

**ON PAPERS****Registrations Appeal Hearing  
CPD Appeal Hearing****24 April 2025**

**Name:** HEATH, Caroline  
**Registration number:** 109843  
**Case number:** CAS-209486-V0B7B4

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**General Dental Council:** Instructed by Zara Gull, ILAS  
**Registrant:** Unrepresented

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**Outcome:** Appeal dismissed

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**Committee members:** Kerry McKevitt (Chair, lay member)  
Helen Baker (Dentist member)  
Christopher Parker (Dental Care Professional member)

**Legal adviser:** Alexander Coleman

**Committee Secretary:** Sara Page

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 Heath from the Register for apparent non-compliance with the statutory Continuing Professional Development (CPD) requirements. 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').
2. The hearing was conducted remotely via Microsoft Teams in line with current GDC practice. Neither party was present at today's hearing, following notification from the GDC that the appeal was to be conducted on the papers.

### **Preliminary matter**

#### **Decision to conduct the appeal in the absence of Miss Heath and on the papers**

3. Neither party was present at today's meeting. The Committee noted that conducting the appeal on the papers is the default position of the GDC unless an appellant requests an oral hearing. Having considered the documents provided, the Committee was satisfied that Miss Heath had made no such request.
4. Notification of this appeal was sent to Miss Heath by Recorded Delivery and secure email on 5 February 2025 in accordance with Rule 5 of the Registration Appeal Rules.
5. The Committee was satisfied that it was appropriate to consider today's appeal in the absence of either party 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 Heath appealed against the Registrar's decision that her CPD is non-compliant because she failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 August 2022 – 31 July 2024.

#### **Summary**

10. The GDC's case in support of its decision was summarised as follows:

Miss Heath first registered with the General Dental Council (“the Council”) as a dental care professional, with the title Dental Nurse, on 20 April 2007. Therefore, in accordance with Rule 1 as set out above, Miss Heath’s current CPD cycle began on 1 August 2023 and will end on 31 July 2028.

On 22 May 2024, the Council sent an email reminder to Miss Heath’s registered email address notifying her that her CPD year was coming to an end and reminded her that she was required to submit her CPD statement, detailing how many CPD hours she had completed during that year, by 28 August 2024. Miss Heath was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.

On 11 June 2024, the Council also sent Miss Heath an Annual Renewal Notice letter. The Annual Renewal Notice is designed to remind registrants that their registration with the Council is due for renewal, of the need to pay their annual retention fee and make their indemnity declaration and of the need to make their CPD statement. Miss Heath was also reminded in this notice that she was required to submit her CPD statement by 28 August 2024. It was stated that Miss Heath would need to have completed at least 10 hours of CPD over the last two years, unless she was in the first year of her first CPD cycle.

Between 12 June and 28 August 2024, the Council sent numerous reminders to Miss Heath reminding her of her CPD requirements.

On 27 August 2024, Miss Heath completed her annual CPD declaration, declaring that for the period 1 August 2023 to 31 July 2024 she had completed six hours of verifiable CPD.

#### Rule 6 notice

On 25 September 2024, the Council sent a notice under Rule 6 to Miss Heath stating that although she had submitted a CPD statement to the Council, she had not declared enough hours to meet the requirement to complete a minimum of ten hours of CPD over two consecutive years. It was noted that she had submitted an annual CPD statement of three verifiable hours for the 2022-2023 CPD year and an annual CPD statement of six verifiable hours for the 2023-2024 CPD year. The notice stated that if Miss Heath wished to retain her registration, she should submit her CPD record to the Registrar by 23 October 2024 in order to demonstrate that she had met the requirement. The Council requested Miss Heath provide an up to date PDP, a log or summary of verifiable CPD activities carried out during 1 August 2022 – 31 July 2024, indicating the date the activity took place, a description of each individual item of CPD activity or study, the number of hours attributed to each item of CPD, the documentary evidence for each item of verifiable CPD which must include the following:

- The subject, learning content, aims and objectives
- The anticipated GDC development outcomes of the CPD
- The date(s) that the CPD was undertaken
- The total number of hours of CPD undertaken
- The name of the professional who has participated in the CPD activity

- That the CPD is subject to quality assurance, with the name of the person or body providing
- the quality assurance
- Confirmation from the provider that the information contained in it is full and accurate

Miss Heath was informed that if the Council did not receive a response to the notice or if her response was unsatisfactory, she may be erased from the dental care professionals register. She was further advised should she have any queries to contact the Customer Service Team.

#### Correspondence with the GDC

On 28 October 2024, the Council received a copy of Miss Heath's CPD record via post. Within the CPD record, Miss Heath provided a cover letter, in which she detailed her current employment as being a management-based role but was still maintaining her GDC registration and her ability to continue as a DCP. She further states, prior to commencing her current role in February 2023, she was working as a dental nurse manager at a hospital, and states she is currently unable to access the CPD record that she undertook prior to this. Miss Heath states all records relating to February 2023 – July 2024 have been provided. She states she is trying to contact the appropriate people to recover her previous CPD undertaken but this has not been possible in time to include with this information.

#### Rule 8 notice

On 5 November 2024, the Council sent a Rule 8 notice to Miss Heath's registered address confirming that Miss Heath had failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 August 2022 to 31 July 2024. It was noted Miss Heath demonstrated zero hours of verifiable CPD between 1 August 2022 – 31 July 2023 and seven hours of verifiable CPD between 1 August 2023 – 31 July 2024. Therefore, the notice confirmed that Miss Heath's CPD remained deficient as:

- she was outstanding three CPD verifiable hours; and
- 8x NHS - Elect Certificates of Attendance do not contain aims, objectives and learning content.

Further, it was noted that Miss Heath had not provided any evidence of exceptional circumstances which may have prevent her from completing CPD as required and that as a result, the Registrar had made the decision to remove her name from the dental care professionals register for non-compliance with the Rules. Miss Heath was informed of her right to appeal the decision and was notified that unless an appeal was submitted, the Registrar's decision would take effect on 5 December 2024.

#### Notice of Appeal

On 29 November 2024, the Council received a Notice of Appeal ("NOA") via email from Miss Heath which confirmed that she wished to appeal against the decision to remove her from the dental care professionals register.

#### CPD assessment

On 3 December 2024, Miss Heath's CPD evidence was assessed by the Operations Officer and Miss Heath was deemed to be non-compliant with her CPD

requirements on the basis that she had three verifiable CPD hours outstanding for the period 1 August 2022 to 31 July 2024. It was noted that some of the CPD certificates provided by Miss Heath did not contain learning aims, outcomes or objectives and therefore, they could not be counted for the purpose of the assessment. Furthermore, Miss Heath provided an Activity log for CPD cycle year 2024 – 2025, which is not relevant to the assessment of the years 2022-2024. It was confirmed that, as of 3 December 2024 Miss Heath had completed seven verifiable CPD hours between 1 August 2022 to 31 July 2024.

### **Submissions**

11. In its written submissions, the GDC submitted that Miss Heath is non-compliant with the CPD requirements because she has failed to provide a CPD record demonstrating that she has completed the minimum requirement for the period 1 August 2022 to 31 July 2024, in accordance with Rule 2.
12. It is submitted by the Registrar that Miss Heath was reminded on numerous occasions of the need to complete her CPD hours and of the requirement to complete ten verifiable CPD hours in each two-year period, as set out in detail above.
13. As of 3 December 2024, Miss Heath had completed seven verifiable CPD hours between 1 August 2022 and 31 July 2024, which clearly breaches the requirement that dental care professionals submit evidence that they have completed a minimum of ten verifiable CPD hours in each two-year period.
14. The Registrar submits that all registrants ought to be aware of the requirements for continued registration, which includes ongoing compliance with the CPD requirements annually and during each CPD cycle.
15. The Registrar submits that it is a registrant's responsibility to monitor their CPD obligations and keep them under review; the onus is on the registrant to ensure their CPD compliance as compliance is a legal requirement of registration.
16. The Registrar acknowledges Miss Heath being unable to access her CPD record due to a change in jobs, which meant CPD has either been disposed of or lost. Whilst the Registrar remains sympathetic to Miss Heath's position, the Guidance confirms it is not a relevant factor given that individuals are required to monitor their CPD obligations and keep an up-to-date record of all CPD and CPD hours completed can only count towards Miss Heath's verifiable hours if documentary evidence is provided.
17. The Council notes that Miss Heath has provided CPD evidence for CPD completed since August 2024 and a list of planned CPD through July 2025. However, whilst the Council acknowledges the additional CPD Miss Heath has undertaken, the CPD undertaken outside of the relevant period cannot be counted. Only CPD undertaken between 1 August 2022 – 31 July 2024 can be considered by the Registrar when assessing compliance under Rule 2(5) of the 2017 Rules.
18. The Registrar further submits that registrants should be aware that if they are taking a period of absence from work within a DCP capacity and should they wish to maintain their registration, they are required to meet all the necessary CPD requirements.

19. In Miss Heath's NOA, she included eight hours of NHS Elect courses, which were deemed not to meet GDC criteria, along with records of mandatory training from her employer, such as equality and diversity training, information governance, and safeguarding children. She further stated that she informed the GDC that she had lost access to certain information due to a change in employer and the closure of her IT accounts.
20. Miss Heath respectfully requested that the Council consider her ongoing commitment to professional development, as evidenced by her participation in the 20/20 programme and Yellow Belt training, as outlined in her Personal Development Plan (PDP). Miss Heath concluded by stating she has enclosed a record of the CPD she has completed since August and a list of planned courses through July 2025, which further demonstrated her dedication to continuous learning.

### **Committee's decision**

21. The Committee had regard to the documentary evidence provided today and took account of the written submissions made on behalf of the GDC and those made by Miss Heath in her NOA. It heard and accepted the advice of the Legal Adviser.
22. Having carefully considered the information before it, the Committee noted that Miss Heath has submitted three hours of CPD in her statement for the 2022 – 2023 year but did not supply the supporting evidence. However, the Committee noted that Miss Heath has submitted evidence of seven verifiable hours of CPD for the 2023 – 2024 period. The Committee confirmed that Miss Heath has therefore completed zero hours of verifiable CPD between 1 August 2022 – 31 July 2023 and seven hours of verifiable CPD between 1 August 2023 - 31 July 2024. Therefore, Miss Heath has a deficit of three hours for the 2022 – 2024 period.
23. The Committee acknowledged that Miss Heath stated that she had completed a number of CPD hours before February 2023 but was unable to access the certification due to a change in employment and as a result, evidence of these hours has not been provided. Whilst the Committee understood the difficulties faced by registrants in Miss Heath's position, it acknowledged that it is a requirement of all registrants to maintain a record of all training undertaken and to provide evidence required to demonstrate CPD hours completed.
24. Accordingly, the appeal is dismissed. The Committee wished to remind Miss Heath that it is open to her to apply for the restoration of her name to the Register upon completion of the required number of CPD hours.
25. Unless Miss Heath exercises her right of appeal to the County Court (or, if based in Scotland, the sheriff in whose sheriffdom their address is located), in accordance with paragraph 6 of Schedule 4A to the Act, the erasure decision will take effect upon the expiry of the 28-day appeal period. It will then be open to Miss Heath to apply for the restoration of her name if she meets the CPD and other requirements for restoration.
26. This will be confirmed to Miss Heath in writing.
27. That concludes this determination.