

ON PAPERS**Registrations Appeal Hearing
CPD Appeal Hearing****20 August 2026****Name:** KENNEDY, Nigel Lindsay**Registration number:** 53613**Case number:** CAS-215601-C2Q4X3

General Dental Council: Represented by Jack Chaffey, ILAS**Registrant:** Represented by Claire Walsh, TDSEW

Outcome: Appeal dismissed

Committee members: John Vellacott (Chair, lay member)
Alan McCrum (Lay member)
Annika Hindocha (Dentist member)**Legal adviser:** Mike Bell**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 Mr Kennedy 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 2A 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 Mr Kennedy 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 Mr Kennedy had made no such request.
4. Notification of this appeal was sent to Mr Kennedy by Recorded Delivery and secure email on 17 July 2026 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 dentist registrants as of 1 January 2018, and the steps that the GDC shall take in respect of registrants' compliance and non-compliance with those requirements.
7. The 2017 Rules came into force on 1 January 2018 and took effect in respect of dentists on the same date.
8. In accordance with Rule 1, a 'CPD cycle' means, in respect of a dentist, a period of five years beginning on 1 January following the date the dentist is first registered and each subsequent period of five years. A 'CPD year' means, in respect of a dentist, a period of 12 months beginning on 1 January in any calendar year.
9. Mr Kennedy appealed against the Registrar's decision that his CPD is non-compliant because he had not met the minimum requirement for the period 1 January 2024 – 31 December 2025.

Summary

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

11. Mr Kennedy first registered with the GDC as a dentist on 17 December 1979. Therefore, in accordance with Rule 1 as set out above, Mr Kennedy's current CPD cycle began on 1 January 2024 and will end on 31 December 2028.
12. On 30 October 2025, the GDC sent an email reminder to Mr Kennedy's registered email address to notify him that his 2025 CPD cycle year was coming to an end and reminded him that he was required to submit his CPD statement, detailing how many CPD hours he had completed during that year, by 28 January 2026. The email also reminded Mr Kennedy 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. Mr Kennedy was warned that if he failed to submit his CPD statement by this date his registration may be put at risk.
13. On 10 November 2025, the GDC sent Mr Kennedy an Annual Renewal Notice letter by post to his registered address. The Annual Renewal Notice is designed to remind registrants that their registration with the GDC is due for renewal, of the need to pay their annual retention fee and make their indemnity declaration and of the need to submit their CPD statement. Mr Kennedy was also reminded in this notice that he was required to submit his CPD statement by 28 January 2026. This letter also reminded Mr Kennedy of the need to complete a minimum of ten hours of CPD during each period of two consecutive years.
14. Between 26 November 2025 and 28 January 2026, the GDC sent numerous reminders to Mr Kennedy regarding his CPD requirements and requisite deadlines.
15. On 2 December 2025, Mr Kennedy contacted the GDC by an online 'webform' enquiry, stating, *'I have my Dental protection in place and retired from General practice in April 2024 I only anticipate being a prescriber for [Person A] who does Botox and facial aesthetics, do I need full registration?'*
16. On 3 December 2025, the GDC's Customer Advice and Information Team (CAIT) emailed Mr Kennedy back, stating, *'Only dentists, doctors, and registered professionals who have completed an approved prescribing qualification are legally permitted to prescribe. Therefore, if you intend to prescribe, you will need to maintain your professional registration and ensure you have appropriate indemnity cover for the work he plans to undertake. I hope this is helpful. In the meantime, please do not hesitate to contact me should you require further assistance.'*

Rule 6 notice

17. On 20 February 2026, the GDC sent Mr Kennedy a notice under Rule 6 of the 2017 Rules. The notice stated that, although Mr Kennedy had submitted a CPD statement to the GDC, he had not declared enough hours to meet the requirement to complete a minimum of ten hours of CPD over two consecutive years. Mr Kennedy was informed that he had previously submitted a CPD statement for 2024 detailing four verifiable CPD hours and then submitted a statement for 2025 with zero verifiable CPD hours. Mr Kennedy was informed that he needed to submit a compliant CPD record covering 1 January 2024 to 31 December 2025 by the deadline of 20 March 2026. As such, Mr Kennedy was informed that he now needed to submit his CPD record, including his Personal Development Plan ("PDP"), CPD log and evidence of completed CPD, in order to demonstrate his compliance with the CPD requirements. Mr Kennedy was warned that if the GDC did not receive a response to the notice or if his response was unsatisfactory, he may be erased from the dentists register. Mr Kennedy was also asked to inform the GDC if there were any reasons or exceptional

circumstances, together with supporting evidence, that had meant he was unable to submit a compliant statement for the relevant period.

18. On 23 February 2026, the GDC received an email from Mr Kennedy where he provided some information about his practising arrangements and what he was required to ensure compliance:

'Thanks for your e mail and attachment re CPD. I retired last April 2025 but decided to re-register due 2026 to help out from time to time at my previous practice. What do I need to do now to comply? I'm happy to update with doing new COD between now and March 31st 2026 online or whatever. Please advise'.

19. On 24 February 2026, the GDC responded to Mr Kennedy, again informing him that if he was practising as a dental professional he would need to complete the minimum ten hours of CPD in two consecutive years.
20. On 7 March 2026, the GDC received an email from Mr Kennedy where he provided his activity log, CPD certificates and personal development plan. Mr Kennedy noted that he had retired in April 2025 but had intended to do a few sessions of work. He indicated that he had paid his GDC and indemnity fees.

Rule 8 notice

21. On 1 April 2026, the GDC sent a Rule 8 Notice to Mr Kennedy confirmed that his evidence demonstrated completion of four hours of verifiable CPD between 1 January 2024 – 31 December 2024, and zero hours of verifiable CPD between 1 January 2024 – 31 December 2025. This was not sufficient to meet his CPD requirements to complete a minimum of ten hours of verifiable CPD for every two consecutive CPD year period. His CPD was deficient as:
- a) He has outstanding six verifiable CPD hours.
 - b) 3x Agilio CPD certificates dated 1 March 2026, are out of the cycle year requested, therefore, not applicable.
22. Further, the letter also set out that Mr Kennedy had not provided any evidence of exceptional personal circumstances which may have prevented him from completing his CPD as required.
23. As a result of Mr Kennedy's failure to provide a compliant CPD record, the Registrar had made the decision to remove his name from the dentists register for non-compliance with the 2017 Rules. Mr Kennedy was notified that unless an appeal was submitted, the Registrar's decision would take effect on 1 May 2026.

Correspondence with the GDC

24. On 2 April 2026, Mr Kennedy phoned the GDC. A telephone attendance record noted that Mr Kennedy was advised of the 'Rule 8 Notice' and appeals procedure.
25. Around 20 April 2026, Mr Kennedy phoned the GDC, leaving a voicemail and his call was returned on the same day.

Notice of Appeal (NOA)

26. On 21 April 2026, the GDC received an email from Mr Kennedy attaching a NOA in which he confirmed that he wished to appeal the decision to remove him from the register. On 21 April 2026, Mr Kennedy's NOA was reviewed by the Council's Operations Officer. Mr Kennedy was deemed to be non-compliant with his CPD requirements for the following reasons:

'Mr Kennedy has failed to provide sufficient evidence that demonstrates compliance with the CPD requirement of completing 10 hours of verifiable CPD over 2 consecutive years. 3 x Agilio certificates dated 1 March 2026 are not within the requested assessment period and therefore not applicable'.

27. As of 24 April 2026, Mr Kennedy has completed five hours of verifiable CPD, this is not enough to meet the CPD requirements to submit ten hours of CPD over two consecutive years for the years 2024-2025.

Submissions

28. In its written submissions, the GDC submitted that Mr Kennedy is non-compliant with his CPD requirements because he has failed to demonstrate that he has completed the minimum requirement to undertake ten hours of verifiable CPD during the period 1 January 2024 – 31 December 2025. The GDC noted that Mr Kennedy has provided CPD documentation with his correspondence of 7 March 2026, however, this included CPD completed outside of the period 1 January 2024 – 31 December 2025. The CPD undertaken outside of the relevant period cannot be counted. Only CPD undertaken between 1 January 2024 – 31 December 2025 can be considered by the Registrar when assessing compliance under Rule 2(5) of the 2017 Rules which requires a minimum of ten hours of CPD to be undertaken in each two-year period.
29. Firstly, the GDC acknowledged that Mr Kennedy has practised for 45 years, and this incident of CPD non-compliance is an aberration which coincides with his planned retirement from full-time work after 45 years of practise. It is noted that Mr Kennedy was not intending to engage in practise initially, but did then choose to remain involved in some practise on a less than full-time basis. Accordingly, he is required to maintain Registration, including full compliance with the CPD requirements.
30. The GDC respectfully submitted that Mr Kennedy was sent numerous reminders as early as 30 October 2025 drawing his attention to the requirement that dentists must complete a minimum of ten hours of CPD in each two-year period. Evidently, Mr Kennedy's history of compliance shows that he has understood the CPD requirements. It is also noted that Mr Kennedy engaged with the GDC, and made some attempt to comply, albeit outside of the relevant period.
31. The GDC is of the view that Mr Kennedy had completed five verifiable CPD hours between 1 January 2024 – 31 December 2025 and has a shortfall of five hours. Therefore, Mr Kennedy failed to meet the requirement that dentists complete a minimum of ten verifiable CPD hours in each two-year period as per Rule 2(5) of the 2017 Rules.
32. In Mr Kennedy's NOA, he stated that he has been a Dentist since 1979 and has completed his CPD as necessary up until his final year [of full-time practise]. He retired in April 2025, and did not expect to return to work again, although he did intend to do occasional sessions, and

Botox prescribing for [Person A's] facial aesthetics business. Mr Kennedy stated that he paid his registration fees and dental protection fees (indemnity) in December 2025 without issue and had made efforts to comply with the CPD requirements when he was made aware, and completed further CPD sessions promptly. He is willing to complete further CPD and indicates that he has an Agilio membership.

33. Mr Kennedy also stated that he has previously completed volunteer dental practise in Morrocco and intends to do this again this year and noted that the erasure is a harsh consequence, in the circumstances that he has practised for 45 years without issue, and it will force him to reapply and pay for restoration. He has no malintent in his conduct.

Committee's decision and reasons on the appeal

34. 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 Mr Kennedy in his NOA. It heard and accepted the advice of the Legal Adviser.
35. The Committee noted that Mr Kennedy has completed five hours of verifiable CPD between 1 January 2024 – 31 December 2025, leaving a shortfall of five hours. The Committee took account of Mr Kennedy's explanation for not having completed the requisite hours and that there is no evidence before the Committee of exceptional personal circumstances that had prevented Mr Kennedy from complying with his CPD requirements.
36. Accordingly, the appeal is dismissed. The Committee wished to remind Mr Kennedy that it is open to him to apply for the restoration of his name to the Register upon completion of the required number of CPD hours.
37. This will be confirmed to Mr Kennedy in writing.
38. That concludes this determination.