

PUBLIC HEARING

Professional Conduct Committee Initial Hearing

7- 18 July 2025
17-19 December 2025

Name: BASTANI-BOSHEHRI, Sanaz (Registrant 1)

Registration number: 261949

Case number: CAS-206951-C1N3G2

General Dental Council: Mr David Patience, Counsel
Instructed by Instructed by Christopher Evans, ILPS

Registrant: Not present and unrepresented

Fitness to practise: Impaired by reason of misconduct

Outcome: Erased

Immediate order: Immediate suspension order

Committee members: Elizabeth Rantzen (Chair and lay member)
Jenna Crookes (DCP member)
Hemash Shah (Dentist member)

Legal adviser: Barry Searle

Committee Secretary: Jamie Barge

1. This is an initial hearing before the Professional Conduct Committee, pursuant to section 27B of the Dentists Act 1984 (as amended) ('the Act').
2. The hearing is being conducted remotely by Microsoft Teams video-link.
3. Ms Bastani-Boshehri [Registrant 1] is not present nor represented at these proceedings. Mr David Patience, Counsel, appears on behalf of the General Dental Council (GDC).
4. Ms Bastani-Boshehri's case was considered on a joint basis at this hearing with another registrant (Registrant 2). Registrant 2 attended the hearing and was represented by Mr Andrew Haycroft.

Charges

The charges being considered by the Committee are as follows:

"That being registered as a dental care professional:

1. On or around 14 October 2020, you instructed Registrant 2 at Practice A to remove used Personal Protective Equipment from a bin for reuse during patient appointments.
2. By reason of your actions in charge 1 above:
 - a. You failed to adhere to current laws and regulations in force at the time in respect of the disposal of clinical waste.
 - b. You put staff at Practice A and/or patients at risk of harm.
3. On an occasion other than in charge 1 above, you failed to undertake any, or any adequate, risk assessment and/or to identify, adequately or at all, the Personal Protective Equipment needed, before requiring staff members at Practice A to undertake decontamination duties by cleaning out the clinical waste bin.
4. By reason of your actions in charge 3 above, you put staff at Practice A and/or patients at risk of harm.
5. You failed to maintain appropriate standards of behaviour towards staff members at Practice A, including by:
 - a. Stating to Witness C "she is trouble when she works with you, beside I want her gone" or words to that effect in respect of a dental nurse.
 - b. Stating to Witness C in respect of a dental nurse, "she made complaints against me and I will force her to work on Saturday mornings and late evenings for the need of the business and as she does not have childcare she will be forced to leave or not accept the changes and work elsewhere", or words to that effect.
 - c. Talking to Witness D in an insulting and/or belittling and/or humiliating manner at the reception desk, in front of patients and/or other members of staff.
 - d. On one or more occasion, shouting at Witness E whilst she was on the phone.
 - e. Stating to Witness E "do not talk to [Witness D] or explain anything to her because she's stupid and doesn't understand it", or words to that effect.
 - f. In relation to Hygienist A:

- i. Stating to Witness E you “want rid of” her, or words to that effect.
 - ii. Instructing Witness E not to book in any patients for appointments with her and/or criticising Witness E for doing so.
 - g. In relation to a personal mug belonging to Witness E, you:
 - i. Intentionally and/or recklessly smashed the mug.
 - ii. Threw the mug into the bin without consulting Witness E.
 - iii. Informed other members of staff that Witness D had smashed the mug.
 - h. Shouting at and/or acting in an intimidating manner towards staff, during an inspection carried out by Witness H on 21 October 2020.
6. You failed to maintain appropriate standards of behaviour, on or around 14 October 2020, towards the staff of Agency A including by:
 - a. Screaming and/or shouting during a phone conversation with Witness G.
 - b. Saying to Witness G, in respect of another member of staff from Agency A:
 - i. That he ‘needs to keep his fucking mouth shut and mind his own fucking business’ or words to that effect.
 - ii. ‘Who the fucking hell does he think he is, if he isn’t happy then he can bloody well leave’ or words to that effect.
 - c. Saying to Witness G:
 - i. ‘How dare you tell me how to do my job, who do you think you are?’ or words to that effect.
 - ii. ‘They are all lying and making shit up’ or words to that effect
7. Your actions in relation to allegations 5a-h and 6a-c were:
 - a. Inappropriate; and/or
 - b. Unprofessional.
8. Your conduct at charge 5giii was:
 - a. Misleading.
 - b. Dishonest, in that you sought to cause others to believe that Witness D had smashed the mug when you knew that this had not been the case.

And, that by reason of the facts alleged, your fitness to practise is impaired by reason of misconduct.”

Preliminary Matters

5. The Committee first considered the issues of service and proceeding in the absence of Ms Bastani-Boshehri. In so doing, it had regard to the GDC’s hearing bundle as well as the submissions made by Mr Patience on behalf of the GDC. It accepted the advice of the Legal Adviser on these matters.

Decision on service

6. The Committee first considered whether Notice of Hearing had been served on Ms Bastani-Boshehri in accordance with Rules 13 and 65 of the GDC (Fitness to Practise) Rules Order of Council 2006 (‘the Rules’), and section 50A of the Act.

7. The Committee had regard to the Notice of Hearing ('the notice') dated 6 June 2025, which was sent to Ms Bastani-Boshehri's registered address by special delivery and first-class post. The Committee noted that the address shown on the notice is the same address as that shown on the printout of the GDC's record of Ms Bastani-Boshehri's contact details. The Committee also saw evidence that the notice was sent via special delivery to Ms Bastani-Boshehri's registered address, and that the envelopes were successfully delivered to this address, while noting that effective service does not require there to be proof of delivery. The Committee also noted that a copy of the notice was emailed to Ms Bastani-Boshehri's registered email address on 6 June 2025.
8. The Committee was satisfied that the notice sent to Ms Bastani-Boshehri complied with the 28-day notice period required by the Rules. It was further satisfied that the notice contained all the required particulars, including the date, time and duration of the hearing, and confirmation that it would be held remotely by Microsoft Teams, and that the Committee had the power to proceed with the hearing in the absence of Ms Bastani-Boshehri.
9. Accordingly, the Committee was satisfied that Notice of Hearing had been served on Ms Bastani-Boshehri in accordance with the Rules and the Act.

Decision on whether to proceed with the hearing in the absence of the registrant

10. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Ms Bastani-Boshehri. It had regard to 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 affirmed in the regulatory cases of *General Medical Council v Adeogba. [2016] EWCA Civ 162*. The Committee also took into account the need to be fair to both Ms Bastani-Boshehri and the GDC, as well as the public interest in the expeditious disposal of this case. The Committee accepted the advice of the Legal Adviser and noted that it should only proceed in the absence of the Registrant with the upmost care and caution.
11. The Committee bore in mind that the Notice of Hearing dated 6 June 2025 to Ms Bastani-Boshehri advised her that the Committee had the power to proceed in her absence. She was invited to inform the GDC by 23 June 2025 about her attendance. The Committee noted that in an email dated 21 February 2025 she confirmed that she would not attend the hearing today. Also, in an email to the GDC dated 4 June 2025, she again made it clear that she would not be attending the PCC hearing. The GDC also made attempts to contact her via telephone and email, but these were unsuccessful.
12. Having regard to all the information before it, the Committee was satisfied that Ms Bastani-Boshehri, in the knowledge of this hearing, has voluntarily absented herself from it. Ms Bastani-Boshehri has not applied for an adjournment, and in the Committee's judgement, there is no information to suggest that an adjournment would secure her attendance on a future date. Accordingly, the Committee decided that in the absence of any good reason not to proceed, it was fair and in the public interest to proceed with the hearing in the absence of Ms Bastani-Boshehri.
13. The Committee also notes that this is a joint hearing and Registrant 2 is keen for her hearing to be heard and concluded as soon as possible. The Committee considered in all the circumstances, that there would be an undue unfairness to Registrant 2 if the hearing were to be adjourned.

FINDINGS OF FACT – 18 July 2025

Background

14. Ms Bastani-Boshehri's case is being heard on a joint basis with Registrant 2.
15. Both registrants are registered dental nurses. At all relevant times they worked at the same dental practice with R1 being the Practice Manager and R2, her daughter, working as a trainee dental nurse. Their cases have separately been referred by the Case Examiners to the PCC. The charges against Ms Bastani-Boshehri broadly relate to alleged inappropriate and unprofessional behaviour and cross-infection control breaches. Furthermore, it is alleged that in respect of accusing Witness D of smashing a mug, the Registrant's conduct was both misleading and dishonest.

Evidence Received

16. By way of documentary evidence from the GDC, the Committee was provided with the following signed witness statements:
 - Witness A, dental receptionist and dental nurse, dated 12 November 2024;
 - Witness C, dentist, dated 20 December 2024;
 - Witness D, dental nurse, dated 22 November 2024;
 - Witness E, dental receptionist, dated 17 December 2024;
 - Witness G, director, KDA Recruitment, dated 18 July 2024;
 - Witness H, dental hygienist, dated 6 February 2024;
 - Witness K, BUPA regional operation Director, dated 3 December 2024;
 - Witness M, CQC National Enforcement Manager, dated 17 January 2025.
17. There were other witnesses to the events leading to the heads of charge, who were mentioned during the hearing, but they did not provide written statements or oral evidence. They were Witness B, receptionist, and Witness F, agency dental nurse. The Committee also received an expert report from Dr Nikolai Stankiewicz dated 6 January 2025.
18. The Committee also received Ms Bastani-Boshehri's observations to the Case Examiners dated 15 August 2023, an email dated 21 February 2025 summarising her position, and her completed standard directions response form for unrepresented registrants dated 2 June 2025. The Committee noted that Ms Bastani-Boshehri's written documents were not sworn evidence and there was no statement of truth attached. The Committee heard oral evidence from Witness C, Witness K, Witness D, Witness E, Witness G, Witness M, Witness A and Witness H. The Committee also heard evidence from the GDC expert witness Dr Nikolai Stankiewicz.
19. The Committee has considered all the evidence presented to it, both oral and documentary. It took account of the submissions made by Mr Patience on behalf of the GDC. The Committee heard and accepted the advice of the Legal Adviser. In accordance with that advice, it has considered each head of charge separately, bearing in mind that the burden of proof rests with the GDC and that the standard of proof is the civil standard, that is, whether the alleged matters are found proved on the balance of probabilities.

The Committee's Findings of Fact

20. The Committee's findings in relation to each head of charge are as follows:

1.	<p><i>On or around 14 October 2020, you instructed Registrant 2 at Practice A to remove used Personal Protective Equipment from a bin for reuse during patient appointments.</i></p> <p>Not proved.</p> <p>This charge relates to an occasion when the Practice had insufficient or no protective gowns available suitable for use during aerosol generating procedures (AGPs); Registrant 2 located one or two gowns for use by Witness C and possibly herself, which had allegedly been removed from the bin. It is common ground that there was a lack of gowns at the practice, and that Registrant 2 telephoned Ms Bastani-Boshehri when she became aware of the problem, Ms Bastani-Boshehri being absent at the time.</p> <p>In Ms Bastani-Boshehri's written observations to the GDC dated 15 April 2023, she "vehemently [denied] instructing anyone to reuse used PPE". The Committee has seen copies of a WhatsApp message sent to all staff at 9:05am from Ms Bastani-Boshehri to the effect that all AGPs must be cancelled until new gowns had arrived.</p> <p>Witness D stated in oral evidence that she had seen Witness F argue with Registrant 2 about the use of gowns. Witness D stated that Registrant 2 had removed used gowns from the bin in the decontamination room after having taken instructions from Ms Bastani-Boshehri. She stated that she could recognise the difference between new and worn gowns. This was supported by the written statement of Witness G, who reported what a member of her staff told her. However, that member of staff was not present at the hearing and had not provided a witness statement, so the Committee could put only limited weight on Witness G's evidence about what her staff member had said. There is no first-hand evidence of what was said during the phone call or of anybody witnessing gowns being removed from the bin. Witness D confirmed that she had not heard what was said during the telephone call.</p> <p>The Committee notes the evidence in support of this head of charge from Witness D, which is contemporaneous.</p> <p>The Committee notes the evidence that previously worn gowns were allegedly used, but there is an absence of evidence from anyone who personally observed or heard Ms Bastani-Boshehri instructing Registrant 2 to remove them from the bin.</p> <p>The Committee is not satisfied that the GDC has provided sufficient evidence to support this head of charge.</p> <p>The Committee therefore found this head of charge not proved.</p>
2.	<p><i>By reason of your actions in charge 1 above:</i></p>

2.(a).	<p><i>You failed to adhere to current laws and regulations in force at the time in respect of the disposal of clinical waste.</i></p> <p>Not proved – this head of charge falls away, the Committee having found head of charge 1 not proved.</p>
2(b).	<p><i>You put staff at Practice A and/or patients at risk of harm.</i></p> <p>Not proved – this head of charge falls away, the Committee having found head of charge 1 not proved.</p>
3.	<p><i>On an occasion other than in charge 1 above, you failed to undertake any, or any adequate, risk assessment and/or to identify, adequately or at all, the Personal Protective Equipment needed, before requiring staff members at Practice A to undertake decontamination duties by cleaning out the clinical waste bin.</i></p> <p>Proved.</p> <p>Witness E in written evidence describes an occasion after June 2020, when a member of the public had tipped rubbish into Practice A's clinical waste bin outside the practice, which did not have a working lock at that time. In particular she states;</p> <p><i>"[Ms Bastani-Boshehri] asked [Witness B] and I to clean out the clinical waste bin by removing the general rubbish that had been put in it. We were both wearing our reception uniforms when we cleaned the clinical waste bin out. [Witness B] and I used a shovel, which was kept down the side of the building, to take out rubbish that had been tipped into the clinical waste bin. We then put it in a clinical waste bag and then we placed that clinical waste bag back in the clinical waste bin. The shovel was one my mum had bought for the Practice. It is a metal shovel with a little handle, and we use it to clear the snow from the driveway at the Practice.</i></p> <p><i>When I came back into the Practice after completing the task, I had wet shoes from trying to clean the clinical waste bin. The clinical waste bins were big and yellow and they were the size of two standard "wheelie" outdoor bins and there were two clinical waste bins in total. There was liquid at the bottom of the clinical waste bin. I think the liquid in the clinical waste bin was water. I had to scrape out rubbish from the bottom of the clinical waste bin and put it in the clinical waste bag. I think [Witness B] and I had to lean into the bin or maybe turn the clinical waste bin on the side and put our arms in to assist us in scraping the rubbish out".</i></p> <p>In her written statement, Witness E added that the PPE which should have been provided included a disposable apron or coveralls, thick gloves (although she had told the GDC that she and her colleague were wearing gloves), eye protection and wellington boots or overshoes, but that she was scared of what would happen if she refused to comply. In her oral evidence, Witness E clearly still remembered the incident, despite the passage of time, and her answers to questions were consistent with her written statement. In particular, she recalled that it appeared that somebody from a care</p>

	<p>home had deposited items in the clinical waste bin, and that after completing the task, she had wet shoes, not having been provided with appropriate equipment or footwear. The Committee has drawn no specific inferences from witness demeanour. However, when Witness E was answering Committee questions, the Committee concluded from her evidence that she found the entire episode unpleasant, if not actually traumatic.</p> <p>Witness E was clear in her evidence that Ms Bastani-Boshehri had told her to clear the clinical waste bin.</p> <p>The Committee accepts the evidence of Witness E, which is unchallenged, and therefore found this head of charge proved.</p>
4.	<p><i>By reason of your actions in charge 3 above, you put staff at Practice A and/or patients at risk of harm.</i></p> <p>Proved.</p> <p>The Committee noted and accepted the oral evidence and written report of Dr Nikolai Stankiewicz dated 6 January 2025.</p> <p><i>“It was the employer’s responsibility to supply staff with suitable PPE. However, as the CQC registered manager, the Registrant shared the legal responsibility with the employer to assess “...the risk of, and preventing, detecting and controlling the spread of, infections, including those that are health care associated”. Employees have a duty while at work to take reasonable care for the health and safety of other persons who may be affected by their acts or omissions at work.</i></p> <p><i>“In my opinion, if the Registrant delegated the cleaning task to staff, the Registrant should have assessed the risk and identified what PPE would be required, which the employer would then be able to provide. Not doing so... had the potential to put staff at risk of harm”.</i></p> <p>The Committee is satisfied that having failed to conduct a risk assessment, this placed staff at Practice A and/or patients at risk of harm. It therefore found this head of charge proved.</p>
5.	<p><i>You failed to maintain appropriate standards of behaviour towards staff members at Practice A, including by:</i></p>
5.(a)	<p><i>Stating to Witness C “she is trouble when she works with you, beside I want her gone” or words to that effect in respect of a dental nurse.</i></p> <p>Proved.</p> <p>The Committee saw Witness C’s email of 28 October 2020 to senior staff at BUPA, sent shortly after this incident, where he stated “recently when I asked Sanaz if this nurse was coming back after her maternity leave and if she will be working with me, she told me “that she is not your nurse, she is BUPAs. If she does come back, she will not be working with you”. I questioned Sanaz as to why...and her</p>

	<p><i>response was “she is trouble when she works with you, beside I want her gone”.</i>”</p> <p>Witness C in his oral evidence could not expand on this, but he maintained the emails he wrote shortly afterwards were accurate.</p> <p>The Committee accepted the evidence of Witness C. It found that this evidence was unchallenged and that Ms Bastani-Boshehri used the words alleged and therefore failed to maintain appropriate standards of behaviour in saying these words to Witness C.</p>
5.(b)	<p><i>Stating to Witness C in respect of a dental nurse, “she made complaints against me and I will force her to work on Saturday mornings and late evenings for the need of the business and as she does not have childcare she will be forced to leave or not accept the changes and work elsewhere”, or words to that effect.</i></p> <p>Proved.</p> <p>Witness C added in his witness statement that a number of staff had raised grievances against Ms Bastani-Boshehri, which had been investigated by way of interviews; this supports his assertion that Ms Bastani-Boshehri said that the staff member had made complaints. In oral evidence Witness C had no specific memory of the incident, but emphasised that his emails had been written very soon after the events to which they referred. The Committee therefore found it more likely than not that Ms Bastani-Boshehri did use the words alleged, and thus failed to maintain appropriate standards of behaviour.</p>
5.(c)	<p><i>Talking to Witness D in an insulting and/or belittling and/or humiliating manner at the reception desk, in front of patients and/or other members of staff.</i></p> <p>Proved.</p> <p>Witness D stated in her written statement how Ms Bastani-Boshehri used to speak to her in an insulting and humiliating way at the reception desk, when Witness D brought a patient there after an appointment. This occurred in front of other members of staff.</p> <p>In her witness statement, Witness D explains <i>“I would bring a patient to reception... Sanaz would speak to me like I was stupid... humiliate me and... focus on my mistakes and weak points.”</i> The Committee notes Witness D’s email of 29 October 2020, which describes <i>“Behaving badly, in an insulting and humiliating manner towards my nursing responsibilities. Comments made in front of patients to other members of staff at the desk”</i>.</p> <p>The Committee had heard from Witness D that she initially had a positive relationship with Ms Bastani-Boshehri who had agreed to pay her course fees.</p> <p>Witness E agreed in her witness statement that <i>“Patients would even comment on how rudely Ms Bastani-Boshehri spoke with me and</i></p>

	<p><i>the reception staff because [she] would shout at us like we did not know how to do our job” although she generally could not remember specific observations.</i></p> <p>The Committee accepted the evidence of Witness D and E, which is unchallenged, and found that it is more likely than not that Ms Bastani-Boshehri had talked to Witness D in an insulting and/or humiliating manner at the reception desk, in front of patients and/or other members of staff.</p> <p>The Committee found that Ms Bastani-Boshehri failed to maintain appropriate standards of behaviour in respect of this head of charge.</p>
5.(d)	<p><i>On one or more occasion, shouting at Witness E whilst she was on the phone.</i></p> <p>Proved.</p> <p>Witness E stated in her written statement that Ms Bastani-Boshehri had shouted at her whilst she was on the phone. In her email to senior staff at Bupa soon after the event, Witness E stated "<i>On reception I had far too many occasions where I had been talking to patients on the phone and had [Ms Bastani-Boshehri] shouting from her office at me when she cannot hear the conversation, telling me what I should be saying. This has been witnessed by patients and other members of staff who have commented on how rude she speaks to us on reception...</i>"</p> <p>The Committee accepted the evidence of Witness E, which is unchallenged. It is satisfied that Ms Bastani-Boshehri shouted at Witness E on more than one occasion, while she was on the telephone. The Committee is satisfied that Ms Bastani-Boshehri failed to maintain appropriate standards of behaviour in respect of this head of charge.</p> <p>It therefore found this head of charge proved.</p>
5.(e)	<p><i>Stating to Witness E “do not talk to [Witness D] or explain anything to her because she’s stupid and doesn’t understand it”, or words to that effect.</i></p> <p>Proved.</p> <p>Witness D stated in oral evidence that she did not observe this herself but understood that Ms Bastani-Boshehri and Witness E had a conversation in the reception area. Witness D also stated that Witness E had later told Witness D that this was said by Ms Bastani-Boshehri.</p> <p>Witness D stated in oral evidence that as with the incidents at head of charge 5(c), Ms Bastani-Boshehri was insulting and belittling towards her and used to speak to her in an insulting and humiliating way at the reception desk.</p>

	<p>Witness E in her written statement stated “<i>On a date I cannot remember, [Ms Bastani-Boshehri] shouted at [Witness D] and told me and [Witness B] not to talk to [Witness D]... I cannot recall why, but [Ms Bastani-Boshehri] said [Witness D] ‘is stupid doesn’t understand’ or words to that effect. [Ms Bastani-Boshehri] and [Witness D] used to be friendly because they were both Iranian. However, I do not know what happened, [Ms Bastani-Boshehri] and [Witness D] became hostile and stopped getting along. I do not know why or when this happened.</i>”</p> <p>Witness E in her email to senior staff at BUPA stated “<i>[Ms Bastani-Boshehri] also made nasty comments about other staff members very loudly to me on reception, in front of patients. A couple of weeks ago [Ms Bastani-Boshehri] shouted at [Witness D] and then came to reception and told me and [Witness B] not to talk to [Witness D] or discuss anything with her because she “is stupid doesn’t understand”.</i>”</p> <p>The Committee found Witness D and Witness E’s accounts in respect of this allegation to be consistent and credible, noting that the incident was reported to BUPA by email soon after the event, and that this evidence is unchallenged. The Committee was satisfied on the balance of probabilities that Ms Bastani-Boshehri had stated to Witness E “<i>do not talk to [Witness D] or explain anything to her because she’s stupid and doesn’t understand it</i>”. The Committee found that Ms Bastani-Boshehri failed to maintain appropriate standards of behaviour.</p> <p>It therefore found this head of charge proved.</p>
<p>5.(f) 5.(f)(i)</p>	<p><i>In relation to Hygienist A:</i></p> <p><i>Stating to Witness E you “want rid of” her, or words to that effect.</i></p> <p>Proved.</p> <p>Witness E’s email dated 6 December 2020 to her employers stated “<i>[Ms Bastani-Boshehri] has told me and [Witness B] that she “wants rid” of [Hygienist A] who is a hygiene therapist that has been here for over 2 years, and has told us we are not allowed to book any patients in with her anymore ...</i>”</p> <p>The Committee found Witness E’s account in respect of this allegation to be credible and unchallenged. It was satisfied on the balance of probabilities that Ms Bastani-Boshehri had said these words to Witness E.</p> <p>It therefore found this head of charge proved.</p>
<p>5.(f)(ii)</p>	<p><i>Instructing Witness E not to book in any patients for appointments with her and/or criticising Witness E for doing so.</i></p> <p>Proved for the same reasons as in 5(f)(i).</p>

	<p>Witness E's email dated 6 December 2020 to her employers stated "<i>If we ever did book appointments for [Hygienist A] [Ms Bastani-Boshehri] would see who it was and make them call the patient to change it, and then shout at us for doing so...</i>"</p> <p>The Committee found Witness E's account in respect of this allegation to be credible and unchallenged. It was satisfied on the balance of probabilities that Ms Bastani-Boshehri had said these words to Witness E.</p> <p>It therefore found this head of charge proved.</p>
<p>5.(g) 5.(g)(i)</p>	<p><i>In relation to a personal mug belonging to Witness E, you:</i> <i>Intentionally and/or recklessly smashed the mug.</i> Proved.</p> <p>Witness D in her written statement states "... <i>In spring or summer 2020 I went to the staff room as I did not have a patient. [Ms Bastani-Boshehri] said that she was fed up with the cups and mugs in the staff room and she wanted to tidy up. I helped [Ms Bastani-Boshehri] and tried to get everything from the back of the cabinet and put it on top of the surface for [Ms Bastani-Boshehri] to sort. When I was cleaning the bottom of the cabinet, [Ms Bastani-Boshehri] laughed at me and said that she smashed [Witness E's] mug. It was [Witness E's] mug that had her family pictures on it. I heard her smash the mug and I saw the smashed mug.</i></p> <p><i>When I faced [Ms Bastani-Boshehri] I could tell it was deliberate by her expression and [Witness B] heard the smashing. [Witness B] came into the staff room from reception and asked what the smashing noise was. [Ms Bastani-Boshehri] said that I smashed the mug to everyone. She said that I dropped it and that it did not matter and "what's broken is broken". I said that I did not and that she had smashed it. I let [Witness E] know that I did not smash the mug and [Witness E] said "I know you don't have to worry about it" [Ms Bastani-Boshehri] never liked [Witness E] ..."</i></p> <p>The Committee considered that the evidence presented to was consistent and unchallenged and was sufficient to demonstrate that Ms Bastani-Boshehri had intentionally smashed the mug, having been observed laughing after the incident.</p> <p>It therefore found this head of charge proved.</p>
<p>5.(g)(ii)</p>	<p><i>Threw the mug into the bin without consulting Witness E.</i> Proved.</p> <p>For same reasons as above.</p> <p>Witness E states in her email dated 6 November 2020 to senior staff at Bupa..."<i>I was told by [Witness D that [Ms Bastani-Boshehri] had chucked [all our personal belongings] all away...[We] found them all</i></p>

	<p><i>in a bin bag...one was my cup with my husband and children's picture on"</i></p>
<p>5.(g)(iii)</p>	<p><i>Informed other members of staff that Witness D had smashed the mug.</i></p> <p>Proved.</p> <p>For same reasons as above.</p> <p>Witness E states in her email dated 6 November 2020 to senior staff at Bupa..." <i>[Witness B] came into the staff room from reception and asked what the smashing noise was. [Ms Bastani-Boshehri] said that I smashed the mug to everyone. She said that I dropped it and that it did not matter and "what's broken is broken". I said that I did not and that she had smashed it.</i></p>
<p>5.(h)</p>	<p><i>Shouting at and/or acting in an intimidating manner towards staff, during an inspection carried out by Witness H on 21 October 2020.</i></p> <p>Proved.</p> <p>Witness H carried out an inspection of Practice A for BUPA on 21 October 2020. Before that date, Practice A was completely unfamiliar to her and she had not been given any detail about the concerns raised with BUPA. In her written statement she stated..." <i>The Practice staff disclosed some things to me and I also witnessed discussions between the Registrant and the staff during my inspection, which appeared to me as quite aggressive and putting the blame on the staff for example in regards to when I was inspecting the staff putting on and taking off PPE. The Registrant would say 'Why are you doing this? You shouldn't be doing that,' or 'You know this, I told you this' which is quite intimidating if the staff happened to stumble on their answers or weren't sure about anything."</i></p> <p>Witness H further describes in her statement: "...<i>When I was inspecting the Practice and pointed out that there were too many people in waiting room the Registrant screamed and shouted at the staff 'What are you doing!?' The Registrant also wanted to follow me everywhere during the inspection. I told her that I needed to speak to staff individually. I could see in their faces that the staff looked intimidated and didn't want to speak out..."</i></p> <p>Witness H amplified this in oral evidence, describing staff members in clear distress and tears, making sure that nobody was behind the door when they were talking to her.</p> <p>The Committee accepted the evidence of Witness H, who was a neutral party, and noted her evidence was unchallenged. The Committee was satisfied that Ms Bastani-Boshehri had shouted at and/or acted in an intimidating manner towards staff, during an inspection carried out by Witness H on 21 October 2020. It also found that this was clearly not an appropriate standard of behaviour.</p>

	It therefore found this head of charge proved.
6.	<i>You failed to maintain appropriate standards of behaviour, on or around 14 October 2020, towards the staff of Agency A including by:</i>
6.(a)	<p><i>Screaming and/or shouting during a phone conversation with Witness G.</i></p> <p>Proved.</p> <p>In her written statement, Witness G wrote to BUPA describing Ms Bastani-Boshehri's response when Witness G reported a staff member's concerns about lack of PPE.</p> <p>Her email said "<i>With this I then called [SBB] who felt it was in her right to scream at me down the phone [Charge 6(a)] telling me that [Witness F] needs to keep his effing mouth shut and mind his own effing business...</i>" [Charge 6(b)(i)] "<i>... who the effing hell does he think he is, if he isn't happy then he can bloody well leave</i>" [Charge 6(b)(ii)]. "<i>I asked [SBB] to stop swearing and shouting at me as I am trying to sort this out, we need to act in a professional manner and she replied "how dare you tell me how to do my job, who do you think you are"</i>" [Charge 6(c)(i)]... "<i>they are all lying and making up shit</i>"[Charge 6(c)(ii)].</p> <p>There is no suggestion from any other witness that this account is inaccurate, and Witness G attended the hearing to confirm that her statement was true.</p> <p>The Committee was satisfied the telephone conversation occurred as described by Witness G, and noted that this evidence was unchallenged. The Committee was therefore satisfied that Ms Bastani-Boshehri failed to maintain appropriate standards of behaviour, on or around 14 October 2020, towards the staff of Agency A, by screaming and shouting at her.</p> <p>It therefore found this head of charge proved.</p>
6.(b)	<i>Saying to Witness G, in respect of another member of staff from Agency A:</i>
6.(b)(i)	<p><i>That he 'needs to keep his fucking mouth shut and mind his own fucking business' or words to that effect.</i></p> <p>Proved.</p> <p>The Committee is satisfied that these words, or words to this effect were used during the telephone conversation recorded above.</p> <p>It therefore found this head of charge proved.</p>
6.(b)(ii)	<p><i>'Who the fucking hell does he think he is, if he isn't happy then he can bloody well leave' or words to that effect.</i></p> <p>Proved.</p>

	<p>The Committee is satisfied that these words, or words to this effect were used during the telephone conversation recorded above.</p> <p>It therefore found this head of charge proved.</p>
6.(c)	<p><i>Saying to Witness G:</i></p>
6 (c)(i)	<p><i>'How dare you tell me how to do my job, who do you think you are?' or words to that effect.</i></p> <p>Proved.</p> <p>The Committee is satisfied that these words, or words to this effect were used during the telephone conversation recorded above.</p> <p>It therefore found this head of charge proved.</p>
6 (c) (ii)	<p><i>'They are all lying and making shit up' or words to that effect</i></p> <p>Proved.</p> <p>The Committee is satisfied that these words, or words to this effect were used during the telephone conversation recorded above.</p> <p>It therefore found this head of charge proved.</p>
7.	<p><i>Your actions in relation to allegations 5a-h and 6a-c were:</i></p>
7.(a)	<p><i>Inappropriate and/or:</i></p> <p>Proved.</p> <p>The conduct found proved in Heads of Charge 5 and 6, in the Committee's opinion, is completely inappropriate in the workplace (Charge 5) or in dealing with people generally (Charge 6) and therefore this charge is found proved.</p> <p>The Committee therefore found this head of charge proved.</p>
7.(b)	<p><i>Unprofessional.</i></p> <p>Proved.</p> <p>The conduct found proved in Heads of Charge 5 and 6, in the Committee's opinion, has no place in any professional setting, and certainly no place in the dental profession where conduct should be courteous, respectful and businesslike.</p> <p>The Committee therefore found this head of charge proved.</p>
8.	<p><i>Your conduct at charge 5giii was:</i></p>
8.(a)	<p><i>Misleading;</i></p>

	<p>Proved.</p> <p>The Committee found that Ms Bastani-Boshehri told others that it was Witness D who smashed the mug, when Ms Bastani-Boshehri would have known that she did so herself, and this was plainly intended to mislead them into thinking that it was Witness D who had actually smashed the mug. This was supported by the written and oral evidence of Witness E, which was unchallenged.</p> <p>The Committee therefore found this head of charge proved.</p>
8.(b)	<p><i>Dishonest, in that you sought to cause others to believe that Witness D had smashed the mug when you knew that this had not been the case.</i></p> <p>Proved.</p> <p>The Committee applied the test for dishonesty as set out in <i>Ivey v Genting Casinos (UK) Ltd (t/a Crockfords)</i> [2017] UKSC 67, and described in some detail in the Legal Adviser’s written advice, namely: (i) what was Ms Bastani-Boshehri’s actual state of knowledge or belief as to the facts; and (ii) was the conduct dishonest by the standards of ordinary decent people.</p> <p>The Committee reminded itself that an allegation of dishonesty is one of the most serious that a dental professional can face, and that the burden of proof rests entirely on the GDC.</p> <p>The Committee first of all considered the actual state of Ms Bastani-Boshehri’s knowledge or belief as to the facts. The Committee found that she was fully aware that she had deliberately smashed Witness E’s mug and sought to place the blame on a colleague. The Committee noted that Ms Bastani-Boshehri had been observed laughing about the incident, and had disclosed that she had smashed Witness E’s mug to Witness D soon afterwards.</p> <p>The Committee is satisfied that Ms Bastani-Boshehri’s conduct was clearly dishonest. The Committee is satisfied that such conduct would clearly be regarded as dishonest by the standards of ordinary decent people.</p> <p>It therefore found this head of charge proved.</p>

Stage two

21. Having announced its decision on the facts, in accordance with Rule 20 of the Rules, the Committee heard submissions from Mr Patience in relation to the matters of misconduct, impairment and sanction. The Committee accepted the advice of the Legal Adviser.
22. The Committee reminded itself that its decisions on misconduct, impairment and sanction are matters for its own independent judgement. There is no burden or standard of proof at this stage of the proceedings. It had regard to its duty to protect

the public, declare and uphold proper standards of conduct and competence and maintain public confidence in the profession. Where applicable, the Committee took into consideration the GDC's Standards for the Dental Team (September 2013) ('the Standards') and the Guidance for the Practice Committees, including Indicative Sanctions Guidance, (October 2016, revised December 2020) ('the Guidance'). The Committee also had regard to relevant case law.

23. Mr Patience first addressed the Committee on the matter of misconduct. He referred to relevant case law and submitted that the conduct found proved amounts to a serious case of misconduct. He submitted that in respect of heads of charge 3 and 4, whilst these charges relate to a single incident, they involved conduct which is particularly serious and which put the other staff members involved at high risk of serious harm. Mr Patience submitted the relevant regulations require the segregation of hazardous clinical waste for good reasons, which include the higher risk of harm such waste poses. Therefore, putting staff members at risk of harm is a serious departure from the standards to be expected.
24. Mr Patience submitted that in respect of heads of charge 5 to 8, in finding these charges proved, the Committee has found that whilst undertaking the role of practice manager, Ms Bastani-Boshehri engaged in multiple incidents of failing to demonstrate appropriate standards of behaviour towards colleagues, both those working at the practice and someone who worked for a staffing agency that the practice used regularly. He submitted this included incidents of shouting at them, belittling and humiliating one in front of others and making it plain that she was trying to hound other staff members out of the practice for making complaints about her. They also included an incident of Ms Bastani-Boshehri smashing a colleague's mug deliberately and then seeking dishonestly to pin the blame on another member of staff. Mr Patience submitted that from the facts found proved, it cannot therefore be said that this conduct related to an isolated incident.
25. Mr Patience referred the Committee to the GDC's Standards, submitted that Ms Bastani-Boshehri had breached a number of standards. He submitted that Ms Bastani-Boshehri's treating colleagues in this way would be considered by fellow practitioners to be deplorable. He submitted that the heads of charge found proved cumulatively are serious enough to amount to a course of conduct which justifies a finding of misconduct.
26. In relation to the matter of impairment, Mr Patience submitted that Ms Bastani-Boshehri's misconduct cannot easily be remedied, and, in any event, Ms Bastani-Boshehri has not provided any reflective statement to this Committee to provide her account of these matters. Nor has she provided any evidence of insight or remediation. He further submitted that Ms Bastani-Boshehri has not demonstrated she understands precisely why and to what extent her actions have fallen far below the standards expected of a reasonably competent dental professional. Mr Patience submitted that there remains a risk of repetition. Furthermore, Mr Patience submitted that the matters which have been found proved in this case are suggestive of an underlying attitudinal problem which is likely to be very difficult to remediate.
27. Mr Patience submitted that a finding of impairment is required both to protect the public and to declare and uphold proper professional standards and to maintain public confidence in the profession.

28. Lastly, Mr Patience addressed the Committee on the matter of sanction. He submitted that owing to the seriousness of the concerns found proved, and the absence of any evidence of any remediation or insight, there appear to be harmful deep-seated personality or professional attitudinal problems, and therefore the only appropriate and proportionate sanction is one of erasure.

Decision and reasons on misconduct

29. The Committee first considered whether the facts that it has found proved constitute misconduct. In considering this and all other matters, the Committee has exercised its own independent judgement.

30. In its deliberations the Committee has had regard to the following paragraphs of the GDC's *Standards for the Dental Team* (September 2013) in place at the time of the incidents giving rise to the facts that the Committee has found proved. These paragraphs state that as a dental professional;

1.3 Be honest and act with integrity.

1.3.1 You must justify the trust that patients, the public and your colleagues place in you by always acting honestly and fairly in your dealings with them. This applies to any Business or education activities in which you are involved as well as to your professional dealings.

6.1 Work effectively with your colleagues and contribute to good teamwork.

6.1.2 You must treat colleagues fairly and with respect, in all situations and all forms of interaction and communication. You must not bully, harass, or unfairly discriminate against them.

6.1.4 You must value and respect the contribution of all team members.

6.5 Communicate clearly and effectively with other team members and colleagues in the interests of patients.

6.6 Demonstrate effective management and leadership skills if you manage a team.

31. The Committee noted that the clinical failings found proved, whilst relating to a single incident, placed dental colleagues at risk of serious harm. The Committee notes that Ms Bastani-Boshehri failed to adhere to laws and regulations in force at the time in respect of the disposal of clinical waste, therefore putting staff members at risk of harm. The Committee considers this to be a serious departure from the standards expected.

32. The Committee also considered the heads of charge in relation to multiple incidents of failing to demonstrate appropriate standards of behaviour towards colleagues, both employed at the practice or agency staff. This included shouting at them, and belittling and humiliating one in front of other colleagues. They also included an incident of Ms Bastani-Boshehri smashing a colleague's mug deliberately and then seeking dishonestly to blame another member of staff.

33. The Committee has taken account of the evidence of the GDC's expert witness who is a specialist in infection control as well as other aspects of the proper running of a practice. The Committee accepts his opinion that Ms Bastani-Boshehri's conduct was far below the standards expected of a dental professional in respect of the heads of charge found proved regarding infection control.
34. The Committee considers that Ms Bastani-Boshehri's dishonest conduct is extremely serious as it has potential public safety implications and also the potential to undermine public confidence in the profession as a whole.
35. Furthermore, the management failings all had the potential to place patients at serious risk of harm. In the Committee's judgement those failings similarly constitute misconduct.
36. The Committee is satisfied that taken together that the facts found proved demonstrate a pattern of serious misconduct and behaviour. Ms Bastani-Boshehri's conduct posed a real risk to patient and staff safety and breached fundamental principles of conduct. In addition, the Committee finds that Ms Bastani-Boshehri's acts and omissions represent a serious and sustained departure from professional standards. Her misleading and dishonest conduct fell far short of the standards reasonably to be expected of a registered dental professional, and would be viewed as particularly grave by her fellow practitioners.
37. The Committee concluded that Ms Bastani-Boshehri's actions fell far below the expectations of a registered dental professional and amounted to serious professional misconduct.

Decision and reasons on impairment

38. The Committee next considered whether Ms Bastani-Boshehri's fitness to practise is currently impaired by reason of the misconduct that it has found. In doing so, the Committee again exercised its own independent judgement.
39. Throughout its deliberations, the Committee has borne in mind that its overarching objective is to protect the public, which includes the protection of patients and the wider public, the maintenance of public confidence in the profession and in the regulatory process, and the declaring and upholding of proper standards of conduct and behaviour.
40. The Committee considers that the findings that it has made in relation to Ms Bastani-Boshehri's clinical misconduct is, in theory, capable of being remedied. Those findings relate to specific and identifiable aspects of her clinical practice. The Committee considers, however, that the misconduct that it has found in relation to Ms Bastani-Boshehri's misleading and dishonest conduct is likely to be considerably more difficult to remediate than her management failings, as it might be suggestive of an attitudinal or behavioural failing.
41. The Committee has been provided with very little, if any, evidence to suggest that she has developed any meaningful insight into her misconduct, or that she has taken steps to remedy her failings. The Committee has not drawn any inference

from Ms Bastani-Boshehri's absence at this hearing. At the same time, Ms Bastani-Boshehri's lack of participation means that the Committee has not been provided with any meaningful evidence from her as to her reflections upon and remedying of the serious misconduct that has been found. For instance, the Committee has not been provided with any reflection or expression of remorse, or any information setting out any learning that she has undertaken, or intends to undertake, to address and overcome the misconduct that the Committee has found.

42. Ms Bastani-Boshehri's dishonest conduct, in particular, is highly damaging to her fitness to practise, relating as it does to a serious and sustained departure from a fundamental professional requirement to be honest and act with integrity. The Committee considers that the public included members of staff who are at unwarranted risk of significant harm on account of Ms Bastani-Boshehri's unremediated misconduct. Although the Committee notes that Ms Bastani-Boshehri has no fitness to practise history, in assessing the risk of her repeating her misconduct, it is not satisfied that the conduct is highly unlikely to reoccur. Such a repetition would in the Committee's judgement place patients and colleagues at the risk of harm.
43. The Committee therefore finds that Ms Bastani-Boshehri's fitness to practise is currently impaired in respect of public protection.
44. The Committee considers that a finding of impairment is also required to maintain public confidence in the profession and to declare and uphold proper professional standards of conduct and behaviour. In the Committee's judgement the public's trust and confidence in the profession, and in the regulatory process, would be significantly undermined if a finding of impairment was not made given the particularly serious nature of Ms Bastani-Boshehri's misconduct. Ms Bastani-Boshehri's actions were liable to have brought the reputation of the profession into disrepute, and relate to a breach of a fundamental tenet of the profession, namely the inherent requirement to act with honesty and integrity.
45. Accordingly, the Committee finds that Ms Bastani-Boshehri's fitness to practise is currently impaired by reason of her misconduct in respect of the public interest.

Decision and reasons on sanction

40. The Committee next considered what sanction, if any, to impose on Ms Bastani-Boshehri's registration. It recognised that the purpose of a sanction is not to be punitive, although it may have that effect. The Committee applied the principle of proportionality, balancing Ms Bastani-Boshehri's interests with the public interest. It also took into account the Guidance.
41. The Committee considered the mitigating and aggravating factors in this case as outlined in paragraphs 5.17 and 5.18 of the Guidance.
42. The mitigating factors in this case include:
 - Ms Bastani-Boshehri has no previous fitness to practise findings.
43. The aggravating factors in this case include:
 - Potential risk of harm;

- Dishonesty
 - Premeditated misconduct;
 - Misconduct sustained or repeated over a period of time;
 - Blatant or wilful disregard of the role of the GDC and the systems regulating the profession;
 - Breach of trust;
 - Attempts to cover up wrongdoing; and
 - Lack of insight.
44. The Committee decided that it would be inappropriate to conclude this case with no further action. It would not satisfy the public interest, given the serious nature of the misconduct.
45. The Committee then considered the available sanctions in ascending order starting with the least serious.
46. The Committee concluded that misconduct of this nature cannot be adequately addressed by way of a reprimand, in the absence of any evidence that the Registrant has reflected on or sought to address her failings. It cannot be said to be at the lower end of the spectrum of seriousness. The public interest would not be upheld by the imposition of such a sanction. The Committee therefore determined that a reprimand would be inappropriate and inadequate.
47. The Committee then considered whether a conditions of practice order would be appropriate. It was not satisfied that workable conditions could be formulated that would address the attitudinal concerns inherent to Ms Bastani-Boshehri's misconduct. Furthermore, given Ms Bastani-Boshehri's total lack of engagement with these proceedings, the Committee was not satisfied that any conditions would be complied with. It determined that conditions of practice would neither be sufficient nor appropriate to address the seriousness of Ms Bastani-Boshehri's misconduct, protect the public, or uphold the wider public interest.
48. The Committee next considered whether to suspend Ms Bastani-Boshehri's registration for a specified period. It questioned whether a suspension would be proportionate in all the circumstances of the misconduct it has found. In reaching its decision, the Committee considered that Ms Bastani-Boshehri has provided no evidence of remediation or shown any insight into these serious matters. Furthermore, her inappropriate behaviour towards staff and her dishonest conduct indicate a harmful deep-seated personality or professional attitudinal problems. Ms Bastani-Boshehri has decided not to participate in these proceedings. The Committee was not satisfied that a sanction of suspension would be sufficient to mark the seriousness of Ms Bastani-Boshehri's misconduct or to maintain public confidence in the profession and in the GDC as its regulator.
49. In considering whether the sanction of erasure was appropriate, the Committee had regard to paragraph 6.34 of the Guidance, which includes:
- 'Erasure will be appropriate when the behaviour is fundamentally incompatible with being a dental professional: any of the following factors, or a combination of them, may point to such a conclusion:
- serious departure(s) from the relevant professional standards;
 - serious dishonesty, particularly where persistent or covered up;

- a persistent lack of insight into the seriousness of actions or their consequences.
- continuing risk of harm to patients or other persons.

50. The Committee was satisfied that all the above applied in the circumstances of this case. Ms Bastani-Boshehri has shown no insight into her behaviour, given that she has failed to acknowledge the impact of her conduct on her colleagues, and the fact that her inappropriate conduct occurred over a protracted period of time. Her conduct was a serious departure from the standards expected of dental professionals. Given these reasons, the Committee concluded that Ms Bastani-Boshehri's behaviour was so egregious that it was fundamentally incompatible with being a dental professional.
51. In all the circumstances, the Committee has determined to erase Ms Bastani-Boshehri's name from the dental care professionals register.
52. The Committee invited submissions as to whether an immediate order should be imposed on Ms Bastani-Boshehri's registration, pending the taking effect of its determination for erasure.

Decision and reason on immediate order

53. Mr Patience submitted that in the light of the Committee's findings to impose a sanction of erasure, that an immediate order is necessary to restrict Ms Bastani-Boshehri from practising during the appeal period.
54. The Committee is satisfied that an immediate order of suspension is necessary for the protection of the public and is otherwise in the public interest. The Committee concluded that given Ms Bastani-Boshehri's behaviour was considered to pose a risk, an immediate order of suspension is necessary both to protect the public and to protect public confidence in the profession. The Committee considered that, given its findings, if an immediate order was not made in the circumstances, there would be a risk to public safety and public confidence in the profession would be undermined.
55. The effect of this direction is that Ms Bastani-Boshehri's registration will be suspended immediately. Unless Ms Bastani-Boshehri exercises her right of appeal, the substantive order of erasure will come into effect 28 days from the date on which notice of this decision is deemed to have been served on her. Should Ms Bastani-Boshehri exercise her right of appeal, this immediate order for suspension will remain in place until the resolution of any appeal.
56. That concludes this determination.