

ON PAPERS**Registrations Appeal Hearing
CPD Appeal Hearing****24 April 2025****Name:** WRIGHT, Stephanie Ann**Registration number:** 261648**Case number:** CAS-209489-C4J9M4

General Dental Council: Instructed by Needa Bhatti, ILAS**Registrant:** Unrepresented

Outcome: Appeal dismissed

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 Wright 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 Wright 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 Wright had made no such request.
4. Notification of this appeal was sent to Miss Wright by Recorded Delivery and secure email on 17 March 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 Wright 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 Wright first registered with the General Dental Council (“the Council”) as a dental nurse on 10 December 2015. In accordance with Rule 1 as set out above, Miss Wright’s current CPD cycle began on 1 August 2021 and will end on 31 July 2026.

On 22 May 2024, the Council sent an email reminder to Miss Wright’s registered email address notifying Miss Wright that her 2023-2024 CPD cycle 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. The email also reminded Miss Wright of the need to complete a minimum of ten hours of CPD during each period of two consecutive years, including any two-year period spanning over more than one CPD cycle. Miss Wright was notified that if she failed to submit her CPD statement by this date her registration may be put at risk.

On 11 June 2024, the Council sent Miss Wright an Annual Renewal Notice letter by post to her registered address. 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 Wright was also reminded in this notice that she was required to submit her CPD statement by 28 August 2024. This letter also reminded Miss Wright of the need to complete a minimum of ten hours of CPD during each period of two consecutive years.

Between 12 June and 5 August 2024, the Council numerous reminders to Miss Wright regarding her CPD requirements.

Rule 6 notice

On 25 September 2024, the Council sent Miss Wright a notice under Rule 6 of the 2017 Rules. The notice stated that, although Miss Wright 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. Miss Wright was informed that she had previously submitted a CPD statement for 2022-2023 detailing zero verifiable CPD hours and then submitted a statement for 2023-2024 with four verifiable CPD hours. Miss Wright was informed that she needed to submit a compliant CPD record covering 1 August 2022 to 31 July 2024 by the deadline of 23 October 2024 in order to demonstrate that she had met the requirements.

Miss Wright was notified that if the Council did not receive a response to the notice or if following a review of her response it was considered that her CPD requirements had not been met, she may be erased from the dental care professionals register. The letter set out that if there were any reasons, or exceptional circumstances, that had meant Miss Wright was unable to submit a compliant statement, she should notify the Council, as such matters would be considered when deciding whether to take any further action in respect of non-compliance with the CPD requirements. Finally, Miss Wright was given details of what documentary evidence was required and the contact details of who to contact should she require further explanation.

Correspondence with the GDC

On 27 September 2024 the Council received an email from Miss Wright. The email stated that Miss Wright was not currently practising as a dental nurse in the United Kingdom (UK) and, that since September 2022, Miss Wright had lived, and practised, as a dental nurse in Malta. Miss Wright stated that she wished to retain her registration with the Council so she could continue practising as a dental nurse upon her return to the UK. Miss Wright stated she had been advised by The British Association of Dental Nurses (BADN) that she could continue paying her annual retention fee, to maintain her registration with the Council, but was unaware that she was also required to declare her CPD hours. Miss Wright enquired whether she was now able to begin making her CPD declaration as required.

On 30 September 2024 the Council replied to Miss Wright informing her that CPD was a requirement of registration and thus she was required to continue to meet her CPD requirements if she wished to remain registered with the Council regardless of whether she was currently in employment. Miss Wright was informed that she was currently non-compliant with her CPD requirements and that she would be required to provide a CPD record for the period 1 August 2022 – 31 July 2024 and also, provide an Activity Log and Personal Development Plan by 23 October 2024. Miss Wright was also notified that a failure to provide her CPD evidence may put her registration at risk.

On 2 October 2024 the Council received a further email from Miss Wright. The email stated that Miss Wright had previously been unaware that she was still required to meet her CPD requirements whilst not practising in the UK. Miss Wright stated that she intended to return to the UK in the future to practise as a dental nurse. She confirmed she had not completed sufficient CPD to meet the requirements and requested advice on next steps.

On 3 October 2024 the Council replied to Miss Wright advising her to review the contents of the Rule 6 Notice sent to her and to provide her CPD record by the deadline set out therein. Miss Wright was informed that she had logged zero hours of CPD in 2022-2023 and four hours of CPD in 2023-2024. Miss Wright was asked to provide evidence of those CPD hours together with an Activity Log and Personal Development Plan by 23 October 2024. Miss Wright was also notified that a failure to provide her CPD evidence may put her registration at risk.

On 4 October 2024 the Council received an email from Miss Wright attaching a copy of her CPD evidence. On 7 October 2024 the Council acknowledged receipt of Miss Wright's email and notified her that her CPD evidence would be assessed, and a response provided following this.

Rule 8 notice

On 5 November 2024, the Council sent a Rule 8 Notice to Miss Wright's registered address by recorded delivery. This notice confirmed that Miss Wright 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 as:

- She was outstanding ten verifiable CPD hours.
- An Activity Log had not been provided.
- A Personal Development Plan had not been provided.
- The Basic Life Support certificate dated 26 June 2024 was under a different surname not recorded on Miss Wright's registration profile and also did not state the hours taken to complete.

Further, the letter also set out that Miss Wright's personal circumstances as set out in her emails dated 27 September 2024, 2 October 2024 and 4 October 2024 had been considered in accordance with the *Guidance on the Registrar's Discretion to Erase for CPD Non-compliance*. The Registrar concluded that these personal circumstances did not amount to exceptional personal circumstances for the following reasons:

- a) It was determined that the events described were not exceptional circumstances beyond Miss Wright's control.
- b) Miss Wright had remained registered and CPD was a legal requirement of registration.
- c) The extent of Miss Wright's non-compliance was considered, notwithstanding her personal circumstances.
- d) There was evidence that Miss Wright's failure to meet her CPD requirements was because she was not aware of the requirements.
- e) It was a registrant's responsibility to ensure their documentary evidence met the CPD criteria.
- f) The CPD Miss Wright had completed since the relevant timeframe was not relevant.

As a result of Miss Wright's failure to provide a compliant CPD record the Registrar made the decision to remove her name from the dental care professionals register for non-compliance with the 2017 Rules. Miss Wright was notified that unless an appeal was submitted, the Registrar's decision would take effect on 5 December 2024.

Notice of Appeal

On 30 November 2024 the Council received a Notice of Appeal ("NOA") from Miss Wright.

On 3 December 2024, Miss Wright's CPD evidence was reviewed by the Council's Operations Officer. The assessment found that as of 3 December 2024, Miss Wright had demonstrated that she had completed zero hours of verifiable CPD hours for the period 1 August 2022 – 31 July 2024. Miss Wright was therefore required to provide ten hours of CPD evidence for this period.

Submissions

- 11. In its written submissions, the GDC submitted that Miss Wright's CPD is non-compliant because she has failed to demonstrate that she has completed the minimum requirement to undertake ten hours of verifiable CPD during the period 1 August 2022 to 31 July 2024. Miss Wright has also failed to provide an Activity Log and Personal Development Plan.
- 12. The Council submitted that Miss Wright states in her NOA that she understood that she was not required to continue undertaking CPD whilst residing in Malta as she was not practising as a dental nurse in the UK. However, Miss Wright was sent numerous reminders as early as 22 May 2024 drawing her attention to the requirement that dental care professionals must complete a minimum of ten hours of CPD in each two-year period. In addition, the Council respectfully submits that all registrants should be aware of their CPD requirements and their obligations in this respect as the mandatory CPD requirements are an important part of the Council's regulatory system that protects the public and patients.

13. The Council is of the view that Miss Wright has completed zero verifiable CPD hours between 1 August 2022 and 31 July 2024 and has a shortfall of ten hours. Therefore, Miss Wright failed to meet the requirement that dental care professionals complete a minimum of ten verifiable CPD hours in each two-year period as per Rule 2(5) of the 2017 Rules.
14. In Miss Wright's NOA, she apologised for her failure to meet her CPD requirements. She stated that this was during a period when she was not practising as a dental nurse in the UK. Miss Wright explained that she had moved to Malta in September 2022 to undertake voluntary work and whilst there, she practised as a dental nurse. Miss Wright believed that she did not need to continue to undertake CPD during this period as she was not practising as a dental nurse in the United Kingdom (UK).
15. Miss Wright stated that whilst in Malta she had continued to pay the Council's Annual Retention fee as she intended to return to the UK to practise as a dental nurse in the future. Miss Wright also contacted the BADN who confirmed to her that she could continue to pay the Council's Annual Retention fee whilst not practising in the UK.
16. In relation to her certification, Miss Wright stated that 'The Basic Life Support' certificate submitted referenced her married name and that she was able to provide evidence to show her change of name.
17. Miss Wright confirmed that her failure to comply with her CPD requirements was as a result of a misunderstanding and that she had been practising as a dental nurse since leaving school. She had also always complied with her professional requirements including her CPD requirements in the past before this incident.
18. Miss Wright asked for a reconsideration of the decision to remove her from the register, providing an assurance that she would comply with her CPD requirements in the future.

Committee's decision

19. 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 Wright in her NOA. It heard and accepted the advice of the Legal Adviser.
20. Having carefully considered the information before it, the Committee noted that Miss Wright has completed zero hours of CPD for the 2022 – 2024 period.
21. Whilst the Committee noted that Miss Wright had stated that she did not comply with the requirements as a result of her misunderstanding, it acknowledged that it is a requirement of all registrants to be aware of, and comply with, the GDC's CPD requirements to maintain their registration.
22. The Committee did not consider that Miss Wright has provided evidence of exceptional circumstances that would have prevented her from completing the requisite number of CPD hours for the relevant period.
23. Accordingly, the appeal is dismissed. The Committee wished to remind Miss Wright 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.

24. Unless Miss Wright exercises her right of appeal to the County Court (if their address is in England or Wales) or the sheriff in whose sherrifdom their address is located (if based in Scotland), 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 Wright to apply for the restoration of her name if she meets the CPD and other requirements for restoration.
25. This will be confirmed to Miss Wright in writing.
26. That concludes this determination.