

**Registrations Appeal Committee
Registrations Appeal Hearing****1 August 2024****Name:** ALBUQUERQUE, Norisca Nativity**Registration number:** 304043

General Dental Council: Matthew Turner, Counsel
Instructed by IHLPS**Appellant:** Present
Unrepresented

Decision: Appeal dismissed

Committee members: Adrian Smith (Chair, lay member)
Jonathan Farmer (Dentist member)
Natalie Lloyd (Dental Care Professional member)**Professional Adviser:** Marina Harris**Legal adviser:** Margaret Obi**Committee Secretary:** Sara Page

1. This Registrations Appeal Committee (RAC) has convened in accordance with the '*General Dental Council (Registration Appeals) Rules 2006*' ('the Appeal Rules'), pursuant to Schedule 2A of the '*Dentists Act 1984*' (as amended) ('the Act'). The purpose of the hearing is to consider your appeal against the decision taken by the GDC's Registrar to your application for entry to the Register as a dental therapist and dental hygienist.
2. The members of the Committee, as well as the Legal Adviser and the Committee Secretary, conducted the hearing remotely via Microsoft Teams in line with current General Dental Council (GDC) practice.
3. You were present at the hearing and unrepresented.
4. Mr Matthew Turner, Counsel, appeared as Case Presenter on behalf of the GDC.

Background

5. Prior to 8 March 2023, an applicant who held an overseas diploma in dentistry was able to apply to join the dental care professionals register. However, applicants can no longer rely on this qualification but must now hold a relevant DCP qualification in order to join the dental care professionals register.
6. The GDC will continue to process applications received before that date in line with the legislation in place at the time the applications were received.
7. Your application form was received on 27 September 2022. Therefore, for the purposes of the appeal, the GDC has referred to the relevant parts of the Dentists Act 1984 ("the Act") that were in place at the time of your application to the GDC.

Case summary

8. You are currently registered with the GDC as a Dental Nurse and your GDC registration number is 304043. You have been registered with the GDC as a dental nurse since 9 November 2022.
9. On 27 September 2022, the GDC received two applications for registration from you, as a dental therapist and as a dental hygienist.
10. On 4 July 2023, the GDC sent an email to you confirming that your applications were ready for the Registration Assessment Panel ("the Panel") and that a decision would be made by the Registrar by 31 October 2023.
11. Three assessors formed the Panel on 12 October 2023 and reviewed your application packs in respect of the dental therapist and the dental hygienist titles.
12. Having considered both applications, the Panel did not recommend entry onto the register. Decision letters were sent to you on 23 October 2023 stating that the evidence provided by you did not demonstrate that you possessed the requisite knowledge and skill to be eligible as a dental therapist or as a dental hygienist.
13. The decision letters also stated that if you had any new or additional information to address the deficiencies identified by the Panel, you could send this evidence in for a final assessment

of your application. The Registrar will consider the additional evidence submitted and provide you with a new decision on your application.

14. You submitted additional documents in support of your application and on 20 November 2023, the GDC confirmed receipt of those documents. The email confirmed that the documents would be considered by the Panel, and a decision would be made by the Registrar by 19 March 2024.
15. Having considered the dental therapist and dental hygienist re-assessment documents, on 14 February 2024, the Panel did not recommend entry onto the register, as the additional evidence provided by you still did not demonstrate that you possessed the requisite knowledge and skill to be eligible as a dental therapist or as a dental hygienist.
16. Decision letters were sent to you on 6 March 2024, in which they advised you of your right to appeal the decision, and that any appeal would need to be received by the GDC by 5 April 2024. In addition, the letter also advised you that, as of 8 March 2023, you cannot use your overseas diploma in dentistry to support an application for registration as a DCP in the UK.
17. Further, as a result of the route closure, you were informed that the GDC could no longer process your DCP application, and that if you wanted to apply to join the register as a dentist, you would need to complete the Overseas Registration Exam or the Licence in Dental Surgery.
18. On 25 March 2024, the GDC received a Notice of Appeal ("NOA") from you in which you confirmed your wish to appeal the decision to refuse your applications for registration as a dental therapist and as a dental hygienist.
19. Your applications are made under section 36C of the Act. You are seeking to rely on a Bachelor of Dental Surgery Diploma obtained in India on 17 May 2016. Therefore, you seek to demonstrate that you are suitable for registration as a dental therapist and as a dental hygienist by satisfying the Registrar of Matters C and D.
20. In respect of Matter C: that you hold a qualification, or qualifications, granted by an institution outside the United Kingdom relevant to the dental therapist and dental hygienist titles and they have satisfied the GDC that you have the requisite knowledge and skill to practice as a dental therapist and/or as a dental hygienist.
21. **With** regards to Matter D: that you have satisfied the Registrar of your identity, your knowledge of English, you are of good character and are of good health, both physically and mentally.

Submissions

22. Mr Turner, on behalf of the GDC, invited the Committee to consider whether you possess the requisite knowledge and skill for registration as a dental therapist and/or as a dental hygienist. He stated that the Committee may take into account all of the documentation contained in the bundles provided for the purposes of today's hearing.
23. Mr Turner reminded the Committee that as this is your appeal, the burden is on you to satisfy the Committee that you have the requisite knowledge and skill for registration as a dental therapist and/or as a dental hygienist under Section 36C of the Act.
24. You told the Committee that your applications with the GDC began in 2016, when you applied to register as a Dentist under the 'EEA Assessment Route'. You stated that you kept in close contact with the GDC regarding your applications and that you were told in 2023 that your

application to the Register as a dentist had been successful in 2018, but that you had not been informed of this decision.

25. Due to the “EEA Route closure”, you said you were unable to register as a Dentist, even though your dentist application was successful in 2018. You told the Committee that you began working on your Dental Nursing diploma, which was completed in 2022. As a result, you were admitted to the Register as a dental nurse in November 2022.
26. At the same time, you began your application process for admission to the Register as a dental therapist and a dental hygienist.
27. You stated that you have been working as a dentist overseas periodically between February 2015 and January 2023. You said that you have worked as a dental nurse in the UK and are currently practising as a dentist overseas.
28. You told the Committee that you have completed various Continuous Professional Development courses whilst in the UK. You said you have also attended the ‘*Back to Practice - 5 days*’ practical course for Dental Hygienists, dated 18 – 22 March 2024. You said this was in order to reskill and update your knowledge on various components, with the aim to practise as a safe practitioner after obtaining your registration as a dental therapist and dental hygienist.
29. The Committee was also assisted by the Professional Adviser, Ms Marina Harris, who questioned you in relation to your current working practices, your clinical competencies, and your clinical experience.

Committee’s decision on application

30. In coming to its decision, the Committee considered all the evidence before it today. It took account of the submissions made by both parties and accepted the advice of both the Professional Adviser and the Legal Adviser.
31. The Committee considered both the applications together for registration as a dental therapist and as a dental hygienist. It acknowledged the numerous CPD certificates and self-reflection based on your learning, as well as the positive references you have provided. The Committee was satisfied that there is sufficient evidence before it to demonstrate that you have the requisite knowledge to satisfy part of the requirements in Matter C.
32. However, in its assessments of your clinical experience and skill, the Committee noted that in the decision letter sent to you dated 6 March 2024, it stated that for a reference to be considered by the assessors at Panel, “... *a minimum of 2 months clinical experience is desired over a duration of 12 months for each year over the 5-year period.*”
33. The Committee confirmed that you have provided evidence of the following periods of supervised clinical practice:
 - 2020: Seven weeks
 - 2021: No clinical practice
 - 2022: Five weeks
 - 2023: Two and a half weeks
 - 2024: Three and a half weeks

34. This was put to you in questioning, and you accepted that this was an accurate breakdown of the time periods covered.
35. The Committee was aware that you have asserted that you were not made aware of this requirement at the time you were informed your initial application had been refused and that you were later informed at the time of your second assessment decision letter.
36. The Committee was therefore not satisfied that, as of today, you have completed a minimum of two months during any 12-month period for the four years of evidence you have provided.
37. Accordingly, the Committee concluded that you have not been able to demonstrate that you have the requisite clinical experience and skills to satisfy the remainder of the requirements at Matter C.
38. In all the circumstances, the Committee determined to dismiss both your appeals for registration in the Dental Care Professionals Register.
39. This will be confirmed to you in writing.
40. That concludes this determination.