

ON PAPERS

Registration Appeals Committee CPD Appeal

3 September 2025

Name: GODFREY, Carl
Registration number: 52305
Case number: CAS-211448-V8Y0X8

General Dental Council: Not present. Jack Chaffey of IHLAS.

Registrant: Not present. Not represented.

Outcome: Appeal dismissed

Committee members: Zareen Elleby (DCP) (Chair)
Rita Eaton (Lay)
Gillian Jones (Dentist)

Legal adviser: Melissa Coutino

Committee Secretary: Paul Carson

1. Mr Godfrey is a Dentist who appeals against the decision of the registrar to erase his name from the Register for non-compliance with his Continuing Professional Development (CPD) requirement. Part of this determination shall be announced in private to protect Mr Godfrey's right to a private and family life.
2. The Committee met remotely today using Microsoft Teams and considered the appeal on the papers, as neither party had requested an oral hearing and the Committee considered that it would be desirable to determine the appeal without one. The Hearings Director had served notification of this meeting on the parties with at least 28 days' notice in accordance with Rules 5(2) and 5(3) of the General Dental Council (Registration Appeals) Rules 2006.

Background

3. Mr Godfrey first registered with the GDC as a Dentist on 22 September 1978. His current CPD cycle runs from 1 January 2024 to 31 December 2028. In accordance with the General Dental Council (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017 (the "Rules"), he is required to complete a minimum of 100 hours of CPD activity over the CPD cycle (Rule 2(1)), with at least 10 hours to be completed during each period of two consecutive CPD years within that cycle (Rule 2(5)(b)). This includes any two-year period which spans more than one CPD cycle.
4. Rule 2(6) of the Rules provides that CPD activity must be verifiable, with documentary evidence from the provider confirming, among other things, the subjects, learning content, aims, objectives and anticipated learning outcomes of the CPD and the date that the CPD was undertaken. Confirmation must also be provided that the CPD activity is subject to prescribed quality assurance measures.
5. In accordance with Rule 3(1) of the Rules, Mr Godfrey is required to keep a log of all the CPD that he plans to undertake and has undertaken during the CPD cycle. Rule 4(1) requires him to submit an annual statement of her CPD activity to the registrar within 28 days of the end of each CPD year stating the hours which had been undertaken for that year, with the annual statement submitted in the final year of the CPD cycle also to include the total number of hours which had been undertaken during the cycle (Rule 4(2)).
6. Rules 6 and 7 of the Rules prescribe various notification requirements under which the registrar may require a practitioner to, among other things, submit their CPD record and/or provide evidence of their compliance with the CPD requirement.
7. Rule 8 of the Rules provides that the registrar "*may erase the practitioner's name*" in circumstances where the practitioner has either failed to comply with a notice sent under Rule 6 or 7, or where the registrar is not satisfied from the response provided by the practitioner that they have met the CPD requirement or other related obligations under the Rules.
8. A decision of the registrar to erase under Rule 8 is an appealable decision under paragraph 2(1)(h) of Schedule 2A to the Dentists Act 1984. In accordance with paragraph 4(5) of that Schedule, erasure shall not take effect until after the disposal of the appeal proceedings.

9. Between 22 October 2024 and 28 January 2025, the GDC sent Mr Godfrey various automated reminders by email, post and SMS message relating to the annual renewal of his registration and his annual CPD statement, which he was required to submit by 28 January 2025. Mr Godfrey was reminded of the number of CPD hours which he would need to demonstrate in respect of his CPD cycle, including the need to demonstrate at least 10 hours within each consecutive two CPD year period.
10. On 07 February 2025, Mr Godfrey sent the GDC his annual CPD statement in which he declared that he had completed zero CPD hours for 2024.

11. On 24 February 2025 the GDC wrote to Mr Godfrey under Rule 6 of the Rules to state:

'Thank you for submitting your CPD statement this year. However, our records show that you have not declared enough hours to meet the requirement of completing a minimum of 10 hours of CPD over two consecutive years. This puts your registration and ability to practise at risk.

You had previously submitted a 2023 CPD Annual statement of 0 verifiable hours and you have recently submitted a 2024 CPD statement of 0 verifiable hours.'

12. On 04 April 2025, the GDC wrote to Mr Godfrey under Rule 8 of the Rules to inform him of the registrar's decision "to remove your name from the Dentists [sic] Register for non-compliance with the General Dental Council's CPD requirement." The letter explained that the reason for this was because:

'...you have failed to provide a compliant CPD record demonstrating that you have met the minimum requirement for the period 1 January 2023 – 31 December 2024. As a result, the Registrar is not satisfied that you have complied with the rules.

We have not been provided with any evidence of your CPD record.

We have not been provided with any evidence of exceptional personal circumstances which may have prevented you completing your CPD as required.'

The Appeal

13. On 21 May 2025, Mr Godfrey lodged a notice of appeal against the registrar's decision. There appeared to have been a delay in his receiving the Rule 8 letter. He had notified the GDC of this by telephone on 29 April 2025 in which he explained his intention to appeal the decision and the registrar accordingly exercised discretion to extend the time-limit for appealing.
14. In his notice of appeal, Mr Godfrey accepted responsibility for his failure to meet the CPD requirements and provided a background of his personal and professional circumstances. He identified issues with the timely receipt of letters from the Council and highlighted his extensive professional experience as a dentist. He explained that he had a high workload of patients, which had impacted the attention he had given to meeting his CPD obligations. He also identified difficulty in retaining dentist associates in the practice. [IN PRIVATE]. Mr Godfrey provided with his appeal evidence of recently completed CPD hours in 2025 and identified that he had now introduced an electronic

learning service at his practice to help him and his associates manage their CPD obligations.

15. The registrar's position in response to the appeal, as set out in the GDC Case Summary dated 9 July 2025, is that Mr Godfrey is non-compliant with his CPD requirement as (on his own admission) he had completed zero hours of CPD in 2023-24. The registrar states that he is '*sympathetic to the circumstances of the Registrant, in particular his reported high workload over recent years, and acknowledges his significant practise [sic] experience*' but that '*CPD completed outside of the CPD year cannot be considered as set out in Rule 2 of the 2017 Rules*' and that there '*no power to waive the CPD requirement*'.
16. The registrar's position is that '*It is open to Mr Godfrey to apply to restore his registration at any time following this appeal.*'

Decision

17. The Committee accepted the advice of the Legal Adviser.
18. The first consideration for the Committee was whether Mr Godfrey had complied with his CPD requirement by completing at least 10 hours of CPD within the period 1 January 2023 to 31 December 2024. Having reviewed his CPD records, the Committee determined (as is not in dispute on appeal) that he demonstrates zero hours of CPD during that period and that there is therefore a shortfall of 10 hours. Although the two-year period here spans more than one CPD cycle, the 10 hours requirement still applied.
19. Accordingly, the Committee was satisfied that Mr Godfrey was not compliant with his CPD requirement.
20. The Committee considered the permissive terms of Rule 8 of the Rules, which confer a discretion on the registrar in relation to erasure: whilst the CPD requirement itself is mandatory, enforcing that requirement by erasing a non-compliant practitioner is a matter of discretion. The question of proportionality therefore arises. In considering this question, the Committee had regard to the GDC's *Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance* (February 2024) (the "Guidance").
21. The Committee recognised that the CPD requirement is a mandatory statutory requirement which applies to all registered dental professionals. Compliance is important in helping to ensure public protection and maintaining wider public confidence in the profession, so as to meet the overarching objective of the GDC under section 1 of the Act.
22. The Committee had careful regard to the general mitigation and difficult personal circumstances to which Mr Godfrey refers. The Committee recognised that Mr Godfrey is a long-standing practitioner who has provided some 46 years of service to the NHS as a Dentist. There is no evidence of any other shortfall in his CPD compliance. His failure to have undertaken at least 10 hours of CPD for 2023-24 appears to be the result of his high workload rather than any deliberate disregard for his CPD requirement and its importance. However, the mitigation and circumstances to which Mr Godfrey refers do not amount to exceptional circumstances for the purposes of the Guidance. The Committee noted his submissions that his exceptionally heavy workload

was something that he found challenging. However, he has not provided evidence that supports an inability to better manage his time in order to both work and complete the required CPD during the relevant period.

23. The Committee further noted that Mr Godfrey continued working as a Dentist for five and a half days a week throughout the period under consideration. In this regard, the Committee noted paragraph 15 of the Guidance, which states:

'The Registrar should also consider whether the personal circumstances put forward have prevented the registrant from working during the period under consideration. If a registrant has, notwithstanding their circumstances, been able to continue working as a dental professional, the Registrar is highly unlikely to exercise their discretion not to erase for a failure to meet their CPD requirements during the same timeframe.'

24. In the Committee's judgement, the fact that Mr Godfrey was able to continue working notwithstanding his difficult personal circumstances means that he would have had sufficient opportunity to complete the minimum 10 hours of CPD, in respect of which numerous reminders were sent to him by the GDC towards the end of the two-year period.
25. The Committee was satisfied that the registrar's decision to erase was consistent with the Guidance and is in any event proportionate in all the circumstances. Mr Godfrey was in breach of the requirement to complete the 10 hours of CPD within the two-year period under consideration. Compliance with that requirement is not only a professional duty under the GDC's standards but is in any event a mandatory statutory obligation which applies to all registrants.
26. Whilst the Committee is sympathetic to Mr Godfrey, a hard-working and highly experienced Dentist who has devoted much of his working life to serving the NHS, there are no grounds on which this appeal could be allowed. Mr Godfrey had failed to demonstrate that he was compliant with his CPD requirement. The decision of the registrar to erase his name was proportionate and was reached correctly in accordance with the procedural requirements of the Rules.
27. Regrettably, this appeal must therefore fail and is dismissed. Unless Mr Godfrey exercises his right of appeal to the County Court, the erasure decision will take effect upon the expiry of the 28-day appeal period. It will then be open to him to apply for the restoration of his registration if he meets the CPD and other requirements for restoration.
28. That concludes this determination.