

## ON PAPERS

### Registration Appeals Committee (CPD Appeal)

28 May 2025

**Name:** BUGA, Teodora-Madalina

**Registration number:** 295388

**Case number:** CAS-209823

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**General Dental Council:** Zara Gull, ILAS

**Registrant:** Unrepresented

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**Outcome:** Appeal dismissed

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**Committee members:** Aysha Ahmed-Kibria (Dentist) (Chair)  
Stacey Firby (Dental Care Professional)  
Lynne Vernon (Lay)

**Legal adviser:** Julian Weinberg

**Committee Secretary:** Andrew Keeling

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

1. This was an appeal meeting before the Registration Appeals Committee (RAC). The meeting was conducted remotely on Microsoft Teams.
2. The appeal was against the decision of the Registrar of the General Dental Council (GDC) to erase Mrs Buga from the Register for apparent non-compliance with the statutory Continuing Professional Development (CPD) requirements. The meeting

was 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').

3. Neither party was present at today's meeting. The Committee first considered the issues of service and whether to proceed with the meeting on the papers in the absence of Mrs Buga and any representatives for either party. The Committee accepted the advice of the Legal Adviser on both of these matters.

### **Decision to conduct the appeal in the absence of Mrs Buga and on the papers**

4. Notification of this appeal was sent to Mrs Buga by Recorded Delivery and secure email on 25 April 2025 in accordance with Rule 5 of the Registration Appeal Rules.
5. The Committee noted that conducting the appeal on the papers is the default position of the GDC unless an appellant requests an oral hearing. It took into account that the GDC's acknowledgement of Mrs Buga's appeal, dated 17 January 2025, informed Mrs Buga that she could request an oral hearing within 28 days of the date of the letter. Having considered the documents provided, the Committee was satisfied that Mrs Buga had made no such request.
6. The Committee noted that the bundle of documents and case summary that the Committee would be considering were sent to Mrs Buga by Recorded Delivery and secure email on 25 April 2025.
7. In the circumstances, the Committee was satisfied that it was appropriate to consider today's appeal in the absence of either party and on the papers.

### **Summary of the Legal Framework**

8. 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.
9. The current CPD Rules came into force on 1 January 2018 and took effect in respect of dental care professionals on 1 August 2018.
10. 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.

11. Rule 2(1) of the CPD Rules sets out the minimum number of hours of CPD a practitioner must complete within their CPD cycle.
12. Rule 2(5)(b) of the CPD Rules requires dental care professionals to undertake at least 10 hours of CPD during each period of two consecutive CPD years (including any such two-year period which spans over more than one CPD cycle).
13. Rule 3 provides the requirement that all registrants must maintain a written record of all CPD that the practitioner plans to undertake and has undertaken during the CPD cycle. Rule 3 also sets out what the written record must include.
14. Rule 4 of the CPD Rules states that for each CPD year, a practitioner must submit to the Registrar a statement which confirms the number of hours of CPD undertaken during that corresponding year or, if the practitioner has not undertaken any CPD in that CPD year, confirmation that no CPD has been undertaken. The practitioner must also confirm in this statement that they have kept a CPD record, that the CPD undertaken (where applicable) was relevant to the practitioner's field of practice and declare the information in their statement is full and accurate. This statement must be completed within 28 days of the end of that CPD year.
15. Rules 6 and 7 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.
16. Rule 8 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 and/or other related obligations under the relevant Rules.

### **Summary of the factual background**

17. Mrs Buga first registered with the GDC as a Dental Care Professional, with the title Dental Nurse, on 14 June 2021. Therefore, in accordance with Rule 1 as set out above, Mrs Buga's current CPD cycle began on 1 August 2021 and will end on 31 July 2026.
18. On 22 May 2024, the GDC sent an email reminder to Mrs Buga's registered email address. This reminder notified Mrs Buga that her CPD year was coming to an end

and reminded her that she was required to submit her CPD statement, detailing how many CPD hours she had completed during that year, by 28 August 2024. Mrs Buga was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.

19. On 11 June 2024, the GDC also sent Mrs Buga an Annual Renewal Notice letter by post to her 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 make their CPD statement. Mrs Buga was also reminded in this notice that she was required to submit her CPD statement by 28 August 2024. It was stated that Mrs Buga would need to have completed at least 10 hours of CPD over the last two years, unless she was in the first year of her first CPD cycle.
20. Between 12 June 2024 and 28 August 2024, four email reminders were sent to Mrs Buga's registered email address and three SMS reminders were sent to her registered mobile number reminding her to submit her CPD statement.
21. On 25 September 2024, the GDC sent a notice under Rule 7 to Mrs Buga by recorded delivery to her registered address. The notice stated that Mrs Buga had not submitted a CPD statement to the GDC. The notice stated that if Mrs Buga wished to retain her registration, she should submit his CPD statement to the Registrar by 23 October 2024 to demonstrate that she had met the requirement. Mrs Buga was informed that if the GDC did not receive a response to the notice or if her response was unsatisfactory, she may be erased from the dental care professionals' register. On 27 September 2024, a copy of the notice was also sent via email to Mrs Buga's registered email address.
22. On 27 September 2024, Mrs Buga submitted an annual CPD statement for the 2021-2022 CPD year, declaring that she had completed four verifiable CPD hours.
23. On 5 November 2024, the GDC sent a notice under Rule 6 to Mrs Buga by recorded delivery to her registered address. The notice stated that, although Mrs Buga had submitted a CPD statement to the GDC, she had not declared enough hours to meet the requirement to complete a minimum of 10 hours of CPD over two consecutive years. It was noted that she had submitted an annual CPD statement of four verifiable hours for the 2023-2024 CPD year and an annual CPD statement of three verifiable hours for the 2022-2023 CPD year. The notice stated that if Mrs Buga wished to retain her registration, she should submit her CPD record to the Registrar by 3 December 2024 in order to demonstrate that she had met the requirement. Mrs Buga was informed that if the GDC did not receive a response to the notice or if her response was unsatisfactory, she may be erased from the dental care professionals'

register. On 6 November 2024, a copy of the notice was also sent via email to Mrs Buga's registered email address.

24. On 28 November 2024, the GDC received a covering letter via post alongside supporting evidence of CPD from Mrs Buga. Within the covering letter, Mrs Buga thanked the GDC for making her aware that she had not completed the required verifiable CPD in the previous two years to satisfy the requirements. Mrs Buga explained that this was due to a misunderstanding of the requirements; she had been aware that she needed to complete 50 hours of verifiable CPD over a five-year cycle, however, she had been unaware that she was also required to complete at least 10 hours over a two-year period. She provided reassurances that she had been performing her duties as a Dental Nurse professionally and had fully adhered to NHS guidelines regarding professionalism.
25. Mrs Buga further stated that although she had not completed CPD in other categories, most of the subjects were things she had come across daily in the dental practice setting, so they were not things she had forgotten. She stated that she had always checked for updates, and whenever she learned something new from colleagues, she would verify its accuracy and keep herself up to date with any changes. However, she stated that she did not have any records or evidence of this.
26. Mrs Buga stated that she strongly believed in the GDC's guidance, and that it would be highly appreciated if the GDC gave her a chance to catch up on her verifiable CPD. She promised that she would always check and follow the GDC's requirements. She expressed her apologies and acknowledged that she had assumed she understood what to do without checking the GDC website.
27. Mrs Buga concluded by stating that she had attached evidence for the period 1 August 2022 – 31 July 2024; however, she did not have a written PDP, as she had been following recommendations on her Agilio I-learn account.
28. On 9 December 2024, the GDC sent a Rule 8 notice to Mrs Buga's registered address by recorded delivery. This notice confirmed that Mrs Buga had failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 August 2022 to 31 July 2024. It also confirmed that the Registrar had considered Mrs Buga's 28 November 2024 letter against the Guidance on the Registrar's Discretion to erase for CPD Non-compliance. The letter identified these relevant factors:
  - a. The events Mrs Buga described were not exceptional personal circumstances beyond her control;
  - b. Notwithstanding Mrs Buga's circumstances, she has been able to continue to work as a dental professional;

- c. The extent of Mrs Buga's non-compliance, notwithstanding her personal circumstances;
  - d. There is evidence that the reason Mrs Buga failed to meet the CPD requirements is because she was not aware of them, rather than her circumstances;
  - e. The CPD Mrs Buga has completed since the time frame under consideration is not relevant;
  - f. Mrs Buga's previous career and professional standing is not relevant.
29. 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.
30. Mrs Buga was notified in the Rule 8 letter that unless an appeal was submitted, the Registrar's decision would take effect on 8 January 2025. On 10 December 2024, a copy of the notice was sent via email to Mrs Buga's registered email address.

### Notice of Appeal

31. On 29 December 2024, the GDC received a Notice of Appeal (NOA) via email from Mrs Buga which confirmed that she wished to appeal against the decision to remove her from the dental care professionals' register.
32. Within the NOA, Mrs Buga outlined that she had misunderstood the CPD requirements; while she comprehended the requirement of 50 hours of CPD over a 5-year cycle, she stated that she had been unaware of the 2-year cycle within that timeframe. She stated that she had relied upon her NEBDN training, which, to her recollection, had not clearly outlined this requirement. As a result, she accepted a degree of responsibility for the oversight.
33. [PRIVATE].
34. Within her appeal, Mrs Buga stated that she understood the importance of CPD and was committed to fulfilling the requirements. She committed to completing an additional 10 CPD hours and to submitting a comprehensive PDP plan for the future, ensuring strict adherence to the two-year cycle requirement moving forward.
35. Mrs Buga further emphasised that she understood the GDC was bound by regulations but requested that the GDC reconsider their decision regarding her removal and grant lenience, given that this was her first five-year cycle. She stated that this would present her with an opportunity to learn from her misunderstanding and to demonstrate her commitment to fulfilling all future CPD requirements.

36. On 7 January 2025, Mrs Buga's CPD evidence was assessed by an Operations Officer. Mrs Buga was deemed to be non-compliant with her CPD requirements on the basis that she had three verifiable CPD hours outstanding for the period 1 August 2022 to 31 July 2024. It was confirmed that, as of 7 January 2025, Mrs Buga had completed seven verifiable CPD hours between 1 August 2022 to 31 July 2024.

### **Submissions**

37. In the GDC's written submissions, the Registrar's position was set out as follows:

*'It is the Registrar's position that Mrs Buga is non-compliant with the CPD requirements because she has failed to provide a CPD record demonstrating that she has completed the minimum requirement for the period 1 August 2022 to 31 July 2024, in accordance with Rule 2.*

*It is submitted by the Registrar that Mrs Buga was reminded on numerous occasions of the need to complete her CPD hours and of the requirement to complete 10 verifiable CPD hours in each two-year period, as set out in detail above.*

*As of 07 January 2025, Mrs Buga had completed 7 verifiable CPD hours between 1 August 2022 and 31 July 2024, which clearly breaches the requirement that dental care professionals submit evidence that they have completed a minimum of 10 verifiable CPD hours in each two-year period.*

*As set out above, there is no power to waive these provisions.*

*The Council acknowledges and is sympathetic to Mrs Buga's personal circumstances namely [PRIVATE].*

*Notwithstanding the above, the Council have not received any supporting evidence of the concerns set out in Mrs Buga's NOA*

*As set out above, the Registrar carefully considered the available information in deciding whether to exercise its discretion to erase at Rule 8 stage. The Registrar provided reasoning for why these circumstances were not accepted against the Guidance on the Registrar's Discretion to erase for CPD Non-compliance – these reasons are set out above .... Accordingly, it is a matter for the Committee as to whether any additional information set out in the NOA amounts to exceptional circumstances.*

*It is open to Mrs Buga to apply to restore her registration at any time following this appeal.'*

### Committee's decision and reasons on the appeal

38. The Committee had regard to the documentary evidence provided today and took account of the written representations made by the GDC and Mrs Buga's Notice of Appeal. It accepted the advice of the Legal Adviser. The Committee also took note of the GDC's *Guidance on the Registrar's Discretion to Erase for CPD Non-Compliance* (February 2024) (the GDC's Guidance).
39. The first consideration for the Committee was whether Mrs Buga had complied with her obligations under the CPD Rules by demonstrating completion of at least ten hours of verifiable CPD within the period, 1 August 2022 to 31 July 2024.
40. Having carefully reviewed the CPD records which Mrs Buga submitted, the Committee determined that she has completed seven verifiable hours of CPD within the period, 1 August 2022 to 31 July 2024. This was consistent with the Registrar's assessment that Mrs Buga was three hours short in the relevant period. Therefore, the Committee determined that Mrs Buga is not compliant with her statutory obligations under the CPD Rules.
41. The Committee was satisfied that the required notices had been duly served on Mrs Buga in accordance with the Rules and that the correct procedure leading to the Registrar's erasure decision had been followed. The remaining consideration for the Committee was therefore whether the Registrar's decision to erase should be allowed to stand.
42. 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 patient safety and in maintaining wider public confidence in the profession so as to meet the overarching objective of the GDC under Section 1 of the Act.
43. The Committee noted the personal circumstances Mrs Buga outlined in her appeal, [PRIVATE]. However, the Committee did not consider that these amounted to exceptional personal circumstances as outlined in the GDC's Guidance. Furthermore, Mrs Buga did not provide any evidence in respect of these matters.
44. Therefore, having regard to all the circumstances, the Committee determined that there were no grounds on which this appeal should be allowed. Mrs Buga had failed to demonstrate that she was compliant with her obligations under the CPD Rules. The decision of the Registrar to erase her name was reached correctly in accordance with the procedural requirements of the Rules and following repeated reminders to Mrs Buga of her obligations under the CPD Rules and the importance of compliance in order to maintain continued registration.

45. This appeal was accordingly dismissed.
46. Unless Mrs Buga exercises her right of appeal to the court, the erasure decision will take effect upon the expiry of the 28-day appeal period. It will then be open to Mrs Buga to apply for the restoration of her registration if she meets the CPD and other requirements for restoration.
47. This will be confirmed to Mrs Buga in writing.
48. That concludes this determination.