

PRIVATE HEARING

Interim Orders Committee Review Hearing

18 April 2024

Name: OWENS, Sharnie-Leigh

Registration number: 293689

Case number: CAS-204916-D9P0W8

General Dental Council: IHLPS

Registrant: Not represented

Outcome: Interim conditions of practice

Duration: Continued for the remainder of the 18-month period

Committee members: Andrea Hammond (Chair and DCP member)
Hall Graham (Dentist member)
Jim Hurden (Lay member)

Legal adviser: Valerie Paterson

Committee Secretary: Jamie Barge

At this hearing the Committee made a determination that includes some private information. That information has been omitted from the separate public version of this determination, and that public document has been marked to show where private material has been removed. The private material appears in highlighted form in this private version of the determination.

The role of the Interim Orders Committee (IOC) is to undertake a risk assessment based on the information before it. Its role is to assess the nature and substance of any risk to the public in all the circumstances of the case and to consider whether it is necessary for the protection of the public, is otherwise in the public interest, or is in the registrant's own interests to impose an interim order on their registration. It is not the role of the IOC to make findings of fact in relation to any charge. That is the role of a differently constituted committee at a later stage in the process.

1. Neither party was present at today's hearing, following a request for the review of the interim order to be conducted on the papers. The hearing was conducted remotely via Microsoft Teams in line with current General Dental Council (GDC) practice.
2. In the absence of both parties, the Committee first considered the issues of service and whether to proceed with the hearing in the absence of Miss Owens and any representatives for either party. The Committee accepted the advice of the Legal Adviser on these matters.

Decision on service of notice of hearing:

3. Neither party was present at today's hearing. The Committee first considered whether notice of this hearing had been served on Miss Owens in accordance with Rules 35 and 65 of the *General Dental Council (Fitness to Practise) Rules Order of Council 2006* (the rules).
4. The Committee has received a bundle of documents which contains a copy of the notification of today's review hearing, dated 7 March 2024, that was sent to Miss Owens registered address by special delivery, first class post and also via email.
5. The Committee was satisfied that the letter contained proper notification of this hearing, including notification that the Committee had the power to proceed with the hearing in Miss Owens absence and on the papers.
6. On the basis of the information provided, the Committee was satisfied that notice of the hearing had been served on Miss Owens in accordance with the Rules.

Decision on proceeding in the absence of Miss Owens and on the papers:

7. The Committee next considered whether to exercise its discretion under Rules 54 and 36 of the Rules to proceed with the hearing and on the papers in the absence of Miss Owens and any representative for either party. It remained mindful of the need to be fair to Miss Owens and to the General Dental Council (GDC), and it had regard to the public interest in the expeditious review of the interim order in place on Miss Owens' registration.
8. The Committee noted that Miss Owens was informed in the Notification of Hearing letter of the GDC's proposal to request that this interim order be reviewed on the papers in the absence of both parties.
9. The Committee also had sight of written submissions from the General Dental Council (GDC) inviting the Committee to consider this review hearing in the absence of the parties and for it to be dealt with on the papers.
10. The GDC received email confirmation from Miss Owens dated 12 April 2024 that notice had been received and confirmed that she was content for the review to take place on the papers.
11. On the basis of the information before it, the Committee concluded that Miss Owens had voluntarily absented herself from today's hearing. It noted that there had been no objection to the review being conducted on the papers, and there was nothing to suggest that an

adjournment would result in Miss Owens attendance, particularly given both parties had confirmed that they were content for the review to proceed on the papers. In all the circumstances, the Committee determined that it was fair and in the public interest to proceed with the hearing on the papers in the absence of Miss Owens and any representatives for either party.

Decision on application to hold the hearing partly in private under Rule 53

12. The Committee noted the GDC's written submissions for the hearing to be held partly in private, pursuant to Rule 53 of the Rules, given that there may be references to Miss Owens health and private life.
13. At this hearing, in the absence of either party, the Committee's review of the interim order on Miss Owens registration was conducted on the basis of the papers, without any members of the public present. Nevertheless, in light of some of the information before it, which relates to Miss Owens health and private life, the Committee had regard to its discretion under Rule 53. It determined that, given the circumstances of this case, a private and public version of its determination would be handed down.

Background to the imposition of the interim order

14. Miss Owens case was first considered by the IOC on 1 November 2023, when an interim order of conditions was imposed on her registration for a period of 18 months. This was on the basis that an interim order was necessary for the protection of the public and was otherwise in the public interest and also in her own interests.
15. [IN PRIVATE:]
16. [IN PRIVATE]
17. [IN PRIVATE.]
18. This is the first review of this order, where on 1 November 2023 the conditions of practice order was imposed.

Today's review

19. At today's hearing, the Committee comprehensively reviewed the order. In so doing, it took account of the information contained in the bundles. It noted that neither party had indicated that they were seeking any variation of the current order.
20. The Committee was satisfied it remains necessary for the protection of the public and otherwise in the public interest and also in her own interests that Miss Owens's registration remains subject to an interim order. The Committee is satisfied that there has been no material change. [IN PRIVATE.] The Committee noted that neither the GDC nor Miss Owens have made an objection to the continuation of the conditions. The Committee also had information in the bundle shows that there is no indication that Miss Owens is not complying with the interim conditions and does not appear to be practising at the moment.
21. The Committee considered that the continuation of the current conditions, for the remainder of the term of the extended order was both proportionate and sufficient to protect the public, to uphold the public interest and is also the Registrant's own interests.

22. The Committee was of the view that the public and the public interest would remain suitably protected by the continuation of the following conditions of practice:

1. She must notify the GDC within 7 days of any professional appointment she accepts or is currently undertaking and provide the full name and contact details of her employer or any organisation for which she has a contract or arrangement to provide dental services.
2. She must allow the GDC to exchange information with her employer or any organisation for which she has a contract or arrangement to provide dental services.
3. She must inform the GDC within 7 days of any formal disciplinary proceedings taken against her from the date these conditions take effect.
4. She must inform the GDC within 7 days of any complaints made against her from the date these conditions take effect.
5. She must inform the GDC within 7 days if she applies for dental employment outside the UK from the day these conditions take effect.
6. She must inform the GDC if she is registered or applies for registration with any overseas regulator/relevant authority, within 7 days of the date of the application or 7 days from the date of this determination if already registered.
7. At any time she is employed, or providing dental services which require her to be registered with the GDC, she must agree to the appointment of a reporter nominated by her and approved by the GDC. The reporter shall be a GDC registrant with the same or higher registration category than her who must work in the same practice as her.
8. She must allow the reporter to provide reports to the GDC regarding her work performance and any concerns or complaints against her every three months and 14 days prior to any review hearing.

9. [IN PRIVATE]

10. [IN PRIVATE]

11. [IN PRIVATE]

12. [IN PRIVATE.]

13. [IN PRIVATE.]

14. [IN PRIVATE]

15. [IN PRIVATE:]

16. [IN PRIVATE]

17. [IN PRIVATE.]

18. [IN PRIVATE]

19. She must not work as a locum or undertake any out-of-hours work or on-call duties outside of her current position.

20. She must inform within 7 days the following parties that her registration is subject to the conditions, listed above at 1 to 19, and provide evidence to the GDC that this has been done within 7 days:

- Any organisation or person employing or contracting with her to undertake dental work;
- Any prospective employer (at the time of application);
- Her reporter;
- [IN PRIVATE: Her medical supervisor; and,]
- [IN PRIVATE: Her GP and any other health care professional involved in her care]

21. She must permit the GDC to disclose the above conditions 1 to 8 and 19 to 21 to any person requesting information about her registration status.

Review of the interim order

23. Unless there has been a material change of circumstances, the Committee will review the interim order on the papers at an administrative hearing within the next six months. The Committee will be invited by the GDC to confirm the order and you will be asked whether there are any written submissions to be put before the Committee on your behalf. You will then be notified of the outcome in writing following the decision of the Committee.

24. Alternatively, you are entitled to have the interim order reviewed at an oral hearing. This means that you will be able to attend and make representations, send a representative on your behalf or submit written representations about whether the order continues to be necessary. You must inform the GDC if you would like the interim order to be reviewed at a hearing.

25. Even if you do not request a hearing, where there has been a material change of circumstances that might mean that the order should be revoked, varied or replaced, the Committee will review the order at a hearing to which you and any representative will be invited to attend.

26. Notification of this decision will be served upon you in accordance with the Act.

27. That concludes this determination.