

## ON PAPERS

### Registrations Appeal Hearing CPD Appeal Hearing

26 March 2026

**Name:** McGarrigle, Nicole

**Registration number:** 307134

**Case number:** CAS-213600-N9R9T2

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**General Dental Council:** Instructed by Noranne Griffith, ILAS

**Registrant:** Unrepresented

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**Outcome:** Appeal dismissed

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**Committee members:** Val Evans (Chair, Lay member)  
Katherine Barrett (DCP member)  
Gulshana Choudhury (Dentist member)

**Legal adviser:** Claire Robinson

**Committee Secretary:** Jamie Barge

1. This is an appeal hearing before the Registration Appeals Committee (RAC). The appeal is against the decision of the Registrar of the General Dental Council (GDC) to erase Miss McGarrigle 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 McGarrigle and on the papers.**

3. Notification of this appeal was sent to Miss McGarrigle by Recorded Delivery and secure email on 20 February 2026 in accordance with Rule 5 of the Registration Appeal Rules.
4. The Committee noted that conducting the appeal on the papers is the default position of the GDC unless an appellant requests an oral hearing. It took into account that the GDC's acknowledgement of Miss McGarrigle's appeal, dated 21 November 2025, informed Miss McGarrigle that she could request an oral hearing within 28 days of the date of the letter. Having considered the documents provided, the Committee was satisfied that Miss McGarrigle had made no such request.
5. The Committee noted that the bundle of documents and case summary that the Committee would be considering were sent to Miss McGarrigle by Recorded Delivery and secure email on 9 March 2026. The Committee did not receive the main bundle until the week before the hearing; however, it considered that it had sufficient time to read and consider the papers in order to make a fully informed decision on this appeal.
6. In the circumstances, having accepted the advice of the Legal Adviser, the Committee was satisfied that it was appropriate to consider today's appeal in the absence of either party and on the papers.

### **Private Hearing**

7. At the beginning of the hearing, the Committee considered whether, under Rule 14(1) of the Appeal Rules, this appeal should be held in part in private since the matters under consideration include matters relating to Miss McGarrigle's private and family life.
8. The Committee bore in mind that, as a starting point, hearings should be conducted in public session. However, having accepted the advice of the Legal Adviser, the Committee decided that to protect Miss McGarrigle's private and family life a private and public determination will be produced if required.

## Decision and reasons on the appeal

### Background

9. 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.
10. The CPD Rules came into force on the 1 January 2018 and took effect in respect of dental care professionals on 1 August 2018.
11. 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.
12. Miss McGarrigle appealed against the Registrar's decision that despite her CPD being non-compliant because she failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period of 1 August 2023 and will end on 31 July 2025 and asked the Registrar to consider exceptional circumstances.

### Summary

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

Miss McGarrigle first registered with the General Dental Council ("the Council") as a dental nurse on 26 April 2023. Therefore, in accordance with Rule 1 as set out above, Miss McGarrigle's current CPD cycle began on 1 August 2023 and will end on 31 July 2028. The CPD period which has been assessed and the evidence for which has been deemed non-compliant, and which is the subject of this appeal, is Miss McGarrigle's CPD for the period of 1 August 2023 to 31 July 2025.

On 22 May 2025, the Council sent an email reminder to the Appellant's registered email address. This reminder, notified the Appellant 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 2025. The Appellant was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.

On 10 June 2025, the Council sent the Appellant an Annual Renewal Notice letter ("ARF") by post to her registered address. The ARF is designed to remind registrants that their registration with the Council is due for renewal, and of the need to pay their annual retention fee, make their indemnity declaration and submit their CPD statement by 28 August 2025. The ARF also stated that the Appellant would need to have completed at least 10 hours of CPD over the two-year period.

On 12 June 2025, 7 July 2025, 18 July 2025 and 5 August 2025, the Council sent further email reminders to Miss McGarrigle's registered email address, notifying her that her 2024-2025 CPD year was coming to an end and reminding her to submit her CPD statement, detailing how many CPD hours she had completed during that year, by 28 August 2025.

Between 12 August 2025 and 28 August 2025, the Council sent three SMS reminders regarding the CPD statement to the Appellant's registered mobile number.

#### Rule 6 notice

On 25 September 2025, the Council sent a notice under Rule 6 (the "Rule 6 notice") to the Appellant by recorded delivery to her registered address. The Rule 6 notice stated that, although the Appellant had submitted a CPD statement to the Council, she had not declared enough hours to meet the requirement to complete a minimum of 10 hours of CPD over two consecutive years. It was noted that she had submitted an annual CPD statement of six verifiable hours for the 2023-2024 CPD year and an annual CPD statement of three verifiable hours for the 2024-2025 CPD year. The Rule 6 notice stated that if the Appellant wished to retain her registration, she should submit her CPD record to the Registrar by 23 October 2025 to demonstrate that she had met the requirement. The Appellant was informed that if the Council did not receive a response to the Rule 6 notice or if her response was unsatisfactory, she may be erased from the dental care professionals register. She was also advised to inform the Council of any exceptional circumstances that meant she was unable to submit a compliant statement.

#### Correspondence with Miss McGarrigle

On 13 October 2025, the Council received a letter from the Appellant attaching her PDP, CPD certificates and her certificate of registration. In the letter, the Appellant apologised for the missing hours of CPD and stated she was not fully aware of the system when she qualified and only completed hours sent "out to the work place". She stated she had a plan to complete extra hours this cycle to make up for any missed hours.

#### Rule 8 notice

On 5 November 2025, the Council sent a notice under Rule 8 (the "Rule 8 notice") to the Appellant's registered address by recorded delivery. The Rule 8 notice confirmed that the Appellant had failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 August 2023 to 31 July 2025 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. The Rule 8 notice explained that the evidence demonstrated that the Appellant had only completed a total of six hours over the two-year period and that her CPD remained deficient because:

- a. the 13 August 2025 Dental Network Academy certificate is outside the requested cycle dates,
- b. the GDC Registration certificate is not needed for the CPD Assessment,
- c. an activity log had not been provided,
- d. the Appellant had four verifiable hours of CDP outstanding, and
- e. the Appellant had not provided any evidence of exceptional personal circumstances that may have prevented her from completing her CPD as required.

### Notice of Appeal

On 14 November 2025, the Council received a Notice of Appeal (“NOA”) in the form of a letter from the Appellant which confirmed that she wished to appeal against the decision to remove her from the dental care professionals register. A copy of the NOA attaches a letter of support from her employer and CPD material. The NOA set out the following matters:

- a. the Appellant had been managing a number of personal challenges during the relevant period, [IN PRIVATE] and balancing work with caring for her young children;
- b. although she had been in contact with the GDC several times to seek clarification (as to her CPD requirements), there appeared to have “been some misunderstanding around the requirements and documentation needed”; and
- c. the Appellant had since completed her full hours for the two-year period and undertaken additional CPD to ensure she remained compliant and attached the relevant certificates.

On 27 November 2025, the Council received a further letter from the Appellant with CPD certificates and two basic life support certificates to be added in support of her appeal.

On 3 December 2025, a senior operations officer assessed all the material provided by the Appellant and concluded that the Appellant remained non-compliant with the CPD requirements because:

- a. she had failed to provide sufficient evidence demonstrating completion of 10 hours CPD over two consecutive years, having only completed six hours of verifiable CPD for 1 August 2023 – 31 July 2025,
- b. she had not provided an activity log,
- c. her registration certificate was irrelevant,
- d. the Dental Nurse Networking Certificate of 13 August 2025 was out of the two-year period,
- e. the four Dental Nurse Networking Certificates of 22 October 2025 were out of the two-year period,
- f. the Dental Nurse Networking Certificate of 27 October 2025 was out of the two-year period,
- g. the Safeaid Training certificates of 10 November 2023 and 6 November 2024 were duplicates of certificates already taken into account, and;
- h. the four Cavity Training certificates of 25 November 2025 were out of the two-year period.

### **Submissions**

14. In its written submissions, it is the Registrar’s position that the Appellant 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 2023 to 31 July 2025, in accordance with Rule 2.

15. It is submitted by the Registrar that the Appellant was reminded on numerous occasions of the need to complete her CPD hours and of the requirement to complete 10 verifiable CPD hours in each two-year period, as set out in detail above.
16. As of 3 December 2025, the Appellant had completed six verifiable CPD hours between 1 August 2023 and 31 July 2025, which clearly breaches the requirement that dental care professionals submit evidence that they have completed a minimum of 10 verifiable CPD hours in each two-year period.
17. As set out above, there is no power to waive these provisions.
18. The reasons put forward by the Appellant in her NOA for her non-compliance are not sufficient to amount to exceptional personal circumstances. Evidently, the Appellant was not prevented from working during the period under consideration. CPD hours completed outside 1 August 2023 and 31 July 2025 are not relevant.
19. It is open to the Appellant to apply to restore her registration at any time following this appeal.

#### **Committee's decision**

20. 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 McGarrigle in her Notice of Appeal. It heard and accepted the advice of the Legal Adviser.
21. The Committee first calculated the number of hours of CPD which Miss McGarrigle was required to undertake. The Committee was in agreement with the Registrar (and it is not in dispute on appeal) that Miss McGarrigle was required to complete at least 10 hours of verifiable CPD during her two-year CPD cycle. She is short of 4 verifiable hours. The Committee was of the view that despite her personal circumstances, it considered that she could have completed this CPD prior to the deadline of 31 July 2025. Ms McGarrigle has completed six verifiable CPD hours between 1 August 2023 and 31 July 2025.
22. The Committee was satisfied that Miss McGarrigle had not complied with this requirement.
23. The Committee has taken full account of the difficult personal circumstances Miss McGarrigle experienced. It noted the number of reminders that were sent by both email and text to Miss McGarrigle. The Committee determined that it was her responsibility to be familiar with the CPD requirements. Having carefully considered Miss McGarrigle's personal circumstances, whilst sympathetic, the Committee did not consider these to amount to exceptional circumstances that would have prevented her from completing her CPD requirements in the statutory time frame. As of today, Miss McGarrigle had not completed 4 hours of verifiable CPD in the requisite period. The Committee is satisfied that Miss McGarrigle was non-compliant with her CPD requirements.
24. The Committee was satisfied that the GDC has complied with the 2017 Rules in dealing with Miss McGarrigle's CPD requirements including the serving of the statutory notices on her.
25. The Committee also balanced the interests of Miss McGarrigle against the wider public interest and to the public expectation that registered dental professionals will meet their statutory CPD requirements in order to remain on the Register. The Committee was satisfied that the decision was proportionate, and this appeal therefore fails.

26. Accordingly, the appeal is dismissed. The Committee wished to remind Miss McGarrigle 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.
27. This will be confirmed to Miss McGarrigle in writing.
28. That concludes this determination.

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