

PUBLIC HEARING

Registration Appeals Committee

31 January 2025

Name: DAHER, Daher Mohammed

Case number: CAS-208339-R0X9N7

General Dental Council: Rebecca Vanstone, Counsel
Instructed by Needa Bhatti, IHLAS

Registrant: Present
Unrepresented

Outcome: Appeal under the title of Dental Therapist allowed
Appeal under the title of Orthodontic Therapist dismissed

Committee members: Jill Crawford (Chair) (Lay)
Jenny Griffiths (DCP)
Nicola Jordan (Dentist)

Legal Adviser: Helen Gower

Professional Adviser: Malcolm Smith

Committee Secretary: Paul Carson

Mr Daher,

1. This is an appeal against the registrar's decision not to grant you registration on the DCP register under the titles of Orthodontic Therapist and/or Dental Therapist. The issue on appeal is whether you demonstrate the requisite knowledge and skill to practise as a member of the profession under either or both titles in accordance with the requirements of section 36C(4)(b) of the Dentists Act 1984 (the "Act").

Background

2. You graduated in 2009 from Damascus University, Syria with the degree of Doctor in Dentistry, which is a comparable level of academic achievement to a Bachelor of Dental Surgery degree in the United Kingdom. In November 2021 you graduated from the University of Sheffield with the degree of Master of Dental Public Health.
3. Between 2009 and 2014 you practised as a dentist in Syria. From June 2021 you worked in the United Kingdom as a trainee Dental Nurse, qualifying in mid-2024 with the National Diploma in Dental Nursing and becoming registered with the General Dental Council (GDC) under the title of Dental Nurse in October of that year. Following this, you undertook a three-month full-time clinical attachment at Ain-Shams University in Cairo, Egypt as a dentist, performing procedures which included fillings, scaling and non-surgical periodontal treatment. The clinical attachment consisted of one month of periodontal work and two months of clinical operative skills and practice. You also worked in a private dental clinic in Cairo, where you carried out practical routine dentistry and a small number of orthodontic procedures.
4. On 06 March 2023, you submitted applications to the GDC for registration under the titles of Orthodontic Therapist and Dental Therapist, relying on your Doctor in Dentistry degree and the provisions of section 36C of the Act, which require you to satisfy the registrar of a number of matters, including, so far as is relevant to this appeal, "Matter C".
5. Section 36C(4) provides that:

"Matter C is that the person—

(a) holds a qualification or qualifications granted by an institution or institutions outside the United Kingdom relevant to the profession complementary to dentistry, or class of members of such a profession, to which the title applies (in this section referred to as "relevant qualifications"); and

(b) has satisfied the Council that he has the requisite knowledge and skill to practise as a member of the profession or class to which the title applies."

6. It was not in dispute on appeal that your Doctor in Dentistry degree is a "relevant qualification" for the purposes of section 36C(4)(a). The issue was whether you demonstrate that you have the requisite knowledge and skill to practise under the titles of Orthodontic Therapist and/or Dental Therapist in accordance with section 36C(4)(b). When determining whether an applicant has the requisite knowledge and skill, section 36C(5)(a) of the Act requires the Council to take into account all the applicant's relevant qualifications, and all relevant knowledge or experience, wherever acquired.

7. Your applications for registration were considered on paper by panels convened by the registrar to assess your qualification, training and experience against the Learning Outcomes which are required for Orthodontic Therapists and Dental Therapists. The panels met in May 2024 and determined that a number of the Learning Outcomes did not appear to have been covered as part of your training or professional experience. The issue in relation to the Learning Outcomes which were assessed as being deficient was a lack of a recent professional clinical reference confirming clinical competency in respect of the Learning Outcome, a lack of relevant Continuing Professional Development (CPD) activity and/or a lack written self-reflections in relation to the Learning Outcome.
8. Accordingly, the GDC wrote to you on 30 May 2024 refusing your applications for registration as an Orthodontic Therapist and a Dental Therapist, subject to the submission of any further evidence by 27 June 2024 addressing each Learning Outcome which was assessed as being deficient. Following the receipt of further evidence from you, the registrar's decision remained unchanged. Your applications were therefore refused and the GDC wrote to you on 7 August 2024 to confirm this.
9. It is against this decision which you appeal to the Committee in respect of both titles.

The appeal hearing 31 January 2025

10. The Committee met today to hear your appeal. The hearing was conducted remotely using Microsoft Teams. The Committee had regard to all the documents which had been put before it. This included further information and evidence provided by you which was not before the registrar's assessment panels, including your updated Continuing Professional Development (CPD) record, self-reflections, evidence of qualification and GDC registration as a Dental Nurse, and further professional clinical references evidencing your three-month clinical attachment and private practice in Egypt.
11. The Committee heard oral evidence from you in which you discussed the structure and content of your undergraduate and postgraduate training, your work history, your recent clinical practising experience and your career aspirations. You answered questions from the Professional Adviser and the Committee on your knowledge in respect of the Learning Outcomes which were assessed as being deficient. You also discussed your understanding of GDC Standards and the Scope of Practice of an Orthodontic Therapist and a Dental Therapist.
12. The Committee had regard to the submissions made on behalf of the registrar by Ms Vanstone, and to those which you made on your own behalf.
13. Ms Vanstone submitted that the registrar's decision refusing your applications were reached correctly and that your appeal should therefore be dismissed on that basis, unless the Committee were to consider that the additional information which you have since provided is sufficient to demonstrate each of the outstanding Learning Outcomes.
14. If the Committee were minded to allow your appeal, Ms Vanstone submitted that it should exercise its power to remit the case to the registrar so that the remaining requirements of registration under section 36C(1)(b) of the Act ("Matter D") can be assessed. Those matters relate to your identity, character, knowledge of English and

health and might not yet have been fully assessed by the registrar pending the outcome of this appeal.

15. You submitted that you meet the requirements for registration under both titles.

Decision

16. The Committee accepted the advice of the Professional Adviser.

17. The Committee accepted the advice of the Legal Adviser.

18. The Committee considered your applications for registration as an Orthodontic Therapist and a Dental Therapist separately, examining the outstanding Learning Outcomes for each title against all the evidence which is now available on appeal.

19. The Committee first considered your application for registration as a Dental Therapist. The Committee found your oral evidence to be clear and straightforward. You answered the questions put to you in a way which conveyed genuine knowledge and understanding in relation to each of the outstanding Learning Outcomes and in relation to GDC Standards and the Scope of Practice of a Dental Therapist. The Committee was impressed by your professional attitude and your dedication to dentistry. Your consistent hard-work, diligence and determination in seeking to demonstrate the outstanding Learning Outcomes was apparent to the Committee. The Committee understands that you are also currently studying for the Overseas Registration Examination, which you plan to take later this year, to register as a dentist.

20. Your application was assessed by the registrar's panel without the benefit of oral evidence from you. The panel also did not have the benefit of your updated CPD record, self-reflections and your further professional clinical references evidencing your three-month clinical attachment and private practice in Egypt. Having comprehensively examined the evidence now available against each Learning Outcome, the Committee was satisfied that you demonstrate a sufficient academic and clinical background for the purposes of registration as a Dental Therapist. The Committee assessed you as meeting the Learning Outcomes for this title. The evidence in support of this was set out almost entirely in the documents before the Committee and was supplemented by your oral evidence.

21. Having regard to the entirety of the evidence now available on appeal, the Committee determined that you demonstrate the requisite knowledge and skill for registration as a Dental Therapist and that you therefore satisfy the registrar of "Matter C" in respect of this title.

22. In respect of your application under the title of Orthodontic Therapist, you have submitted documentation in relation to each outstanding Learning Outcome. However, in oral evidence you told the Committee that the professional reference provided by you to evidence Learning Outcomes specific to orthodontic practice was based on a small number of cases in private practice in Egypt. You told the Committee that you worked independently at this practice and it appeared that most of your cases related more closely to the Dental Therapist role. The Committee noted that the clinical attachment you undertook at the University in Egypt, which was supervised, did not include any specific orthodontic work. Whilst you were able to demonstrate sufficient recent clinical practising experience in relation to the work of a Dental Therapist, you

were unable to show any significant recent clinical or practical experience of orthodontic work. In these circumstances, the Committee could not be satisfied, notwithstanding the professional clinical reference provided, that you have enough recent relevant clinical practising experience to assure the Committee that you have the requisite knowledge and skill for registration as an Orthodontic Therapist.

23. Accordingly, the Committee dismisses your appeal in respect of your application for registration as an Orthodontic Therapist.

24. The Committee allows your appeal in respect of your application for registration as a Dental Therapist, in so far as it relates to "Matter C". In accordance with the normal registration process of the GDC, "Matter D", which relates to your identity, character, knowledge of English and health, potentially remains outstanding pending the outcome of this appeal. The Committee therefore remits the case to the registrar with a direction that you meet the requirements of "Matter C" in respect of the title of Dental Therapist and that your corresponding application for registration shall therefore be granted subject to your satisfying the registrar of "Matter D".

25. That concludes this determination.