

## PUBLIC HEARING

### Professional Conduct Committee Review Hearing

15 August 2024

**Name:** IZE-IYAMU, Nora

**Registration number:** 292599

**Case number:** CAS-196379

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**General Dental Council:** Not present,  
IHLPS

**Registrant:** Not present,  
Unrepresented

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**Fitness to practise:** Impaired by reason of misconduct

**Outcome:** Conditions extended and varied (with a review)

**Duration:** 4 months

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**Committee members:** Gregory Heath (Dental member, Chair)  
Kirsty Payton (Dental Care Professional member)  
Tara Willmott (Lay member)

**Legal adviser:** Barrie Searle

**Committee Secretary:** Paul Carson

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1. This is a resumed hearing pursuant to section 36Q of the Dentists Act 1984.
2. On 24 February 2023, the Professional Conduct Committee (PCC) found Ms Ize-lyamu's fitness to practise as a dental nurse to be impaired by reason of misconduct. It summarised the factual background to the case as follows:

*“On 5 January 2021 you became registered with the General Dental Council (GDC) as a dental nurse, having successfully completed an apprenticeship in dental nursing the previous year. Owing to the COVID-19 pandemic you had been laid off from your employment as a dental nurse upon completing your apprenticeship. You therefore decided to use your qualification and GDC registration to set up a business providing teeth whitening and scale (“tartar removal”) and polish treatments from your home address in order “to make ends meet and start a little business on my own”.*

*You advertised the treatments on Instagram pages controlled by you and on a website which you had set up for your business.*

*The treatments were outside of your Scope of Practice as a dental nurse:*

- (i) teeth whitening treatment could only be carried out by a dentist, or, with further training, by a dental therapist, dental hygienist or clinical dental technician acting to the prescription of a dentist;*
- (ii) scaling and polishing treatments could only be carried out by a dentist, a dental therapist or a dental hygienist,*

*as a dental nurse you were only permitted to provide chairside assistance and not to carry out such treatments yourself.*

*On 15 January 2021 you were reported to the GDC by anonymous informant. The GDC commenced an investigation and the matter was also referred to the Interim Orders Committee (IOC).*

*On 25 February 2021 the IOC made an order for interim suspension on your registration, which remains in force.*

*At some early stage of the GDC's investigation, upon being made aware that the treatments in question were outside of your Scope of Practice, you ceased offering and providing those treatments. Your business activity had therefore lasted only a matter of weeks.*

*During this time you had treated a total of five patients at your home address. These patients were friends and family. You provided teeth whitening treatment to all five patients and also polishing treatment to one patient. The polishing treatment which you provided on that occasion was limited to giving the patient an amount of prophy (prophylaxis) paste and a toothbrush, so that the procedure would be self-administered.*

*Whilst you had also offered scaling treatment when advertising your services online, you had not in fact provided such treatment to any patients.*

*By offering and providing these treatments you had put patient safety at risk, as you were neither trained nor qualified to provide such treatments, nor qualified to assess patient suitability for treatment. You also failed to maintain adequate standards of cross infection control, as the treatment area which you had set up at your home address was not an appropriate clinical environment and you would not have been able to maintain the standards of cross-infection control required of the profession, particularly during the pandemic where there would also have been a need for appropriate Personal Protective Equipment to be used. In addition, you failed to hold indemnity insurance which meant that patients would have no financial recompense in relation to any harm, injury or other loss which they may have suffered as a result of your treatment.*

*By treating the patients (those who did not form part of your household) at your home address, you also failed to adhere to the laws and regulations which were in force at the time in respect of National Lockdown Regulations and Coronavirus.*

*Finally, you claimed on social media, in conjunction with the dental treatments you were advertising, to be 'qualified and registered with the GDC'. This statement was misleading. Whilst it was correct as a matter of fact that you were qualified and registered with the GDC (as a dental nurse), the context in which the statement was made would have led any reasonable member of the public to have concluded that you were qualified and registered with the GDC to provide the dental services which you were advertising.*

*The Committee found that you had made the statement recklessly without any deliberate intention to mislead. You were stating that you were qualified and registered with the GDC as a matter of fact, without exercising a required level of care and diligence to consider that the context in which you were making the statement could mislead the reader into concluding that you held a higher level of qualification and registration than that which you in fact possessed."*

3. In finding Ms Ize-lyamu's fitness to practise to be impaired, the February 2023 PCC stated:

*"In the Committee's judgement, the failings in this case stem from an underlying lack of understanding of the GDC's standards, particularly in relation to Scope of Practice, and an attitudinal failure to have taken the application of those standards seriously. These failings are clearly remediable through further learning, reflection and professional mentorship. However, you are yet to demonstrate evidence of full remediation. The Committee could not therefore be satisfied that your misconduct is highly unlikely to be repeated, albeit acknowledging that the particular circumstances in which your misconduct occurred are unlikely to be repeated and that you are less likely to breach professional standards when working within the structure and discipline of a dental practice environment.*

*The Committee also considered that public confidence in the profession and its regulation would be undermined if no finding of impairment were to be made to mark the seriousness of your misconduct, which involved substantial breaches of fundamental standards."*

4. The February 2023 PCC directed that Ms Ize-Iyamu's registration be made subject to her compliance with conditions for a period of 18 months with a review, including conditions requiring her to work under workplace supervision *"to allow you sufficient time to demonstrate a fully embedded understanding of the importance of the GDC's standards and their practical application"*.
5. The February 2023 PCC stated to Ms Ize-Iyamu that *"The reviewing Committee may be assisted by a further written reflective piece from you."*

*The resumed hearing 15 August 2024*

6. It is the role of the Committee today to undertake the review directed by the February 2023 PCC. Neither party was present at the hearing, which was conducted remotely using Microsoft Teams.
7. In its written submissions, the General Dental Council (GDC) requested that the hearing proceed in the absence of the parties and that the case be reviewed on the papers.
8. By email to the GDC on 17 July 2024, Ms Ize-Iyamu stated that she was *"happy for the hearing to be held on paper"* and that she would be submitting some documents in support of her case.
9. The Committee accepted the advice of the Legal Adviser on the requirements of service and proceeding in absence.
10. The first consideration for the Committee was whether the notification of hearing had been duly served on Ms Ize-Iyamu in accordance with the requirements of the General Dental Council (Fitness to Practise) Rules 2006 (the "Rules").
11. The notification of hearing was sent to Ms Ize-Iyamu at her registered address on 10 July 2024 by both first-class post and Special Delivery. Royal Mail 'Track and Trace' records that the Special Delivery item was delivered on 12 July 2024, signed for under the name "IZE IYAMU". The Committee was satisfied that the notification of hearing contained the required information under Rule 28 of the Rules, including the time, date and (remote) venue of this hearing; and that it had been served on Ms Ize-Iyamu in accordance with the requirements of Rule 65 by virtue of its being posted to her registered address. The notification of hearing also explained to her the GDC's proposal that the case be reviewed on the papers.
12. A link to download a copy of the notification of hearing was also sent to Ms Ize-Iyamu on 10 July 2024 to her registered email address.
13. The next consideration for the Committee was whether to proceed with the hearing in Ms Ize-Iyamu's absence. This is a discretion which must be exercised with great care and caution.
14. The Committee was satisfied that the GDC had made all reasonable efforts to send notice of this hearing to Ms Ize-Iyamu. She is aware of this hearing and its purpose. She has consented to her case being reviewed on the papers and has provided documents for consideration by the Committee, including her Continuing Professional Development (CPD) activity, her workplace supervisor report and her written

reflections. Having regard to all the circumstances, the Committee determined that it would be fair and in the interests of justice for the hearing to proceed notwithstanding the absence of Ms Ize-Iyamu (and the GDC) and for the case to be reviewed on the papers.

15. The Committee accepted the advice of the Legal Adviser on the resumed hearing.
16. The GDC's position is that Ms Ize-Iyamu's fitness to practise remains impaired as she had only resumed work as a dental nurse in June 2024. In its written submissions, the GDC stated: *"Due to the short period of time that the Registrant has been back in practice, and considering she was suspended between 25 February 2021 until the PCC hearing in February 2023, the Council considers that although the Registrant has shown her commitment to the profession, de-skilling would have occurred during the passage of time that she was not completing any practical dental work and further time is required under the order of conditions to provide her with the support from her Supervisor and give her more time to embed her learning."*
17. The GDC's position is that the conditions on Ms Ize-Iyamu's registration should be extended by a further period of 6-9 months *"to allow the Registrant to demonstrate further remediation and work effectively under her conditions, now she has secured employment."*
18. The Committee considered whether Ms Ize-Iyamu's fitness to practise remains impaired by reason of misconduct. It was satisfied that there had been substantive compliance by her with the conditions imposed on her registration, with full engagement in this regulatory process. She is clearly passionate about her role as a dental nurse and remains fully committed to the profession. She has taken the findings of the PCC seriously and has worked hard to address them, in so far as her circumstances have allowed. The Committee recognised that her ability to demonstrate full remediation has been hindered by the difficulties she has experienced in securing work as a result of the conditions on her registration. She has only recently resumed practice as a dental nurse under supervision. This means that she is not yet at a stage of her remediation where she is able to demonstrate embedded learning and improvement. The terms of her workplace supervisor report dated 18 July 2024 are very positive and encouraging but that recent report only covers a short period (less than two months) of practice. The Committee would need to examine report(s) over a longer period before it would be in a position to assess the extent to which any learning, understanding and improvement has been embedded in Ms Ize-Iyamu's professional attitude and her day-to-day work.
19. Ms Ize-Iyamu's CPD record shows comprehensive and targeted learning, albeit mostly online and confined to a short burst of activity between 10-15 July 2024, rather than being more evenly distributed over a longer period. In addition, the Committee noted that Ms Ize-Iyamu's written reflections on her learning were relatively brief. This may simply have been a matter of presentation, but more detailed written reflection is needed in order to reassure the Committee that she has achieved the stated aims and objectives of each learning activity.
20. The Committee had regard to the fact that Ms Ize-Iyamu has been subject to some form of restriction in relation to her misconduct for a period of years, initially an interim suspension from February 2021 and then the substantive conditions from February 2023 to present. The Committee considered that the public interest aspects of this case

have largely been addressed by the fact of these sanctions on her registration. The Committee also considered the risk of Ms Ize-Iyamu repeating her misconduct is relatively low, given the particular circumstances under which her misconduct occurred and how seriously she has taken these proceedings. The Committee also had regard to context. For example, although there had been cross-infection failings, these related to the fact that she was acting outside her Scope of Practice and providing dental services in a non-clinical environment, which had the potential to cause harm to patients, a situation that the Committee feels is now unlikely to be repeated. There is no evidence of concerns relating to cross infection in the clinical environment. This case, as observed by the initial PCC in February 2023, is more properly characterised by the naivety of a newly qualified dental nurse and a lack of understanding of GDC standards and their practical application, rather than deliberate recklessness or clinical incompetence.

21. However, the findings of fact reached by the PCC in February 2023 were still particularly serious and significant. They involved serious breaches of fundamental standards and, in the Committee's view, need to be remedied through substantial reflection and evidence of embedded improvement in practice.
22. Ms Ize-Iyamu is yet to fully demonstrate this. She has taken the first substantial steps and is to be commended on her efforts and commitment. Because she has only recently resumed practice, she is not yet in a position to demonstrate full remediation. She is headed in the right direction and is well along the path. What is needed is simply more time and direction for her to complete her remediation through the framework of conditional registration and workplace supervision.
23. Accordingly, the Committee determined that Ms Ize-Iyamu's fitness to practise continues to be impaired by reason of misconduct, as she has only recently resumed practice and needs more time to continue in the steps she has taken towards her remediation.
24. The Committee determined that conditional registration remains necessary and proportionate. There has been compliance by Ms Ize-Iyamu with the conditions on her registration and there is nothing to suggest that these have ceased to be workable. She now has employment as a dental nurse and a workplace supervisor.
25. The Committee determined that the conditions should continue in their current form, with some amendments to narrow the outstanding areas on which Ms Ize-Iyamu needs to focus and to reflect the progress she has made in formulating a Personal Development Plan.
26. The Committee determined that a further period of 4 months with a review is appropriate to allow Ms Ize-Iyamu the time she needs to demonstrate full remediation. During this period, the Committee recommends that she considers providing more detailed written reflections on the CPD activities which she has already undertaken. She should also participate in discussions with colleagues and her workplace supervisor on the issues at conditions 4(a)-(b) below, with written reflections on what she had discussed and what she had learned from those discussions. This is so that she might reassure the reviewing Committee that her learning and remediation is now well-embedded in her professional practice.

27. Accordingly, the Committee directs that: (i) the conditions be varied, as set out below; and (ii) the period of conditional registration be extended by a further period of 4 months beginning with the date on which it would otherwise expire, with a review.
28. The conditions, as amended, shall appear against Ms Ize-Iyamu's name in the DCP register under the title of dental nurse as follows:
1. At any time she is employed, or providing dental services, which require her to be registered with the GDC; she must place herself and remain under the supervision\* of a workplace supervisor nominated by her, and agreed by the GDC.
  2. She must allow her workplace supervisor to provide a report to the GDC within 28 days of a review hearing.
  3. She must keep her professional commitments under review and limit her dental practice in accordance with her workplace supervisor's advice.
  4. She must work with her workplace supervisor to address the following areas of her practice:
    - (a) the GDC's Standards and guidance;
    - (b) the different roles within the dental team as set out in the Scope of Practice.
  5. She must meet with her workplace supervisor on a regular basis to discuss her progress towards achieving the aims set out in her Personal Development Plan.
  6. She must notify the GDC promptly of any professional appointment she accepts and provide the contact details of her employer or any organisation for which she is contracted to provide dental services.
  7. She must allow the GDC to exchange information with her employer or any organisation for which she is contracted to provide dental services, and any reporter or workplace supervisor referred to in these conditions.
  8. At any time she is 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 and may be the same individual as her workplace supervisor.
  9. She must allow the reporter to provide a report to the GDC within 28 days of a review hearing. The GDC will make these reports available to any workplace supervisor referred to in these conditions.
  10. She must inform the GDC of any formal disciplinary proceedings taken against her, from the date of this determination.
  11. She must inform the GDC if she applies for dental employment outside the UK.
  12. She must inform within one week the following parties that her registration is subject to the conditions, listed at (1) to (11), above:

- Any organisation or person employing or contracting with her to undertake dental work
- Any locum agency or out-of-hours service she is registered with or applies to be registered with (at the time of application)
- Any prospective employer (at the time of application)

13. She must permit the GDC to disclose the above conditions, (1) to (12), to any person requesting information about her registration status.

*\* Supervised*

*The registrant's day to day work must be supervised by a person who is registered with the GDC in their category of the register or above. The supervisor need not work at the same practice as the registrant, but must make themselves available to provide advice or assistance should they be required. The registrant's remediation must be reviewed at least once fortnightly by the supervisor via one to one meetings. These fortnightly meetings must be focused on all areas of concern identified by the conditions. These meetings should take place face to face (whether in person or by video link).*

29. That concludes this determination.