

ON PAPERS**Registrations Appeal Hearing
CPD Appeal Hearing****24 April 2025****Name:** ARMSTRONG, Atlanta**Registration number:** 280583**Case number:** CAS-209563-M9L3T5

General Dental Council: Instructed by Lauren Francis, 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

At this hearing the Committee made a determination that includes some private information. That information shall be omitted from the restricted version of this determination and the document marked to show where private material is removed.

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 Armstrong 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 matters

Application for the hearing to be held partly in private

3. At the beginning of the hearing, the Committee considered whether, under Rule 14(1) of the Appeal Rules, this hearing should be held partly in private since the matters under consideration relate to matters relating to Miss Armstrong's private and family life. The Committee heard and accepted the advice of the Legal Adviser in this regard.
4. The Committee bore in mind that, as a starting point, hearings should be conducted in public session. However, having regard to the information before it, the Committee was satisfied that the personal interests of Miss Armstrong outweighed the public interest in this case.
5. Therefore, the Committee was satisfied that the hearing should be held in private when discussing matters relating to Miss Armstrong's private and family life.

Decision to conduct the appeal in the absence of Miss Armstrong and on the papers

6. 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 Armstrong had made no such request.
7. Notification of this appeal was sent to Miss Armstrong by Recorded Delivery and secure email on 3 February 2025 in accordance with Rule 5 of the Registration Appeal Rules.
8. 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

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 Armstrong appealed against the Registrar's decision that her CPD is non-compliant because she failed to complete her end of cycle CPD statement for the period 1 August 2019 – 31 July 2024 by the deadline of 23 October 2024.

Summary

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

Miss Armstrong first registered with the General Dental Council ("the Council") as a dental care professional, with the title dental nurse, on 11 November 2018. Therefore, in accordance with Rule 1 as set out above, Miss Armstrong's current CPD cycle began on 1 August 2019 and ended on 31 July 2024.

On 22 May 2024, the Council sent an email reminder to Miss Armstrong's registered email address. This reminder notified Miss Armstrong that her CPD cycle year was coming to an end and reminded her that she was required to submit her End of Cycle CPD statement, detailing how many CPD hours she had completed the required hours for the cycle, by 28 August 2024. Miss Armstrong 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 Armstrong 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 Armstrong was also reminded in this notice that she was required to submit her CPD statement by 28 August 2024.

Between 12 June and 28 August 2025, numerous reminders were sent to Miss Armstrong regarding her CPD requirements.

Rule 7 notice

On 25 September 2024, the Council sent a notice under Rule 7 to Miss Armstrong stating that she had failed to submit a CPD statement to the Council for the CPD cycle 1 August 2019 to 31 July 2024 by the deadline of 28 August 2024 and as such, she had put her registration at risk. Miss Armstrong was informed that if she wished to retain her registration, she should submit her CPD statement by 23 October 2024. The Council informed her that if the statement was not received by this date or the statement was incomplete, she may be erased from the dental care professionals register.

Correspondence with the GDC

On 21 October 2024, the Council received an email from Miss Armstrong stating that the postal address was correct, but that she had been in Egypt for ten days and she would return to the England on 25 October 2024.

On 22 October 2024, the Operations Officer emailed Miss Armstrong notifying her that the post sent was a Notice 7 and reminded Miss Armstrong that her EOC CPD cycle statement remains outstanding. Miss Armstrong was requested to complete her EOC CPD statement and noted that failure to make the CPD statement may put her registration at risk.

Rule 8 notice

On 5 November 2024, the Council sent a Rule 8 notice to Miss Armstrong's registered address, confirming that she had failed to submit her End of Cycle CPD statement for the period 1 August 2019 to 31 July 2024 and 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 Armstrong was notified that unless an appeal was submitted, the Registrar's decision would take effect on 5 December 2024.

On 6 November 2024, the Council received a telephone call from Miss Armstrong. A note of this call states: *'Registrant called regarding Notice 8 says have down cycle total – advise also minimum of 10 hrs every 2 years and hadn't logged anything for 2023-2024 – will now need evidence to hearing department for 2022 – 2023 & 2023 – 2024.'*

Notice of Appeal

On 2 December 2024, the Council received a Notice of Appeal ("NOA") via email from Miss Armstrong which confirmed that she wished to appeal against the decision to remove her from the dental care professionals register. Within the NOA, Miss Armstrong stated that she had experienced a number of difficult personal circumstances over the relevant period.

CPD assessment

On 4 December 2024, Miss Armstrong's CPD evidence was assessed by an Operations Officer. Miss Armstrong was deemed to be non-compliant with her CPD requirements because she had failed to submit an End of Cycle CPD statement for the CPD cycle year 2019-2024 by the stipulated deadline or following the Rule 7 notice being sent. It was confirmed that, as of 04 December 2024, Miss Armstrong did not have an End of Cycle CPD statement for the CPD cycle 01 August 2019 to 31 July 2024.

Submissions

14. In its written submissions, the GDC submitted that Miss Armstrong is non-compliant with her CPD requirements because she has failed to provide an annual CPD statement for the CPD year 1 August 2023 to 31 July 2024, in accordance with Rule 4.
15. As of 4 December 2024, Miss Armstrong did not have an annual CPD statement for the CPD year 1 August 2023 and 31 July 2024, which clearly breaches the requirement, under Rule 4, that dental care professionals submit an annual CPD statement to the Council.

16. Miss Armstrong has outlined a number of personal circumstances which have occurred over the relevant period. The Registrar acknowledged Miss Armstrong's personal difficulties, and the impact that personal circumstances can have on working life. However, it is submitted by the Registrar that Miss Armstrong was reminded on numerous occasions of the need to submit her annual CPD statement.
17. In Miss Armstrong's NOA, it was submitted that she was appealing against the decision because in the 2023 – 2024 CPD year, she had experienced personal difficulties and provided details of these in her NOA. Miss Armstrong stated that she was off work for a period of time [PRIVATE]. She stated that as a result of her personal circumstances, she could not dedicate any time to her CPD which she 'heavily regrets'.
18. Miss Armstrong confirmed that she is fully committed to the dental profession and apologised. She stated that she was happy to re-do any CPD required to uphold the GDC's rules and standards. She stated, '*I feel embarrassed and like I have totally let down the dental nurse profession.*'

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 Armstrong 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 Armstrong did not complete her end of cycle CPD statement for the period 1 August 2019 – 31 July 2024.
21. In its consideration of Miss Armstrong personal circumstances, the Committee had regard to the GDC document, '*Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance (February 2024)*', referred to hereafter as 'the Guidance', and the criteria outlined from paragraph 13, which states:

Assessing Exceptional Circumstances

13. *In determining whether to erase under Rule 8, the Registrar should first consider whether there is any evidence that the registrant was prevented from completing their required CPD hours due to exceptional personal circumstances which were beyond their control. This may include serious illness, for which medical evidence has been provided, or other unforeseen events such as bereavement of a close relative (spouse/partner, parent, child, or sibling).*
22. Whilst the Committee was sympathetic to Miss Armstrong's difficult personal circumstances, it noted that she did not provide any supporting evidence, as advised in the Rule 8 notice letter. The Rule 8 notice states:

'If you have documentary evidence that you have in fact fully complied with your CPD requirements, then you are strongly advised to submit this with your appeal.'

The following must be attached to the notice of appeal:

- *A copy of any documents on which the appellant proposes to rely for the purposes of the Appeal.'*

23. The Committee took into account Miss Armstrong's assertion that she took time off work during the period of 2023 – 2024 **[PRIVATE]**, but without the necessary supporting information, the Committee was unable to determine when she was absent from work. In this regard, the Committee was unable to conclude that Miss Armstrong's absence from work and her personal circumstances prevented her from complying with her CPD requirements between 2023 and 2024.
24. Accordingly, the appeal is dismissed. The Committee wished to remind Miss Armstrong 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 Armstrong 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 Armstrong 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 Armstrong in writing.
27. That concludes this determination.