD year of 1 August 2023 to 31 July 2024. The email reiterated that you were required to complete at least 10 verifiable CPD hours over the last two CPD years.
18. On 12 August 2024, 21 August 2024 and 28 August 2024 the GDC sent you SMS reminders regarding your CPD statement to your registered mobile number.

19. On 25 September 2024, the GDC sent you a notice under Rule 6 of the 2017 Rules to your registered address by recorded delivery on 25 September 2024. A copy of the notice was also sent via email to your registered email address.

20. The Rule 6 Notice stated that, although you had submitted a CPD statement to the GDC, you had not declared enough hours to meet the requirement to complete a minimum of 10 hours of verifiable CPD over two consecutive years. It was noted that you had submitted an annual CPD statement of 5 verifiable hours for the 2022-2023 CPD year and an annual CPD statement of 2 verifiable hours for the 2023-2024 CPD year. The notice stated that you needed to submit your CPD record to the GDC by 23 October 2024 to demonstrate that you had met the requirement. You were also advised to submit a personal development plan (PDP) and activity log. You were informed that if the GDC did not receive a response to the notice by 23 October 2024 or if your response was unsatisfactory, you may be erased from the dental care professionals register.

21. You sent an email to the GDC on 18 October 2024 in which you provided further certificates of CPD. In the email, you stated that you realised that you had 2 hours verifiable CPD outstanding apologised for not completing those hours and for your misunderstanding. You also stated that you had undertaken CPD and intended to do more CPD. **[IN PRIVATE]**

22. You provided a series of certificates relating to verifiable CPD undertaken in the period under consideration of 1 August 2022 to 31 July 2024.

23. On 5 November 2024, the GDC sent a Rule 8 erasure notice to your registered address by recorded delivery. The Royal Mail Track and Trace receipt confirmed receipt on 8 November 2024. On 6 November 2024, a copy of the notice was also sent to your email address

24. The Rule 8 erasure notice confirmed that you had failed to provide a compliant CPD record demonstrating that you had met the minimum requirement for the period 1 August 2022 to 31 July 2024 of completing at least 10 hours of verifiable CPD.

25. The letter set out that you had completed 2 hours of verifiable CPD between 1 August 2022 and 31 July 2023 and 6 hours of verifiable CPD between 1 August 2023 and 31 July 2024. Consequently, you were outstanding 2 hours of verifiable CPD. The letter further set out that you had not completed a PDP or an activity log. As a result, the Registrar decided to remove your name from the dental care professionals register for non-compliance with the Rules. You were notified that unless an appeal was submitted by 3 December 2024, the Registrar's decision would take effect on 5 December 2024.

26. On 28 November 2024 the GDC received a Notice of Appeal ("NOA") from you which confirmed that you wished to appeal against the decision to remove you from the dental care professionals register. **[IN PRIVATE]**

27. On 2 December 2024 your CPD evidence was assessed by a Registration Operations Officer. They deemed that your CPD was non-compliant with your CPD requirements on the basis that you had not completed at least 10 verifiable CPD hours for the period 1 August 2022 to 31 July 2024. You were outstanding 2 verifiable CPD hours for the period 1 August 2022 to 31 July 2024.

28. The Registrar's position is that you remain non-compliant with the CPD requirements because you have failed to provide a CPD record demonstrating that you have completed the minimum verifiable CPD requirement for the period 1 August 2022 to 31 July 2024, in accordance with Rule 2.

29. The GDC's position is that you were reminded on numerous occasions of the need to complete your CPD hours and of the requirement to complete at least 10 verifiable hours of CPD during the period 1 August 2022 to 31 July 2024.

30. As of 2 December 2024, you had completed 8 verifiable CPD hours between 1 August 2022 and 31 July 2024, which breaches the requirement that dental care professionals must submit evidence that they have completed a minimum of 10 verifiable CPD hours over that period. You are non-compliant as you are outstanding 2 verifiable CPD hours. As set out above, there is no power to waive these provisions.

31. In your NOA, you referred to the exceptional circumstances beyond your control which prevented you from fulfilling the required CPD. The Registrar referred to the Council's Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance, issued in February 2024 ("the Guidance"). The Registrar notes the factors that are not relevant to the Registrar's assessment at Rule 8 as they are outweighed by the public interest in upholding CPD requirements consistently across the profession. These include **[IN PRIVATE]**:

a. **[IN PRIVATE]**

b. **[IN PRIVATE]**

32. The Registrar further notes that registrants should be aware that if they are taking a period of absence from work and wish to maintain their registration, they are required to meet all the necessary CPD requirements.

33. Mr Halliday, on behalf of the GDC, submitted that it remains the Registrar's position that you are non-compliant with your CPD requirement. He invited the Committee to have regard to whether there are "exceptional circumstances" in this case which prevented CPD compliance during the period 1 August 2022 to 31 July 2024. **[IN PRIVATE]**. The GDC's position is that you have not provided adequate reasoned evidence and/or explanations of exceptional circumstances that prevented CPD compliance during that period.

34. You gave evidence to the Committee under affirmation in which you accepted that it was your fault for not completing your CPD during the relevant period. **[IN PRIVATE]**.

35. During the course of being cross-examined by Mr Halliday you conceded that the circumstances which you described in private were not exceptional and that they did not prevent you from continuing to work throughout most of the material times.

Committee's decision

36. The Committee had regard to the documentary and oral evidence provided today. This included the GDC's written case summary dated 22 December 2024 which set out the legal framework which covers these proceedings. The Committee also had regard to the GDC's Guidance (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.

37. The Committee considered carefully your oral evidence. It took account of the submissions made by both parties. It accepted the advice of the Legal Adviser. It has borne in mind that the onus is on you to persuade the Committee, on the balance of probabilities, that the Registrar's decision was wrong in law or involved a wrong exercise of discretion.

38. The Committee was in agreement with the Registrar (and it is not in dispute on appeal) that you were required to complete at least 10 hours of verifiable CPD during your two-year CPD cycle covering the period from 1 August 2022 until 31 July 2024. You are short of 1 hour and 40 minutes in a two-year period. The Committee was of the view that despite the circumstances you referred to, there was sufficient time for you to have completed this CPD prior to the deadline of 31 July 2024. It notes that the CPD scheme gave you the option of completing your CPD before you went on [PRIVATE] leave in August 2023 but you chose not to do so.

39. The Committee further noted that you were working for a substantial period of the time in question, during which time there was nothing preventing you from completing your CPD.

40. The Committee has taken full account of the personal circumstances you experienced. It noted the number of reminders that were sent by both email and text to you. The Committee considered that it was your responsibility to be familiar with the CPD requirements. Having carefully considered your personal circumstances, the Committee did not consider these to amount to exceptional circumstances that would have prevented you from completing your CPD requirements in the statutory time frame. As of today, you have completed eight hours 20 minutes of verifiable CPD in the requisite period. The Committee is satisfied that you are non-compliant with your CPD requirements.

41. The Committee was satisfied that the GDC has complied with the 2017 Rules in dealing with your CPD requirements including the serving of the statutory notices on you.

42. The Committee also balanced your own interests 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.

43. Accordingly, the appeal is dismissed. The Committee wishes to remind you that it is open to you to apply for the restoration of your name to the Register upon completion of the required number of CPD hours.

44. This will be confirmed to you in writing.

45. That concludes this determination.