

PUBLIC HEARING

Professional Conduct Committee Review Hearing

9 March 2026

Name: PEKACKI, Pawel Eugeniusz

Registration number: 84354

Case number: CAS-195930

General Dental Council: Hariet Dixon of Counsel
Instructed by Amy Jones of ILPS

Registrant: Not present

Fitness to practise: Impaired by reason of misconduct

Outcome: Suspension extended (with a review)

Duration: 12 months

Committee members: Diane Meikle (Lay) (Chair)
Jake West (Dentist)
Karen Suarez (Dental Care Professional)

Legal adviser: Stephen Bate

Committee Secretary: Paul Carson

1. This is a resumed hearing pursuant to section 27C of the Dentists Act 1984.
2. On 6 March 2025, the Professional Conduct Committee (PCC) found Mr Pekacki's fitness to practise as a dentist to be impaired by reason of misconduct and directed that his registration be suspended for a period of 12 months with a review. The March 2025 PCC summarised its finding of misconduct as follows:

'...The Committee's findings at heads of charge 1 (a), 1 (b), 2, 3 and 5 relate to the care and treatment that Mr Pekacki provided to 11 patients. The Committee has found that, between March 2018 and March 2020, Mr Pekacki failed to provide an adequate standard of care to the 11 patients in question, in that he failed to take a preoperative radiograph before preparing teeth for crowns, which severely compromised treatment-planning and which amounted to a failure to obtain informed consent for the crowns. The Committee also found that, in relation to one of the patients, namely Patient 2, Mr Pekacki recognised caries on two radiographs but failed to provide appropriate treatment. The Committee found that, between 2016 and 2020, Mr Pekacki failed to take appropriate and sufficient radiographs to establish the extent of periodontal disease in respect of three patients, namely Patients 2, 4 and 11. Consequently, the progression of the disease could not be monitored effectively, and the patients could not be advised appropriately. The Committee also found that, on a number of occasions and on a routine basis, Mr Pekacki provided care to patients without the assistance of a registered dental nurse and/or a trainee dental nurse.

In light of the findings of fact that it has made, the Committee has determined that the proven facts at heads of charge 1 (a), 1 (b), 3 and 5 each amount to misconduct. The Committee notes that its findings, and particularly those at head of charge 1 (a), 1 (b) and 5, relate to conduct that was repeated and sustained over a number of years. Mr Pekacki's conduct related to failures in following appropriate and established standards, guidance and procedures. Mr Pekacki placed patients at unwarranted risk of harm, including potentially compromised care and treatment. In exercising its own independent judgement, the Committee nonetheless noted the opinion of the GDC's expert witness, namely Mr Mulcahy, that the matters at heads of charge 1 (a), 1 (b), 3 and 5 fell far below the standards reasonably to be expected of a registered dentist. The Committee considers that Mr Pekacki's conduct fell far short of the standards reasonably to be expected of a registered dental professional, and that his acts and omissions would be viewed as deplorable by his fellow practitioners, relating as they do to consistent and sustained departures from established guidance, procedures and standards.

The Committee does not find that head of charge 2, when viewed in isolation, and in and of itself, amounts to misconduct. Whilst the Committee does not condone Mr Pekacki's conduct in this regard, it considers that this finding, relating as it does to a single patient and one instance of a failure appropriately to treat caries, is not of such seriousness as to amount to misconduct in its own right. However, the Committee considers that, when viewed cumulatively, head of charge 2 joins the other heads of charge in amounting to misconduct...'

3. In finding Mr Pekacki's fitness to practise to be impaired, the March 2025 PCC stated:

'...The Committee notes that Mr Pekacki has not been practising for a number of years, which in the Committee's judgement means that any changes that could be

made to his practice have not been implemented and embedded. Whilst the Committee has made no adverse inference from Mr Pekacki's absence at this hearing, albeit that he was represented, the Committee has been provided with little, if any, evidence of him having reflected upon and demonstrated insight into his misconduct. The Committee finds that Mr Pekacki's limited reflections on his misconduct do not demonstrate that he fully understands the risks that his acts and omissions have posed to patients. Based on the submissions of Ms Pekacka, the Committee was left with the clear impression that the changes that Mr Pekacki would make were he to return to practise would only be made if the GDC required him to do so. The Committee considers that this stipulation connotes a lack of proactivity and insight. The Committee also considers that these proposed changes would not adequately protect the public from the risks that Mr Pekacki poses to the public. The Committee considers that, because of his misconduct that has yet to be remediated, Mr Pekacki's fitness to practise is currently impaired.

The Committee also considers that a finding of impairment is further required to maintain public confidence in the profession and to declare and uphold proper professional standards of conduct and behaviour. In the Committee's judgement the public's trust and confidence in the profession, and in the regulatory process, would be significantly undermined if a finding of impairment was not made in the particular circumstances of this case...'

4. In deciding sanction, the March 2025 PCC stated that it could not be satisfied that conditions would be workable and measurable, as Mr Pekacki was not practising and had no intention of returning to practice. It further stated that conditions would not in any event *'be sufficient to mark the seriousness of the matters that have given rise to this hearing...'*. The March 2025 PCC therefore directed that Mr Pekacki's registration be suspended for a period of 12 months with a review, stating:

'...this period of time is commensurate with the need to protect the public, the need to declare and uphold proper professional standards of conduct and behaviour, and the need to maintain trust and confidence in the profession. The Committee also considers that a lesser period of time would not be sufficient for Mr Pekacki to develop and demonstrate the requisite insight into and remediation of his misconduct, should he be minded to do so.'

5. In directing that the period of suspension be reviewed, the March 2025 PCC suggested to Mr Pekacki that the reviewing committee might be assisted by evidence of the following:

- Reflections and insight into the Committee's findings, including the impact of his acts and omissions on the profession, patients and the wider public;
- Learning and development, including continuing professional development (CPD) in respect of the shortcomings identified by this Committee;
- Remediation of the shortcomings identified by this Committee.

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6. It is the role of the Committee today to undertake the review directed by the March 2025 PCC. Mr Pekacki was neither present nor represented at the hearing today, which was conducted remotely using Microsoft Teams.

7. Ms Dixon, on behalf of the General Dental Council (GDC), submitted that notice of this hearing had been served on Mr Pekacki in accordance with the requirements of the General Dental Council (Fitness to Practise) Rules 2006 (the 'Rules') and that the hearing should proceed in his absence.
8. The Committee accepted the advice of the Legal Adviser on the requirements of service and proceeding in absence.
9. The notification of hearing was sent to Mr Pekacki at his registered address by both first class post and Special Delivery on 4 February 2026. A link to download a copy of the notification of hearing was also sent to him by email on the same day. Royal Mail tracking information records that the Special Delivery item was '*delivered back to the sender*' on 26 February 2026.
10. The Committee was satisfied that the notification of hearing contained the required information under Rule 28 of the Rules, including the time, date and (remote) venue of this hearing; and that it had been served on him in accordance with the requirements of Rule 65 by virtue of its being posted to his registered address. Proof of delivery is not required for service to be effected under the Rules.
11. The next consideration for the Committee was whether to proceed with the hearing notwithstanding Mr Pekacki's absence. This is a discretion which must be exercised with great care and caution.
12. The Committee was satisfied that the GDC had made all reasonable efforts to send notice of this hearing to Mr Pekacki. By email to the GDC on 6 March 2026, Ms Pekacka, who acted as his lay representative at the March 2025 PCC, confirmed that he was content for the hearing to proceed in his absence. She also stated in that email that she will '*supply relevant documents prior to the 9th as requested*'.
13. The Committee was satisfied that Mr Pekacki is aware of this hearing and its purpose, as evidenced by Ms Pekacka's correspondence. He has confirmed through her that neither he nor his representative will be attending the hearing today. No application had been made for a postponement of the hearing and there was nothing to suggest to the Committee that adjourning the hearing would make Mr Pekacki's attendance any more likely in the near future. Having regard to all the circumstances, including Mr Pekacki's stated position and the regulatory need to review the period of suspension prior to its pending expiry, the Committee determined that it would be fair and in the interests of justice to proceed with the hearing notwithstanding his absence.
14. The Committee proceeded to hear submissions from Ms Dixon on the review of the period of suspension. She submitted that Mr Pekacki has not provided any evidence of insight, remediation or Continuing Professional Development; that his fitness to practise continues to be impaired and that the suspension of his registration should be extended by a further period of 12 months with a review.
15. The Committee accepted the advice of the Legal Adviser.
16. The Committee retired to consider its decision. Whilst in retirement, the Committee was informed that Ms Pekacka had sent the documentation referred to in her email of 6 March 2026 to the GDC's Case Review Team yesterday evening, but that these had not come to the attention of the GDC's lawyers until around midday today. The bundles had

therefore not been handed up to the Committee during the hearing.

17. In the interests of fairness, the Committee reopened the hearing to allow the additional documents to be submitted and to receive supplementary submissions from Ms Dixon in response to those documents.
18. The additional documents consisted of four CPD certificates and a written reflective statement from Mr Pekacki stating:

'Given the knowledge I have now, following the hearings

and the determinations, although I am not working now in a clinical environment, I would follow all of GDC's recommendations in full if I were to return to clinical work. At the same time, please take into account that having now seen the future of the crowns I placed, none of these patients have since complained and none had any complications or adverse outcomes so they have not been harmed in any way by my not taking radiographs before crowns were placed. Nevertheless, I have learned my lesson and I understand that it is now the current standard to take radiographs before every crown placement and I would follow this GDC recommendation as well.

In order to improve my knowledge in Periodontology I am a member of the British Society of Periodontology and Implant Dentistry and I took part in the 3 day course in the EuroPerio11 in Vienna (certificate enclosed) during which specialists from all over the world presented and discussed the latest knowledge in periodontology. To improve my knowledge in implantology I attended the European Association of Osseointegration meeting in Monaco (certificate enclosed) where again I spent 3 days learning all about the latest knowledge and innovations in implantology. Similarly, I took part in the Straumann International Esthetic Days (2 days) and BDA's CBCT Level 1 Training (7 hours) to deepen my knowledge of modern implantology and radiography (certificates attached).

Regarding patient 11 whose implant thread was exposed, this patient was referred to our implantologist [...] and the patient who was prescribed Duraphat for his caries had his care taken over by our associate dentist [...].

I kindly ask that my registration suspension be lifted to allow me to continue attending courses and to fulfill my obligations as a limited company director, even though I am not working as a dentist.'

19. In response to this further material, Ms Dixon maintained her submission that Mr Pekacki's fitness to practise continues to be impaired and that the suspension should be extended. She submitted that, whilst he has undertaken some remedial action, this does not adequately address the concerns identified by the March 2025 PCC.
20. The Committee then retired again to consider its decision.
21. The Committee first considered whether Mr Pekacki's fitness to practise continues to be impaired by reason of the misconduct of found by the March 2025. The Committee determined that there continues to be a lack of sufficient evidence of remediation. The limited CPD which he has undertaken does not address the full scope of the misconduct which had been identified. In addition, he provides no

reflective writing on his learning from those activities and on how he would embed such learning into his practice. He has also not provided any evidence that he has remained up to date with his CPD requirements generally. The four courses which he had undertaken were not indicative of any substantive attempt at remediation of the wide-ranging and substantial failings which were identified by the March 2025 PCC. In particular, there was no Personal Development Plan submitted, and the remediation did not address routine radiographic practice, gaining informed consent and treatment of caries. Therefore, the Committee found the evidence of remediation to be of limited value in addressing the failings in Pekacki's practice. Likewise, his relatively brief written reflective statement does not address the full extent of those failings. He does not express any embedded understanding of the relevance and importance of the GDC's standards in relation to his failings. The Committee also noted that there was a lack of any reference to the previous PCC's findings on working without adequate nursing support, or reflections and insight into the Committee's findings, including the impact of his acts and omissions on the profession, patients and the wider public.

22. Whilst the Committee took in consideration that Mr Pekacki has not practised for a number of years and may have retired from clinical work, nothing would prevent him from resuming practice if he so wished. In this regard, the Committee noted that he appears to remain the director of two dental practices. Whilst the misconduct found by the March 2025 PCC is remediable in principle through learning, reflection and evidence of embedded improvement in practice, Mr Pekacki has provided only limited evidence of this. His insight is still developing and his remediation remains at an early stage. In those circumstances, the Committee determined that there continues to be a risk of repetition. The Committee today is in no different a position to the March 2025 PCC.
23. The Committee therefore determined that there remains a risk of harm to the public. Public confidence in the profession and its regulation would also be undermined if no finding of impairment continued to be made, given the continued lack of evidence of insight and remediation.
24. The Committee therefore determined that Mr Pekacki's fitness to practise as a dentist continues to be impaired.
25. The Committee considered whether to replace the period of suspension with conditions of practice but determined that these would not be workable given the limited extent of Mr Pekacki's remediation at this stage.
26. Accordingly, the Committee determined that the continued suspension of Mr Pekacki's registration remains necessary and proportionate. The Committee directs that the suspension be extended by a further period of 12 months with a review to take place prior to the expiry of that extended period.
27. That concludes this determination.

