

ON PAPERS

Registrations Appeal Hearing CPD Appeal Hearing

26 August 2025

Name: CHANEY, JENNY
Registration number: 121695
Case number: CAS- 211348-R6R0S8

General Dental Council: Instructed by Noranne Griffith, ILAS

Registrant: Unrepresented

Outcome: Appeal dismissed

Committee members: Susan Stevens (Chair, Dentist member)
Joanne Brindley (DCP member)
Amit Jinabhai (Lay member)

Legal adviser: Paul Kilcoyne

Committee Secretary: Jenny Hazell

At this hearing the Committee made a determination that includes some private information. That information has been omitted from this separate public version of this determination, and has been marked to show where the private material has been removed.

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 Miss Chaney from the Dental Care Professionals 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 4A 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.

Decision to conduct the appeal in the absence of Miss Chaney 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 Miss Chaney had made no such request.

4. Notification of this appeal was sent to Miss Chaney by Recorded Delivery and secure email on 26 June 2025 in accordance with Rule 5 of the Registration Appeal Rules. The Notification set out that the appeal was being dealt with on the papers between 26 and 29 August 2025. In addition, on 10 July 2025 the GDC sent a letter to Miss Chaney by recorded delivery and secure email, enclosing her a copy of the bundle of the documents and the GDC's case summary which the Committee would be considering. The letter stated that the appeal was being dealt with on the papers, in the absence of parties.

5. The Committee was satisfied that it was appropriate to consider today's appeal in the absence of the parties and on the papers.

Application by the GDC for the hearing to be held in private

6. The GDC invited the Committee to hear part of the appeal hearing in private, in accordance with Rule 14(1) as there are matters relied upon by Miss Chaney which relate to her private and family life which should be protected.

7. The Committee accepted the advice of the Legal Adviser in respect of the provisions of Rule 14(1). It was satisfied that it was necessary for the protection of the family life of Miss Chaney that the public should be excluded from part of the hearing. It will produce a suitably redacted version of this determination, excluding those parts of its decision which relate to Miss Chaney's private and family life.

Background

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 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 sets out that for each CPD cycle, a practitioner must complete the minimum number of hours of CPD determined, which, for a dental care professional, is 75 hours.

12. Miss Chaney appealed against the Registrar's decision that despite her CPD being non-compliant because she failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 August 2022 – 31 July 2024, and asked the Registrar to consider exceptional circumstances.

Summary

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

14. Ms Chaney first registered with the General Dental Council ("the Council") as a dental care professional (DCP) with the title dental nurse on 19 November 2007. In accordance with Rule 1 as set out above, Miss Chaney's current CPD cycle began on 01 August 2023 and will end on 31 July 2028.

15. On 22 May 2024, the Council sent an email reminder to Miss Chaney's registered email address. This reminder notified Ms Chaney that her 2023- 2024 CPD cycle 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. The email also reminded Miss Chaney of the need to complete a minimum of 10 hours of CPD during each period of two consecutive years, including any two-year period spanning over more than one CPD cycle. Miss Chaney was notified that if she failed to submit her CPD statement by this date her registration may be put at risk.

16. On 11 June 2024, 12 June 2024, 4 July 2024, 19 July 2024 and 5 August 2024 the GDC sent further email reminders to Miss Chaney's registered email address, notifying her that her 2023-2024 CPD cycle year was coming to an end and reminding her that she needed to submit her CPD statement, detailing how many CPD hours she had completed during that year between 1 August 2023 and 31 July 2024, by 28 August 2024.

17. Between 12 August 2024 and 28 August 2024, the GDC sent three text message reminders to Miss Chaney's registered mobile number requesting that she submit her 2023-2024 CPD annual statement by 28 August 2024

18. On 25 September 2024, the GDC sent Miss Chaney a notice under Rule 6 of the Rules to her registered address by recorded delivery. The notice stated that, although Miss Chaney had submitted a CPD statement to the Council, she had not declared enough hours to meet the requirement to complete a minimum of 10 hours of CPD over two consecutive years. Ms Chaney

was informed that she had submitted an annual CPD statement detailing six verifiable CPD hours for 2022-2023 and an annual CPD statement for 2023-2024 of zero verifiable CPD hours.

19. The notice advised Miss Chaney that she needed to submit a compliant CPD record covering 1 August 2022 to 31 July 2024 by the deadline of 23 October 2024 in order to demonstrate that she had met the requirement.

20. On 27 September, a copy of the Rule 6 notice was also sent via email to Miss Chaney's registered email address.

21. On 30 September 2024, Miss Chaney called the GDC and explained that she did not do any CPD hours due to personal reasons. She requested if she could obtain an extension to complete the CPD hours [Private] On 17 October 2024, Miss Chaney emailed the GDC to explain that she completed no hours in 2023-24 [Private]. She went on to explain that she had now completed the hours needed and hope this will be accepted.

22. This email was acknowledged by the GDC on 18 October 2024.

23. Miss Chaney provided CPD evidence that covered the period 28 April 2023 to 13 October 2024. However, she provided no evidence of CPD being carried out between the specific period of 1 August 2023 and 31 July 2024.

24. On 18 October 2024, the GDC sent an email to Miss Chaney, asking her if she continued to work during the period of 1 August 2022 to 31 July 2024 or if she had any absence leave. Miss Chaney sent an email to the GDC the same day to confirm that she worked two days a week during that period.

25. On 5 November 2024, the GDC sent a Rule 8 Notice to Miss Chaney's registered address by recorded delivery. The Committee had regard to the Royal Mail track and trace service which states that delivery was attempted but they were unable to confirm the status of the item. On 6 November 2024, a copy of the notice was also sent to Ms Chaney by email. This notice confirmed that Miss Chaney 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 because:

- a) she had failed to provide sufficient evidence to demonstrate compliance with the CPD requirement of 10 hours over the consecutive two-year period,
- b) she had not submitted a Personal Development Plan,
- c) she had not submitted an activity log, and
- d) the nine CPD certificates of 13 October were outside the requested assessment period.

26. Miss Chaney was informed that the Registrar had made the decision to remove her name from the dental care professionals register for non-compliance with the Rules. The Rule 8 notice informed Miss Chaney that the GDC did not consider that the events she had described, [Private], were exceptional personal circumstances beyond her control, [Private]. The GDC noted that, notwithstanding her circumstances, Miss Chaney had been able to continue working as a dental care professional. The GDC's position was that the CPD completed since the 1 August 2022 to 31 July 2024 period was not relevant.

27. Miss Chaney was notified that unless an appeal was submitted, the Registrar's decision would take effect on 5 December 2024.

Notice of Appeal

28. On 27 November 2024, the GDC received a Notice of Appeal (“NOA”) from Miss Chaney which confirmed that she wished to appeal against the decision to remove her from the dental care professionals register. Miss Chaney explained on the NOA that she had made a genuine mistake as she thought she could complete the hours over the five years as in previous cycles. She indicated that she did not complete any CPD between 1 August 2023 and 31 July 2024. Miss Chaney stated that she has now made herself familiar with the CPD requirements and requested an extension to complete the requirements and remain on the register.

29. On 28 November 2024, Miss Chaney’s CPD evidence was assessed by the Registration Operations Officer. They deemed Miss Chaney to be non-compliant with her CPD requirements on the basis that she had six verifiable CPD hours outstanding for the period 1 August 2022 to 31 July 2024. The Officer noted that the 9 Agilio CPD certificates dated October 2024 provided by Miss Chaney dated October 2024 were for courses completed outside of the relevant period and therefore, they could not be counted for the purpose of the assessment. It was confirmed that, as of 28 November 2024, the Appellant had completed 4 verifiable CPD hours between 1 August 2022 to 31 July 2024.

30. The Registrar’s position was that Miss Chaney was non-compliant with the CPD requirements because she had failed to provide a CPD record demonstrating that she had completed the minimum requirement of 10 verifiable CPD hours in the period 1 August 2022 to 31 July 2024 in accordance with Rule 2.

31. Miss Chaney’s appeal was listed to be heard by the Committee on 20 March 2025. On 28 February 2025, Miss Chaney submitted a further CPD certificate entitled; “Dental Life Support and Medical Emergencies”, dated 14 December 2023. This certificate could not be accepted by Registrations as the certificate did not include aims, objectives or learning content. Moreover, it was submitted after the GDC’s submissions had been prepared and these were not updated. Instead, the certificate was left for inclusion in the bundle for the Committee for the Committee to take account of in its decision-making. Miss Chaney then provided, at a late stage, two copies of the CPD certificate referred to above and a further additional CPD certificate entitled: “Learning Disability and Autism Awareness in Dentistry”, dated 9 September 2022.

32. An appeal meeting before the RAC took place on 20 March 2025. The RAC noted the additional certificates described above and decided to remit the matter to the Registrar to consider the certificates provided in March 2025 with the direction that the Registrar should check with Miss Chaney that the three documents before the RAC submitted in March 2025 (as described) represented all the additional documentation that was intended to be submitted for the appeal.

33. On 25 March 2025 the GDC sent an email enclosing a letter to Miss Chaney in terms as directed by the RAC and invited a response from her by 22 April 2025. The letter also set out the criteria required for evidence of CPD activity to be valid/accepted.

34. On 14 April 2025, Miss Chaney emailed the GDC attaching a copy of the Learning, Disability and Autism Awareness in Dentistry certificate and the Dental Life Support and Medical Emergencies certificate previously provided. At the request of the GDC on 14 April 2025 Miss Chaney provided the reverse side of the latter certificate, setting out the learning outcomes, which was acknowledged by the GDC.

35. On 23 April 2025, the GDC sent a Rule 8 notice to Miss Chaney's registered address by recorded delivery, as confirmed by the recorded delivery receipt. The Royal Mail Track and Trace service confirms that it was unable to confirm the status of the item. The Rule 8 notice was also sent by email on 24 April 2025. The Rule 8 notice confirmed that Miss Chaney 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 because:

- a. she had failed to provide sufficient evidence demonstrating compliance with the CPD requirement of 10 hours of verifiable CPD over two consecutive years,
- b. she had not submitted a Personal Development Plan,
- c. she had not submitted an activity log, and
- d. the nine CPD certificates of 13 October 2024 were outside the requested assessment period.

36. Miss Chaney was informed that the Registrar had made the decision to remove her name from the dental care professionals register for non-compliance with the Rules. The Rule 8 notice informed the Appellant that the GDC had considered the additional evidence provided on 14 April 2025, and applied the Guidance on the Registrar's Discretion to Erase for CPD Non-compliance, and identified that the events the Miss Chaney had described [Private], were not exceptional personal circumstances beyond her control. [Private]. The GDC noted that notwithstanding the circumstances described, the Appellant had been able to continue working as a dental care professional. The GDC stated that the CPD completed since the 1 August 2022 to 31 July 2024 period was not relevant. Miss Chaney was advised of her right of appeal against the Registrar's decision.

37. On 15 May 2025, the GDC received a NOA from Miss Chaney which confirmed that she wished to appeal against the decision to remove her from the dental care professionals register. Miss Chaney again explained on the NOA that she had made a genuine mistake and that she had supplied extra CPD evidence which had left her only slight under the requirement. The Appellant attached another new CPD certificate with the NOA.

38. On 16 May 2025, Miss Chaney's CPD evidence was assessed by the Registration Operations Officer. They deemed Miss Chaney to be non-compliant with her CPD requirements on the basis that she had one verifiable CPD hour outstanding for the period 1 August 2022 to 31 July 2024. It was noted that the CPD certificates provided by Miss Chaney dated October 2024 were for courses completed outside of the relevant period and therefore, they could not be counted for the purpose of the assessment. It was confirmed that, as of 28 November 2024, Miss Chaney had completed nine verifiable CPD hours between 1 August 2022 to 31 July 2024. She was required to provide a further 1 hour verifiable CPD evidence dated between 1 August 2022 and 31 July 2024.

GDC's Submissions

39. The Registrar's position, as set out in its written submissions dated 7 July 2025, is that Miss Chaney's CPD is non-compliant because she has failed to demonstrate that she has completed the minimum requirement for the period 1 August 2022 to 31 July 2024 in accordance with Rule 2). It maintains that despite the additional certificates provided by Miss Chaney to the Committee and subsequently to the Registrar, including with the latest NOA, she has still only completed 9 verifiable CPD hours between 1 August 2022 and 21 July 2024. Therefore, she is in breach of the requirement that dental care professionals submit evidence that they have completed a minimum of 10 verifiable CPD hours in each two year period.

Committee's decision

40. The Committee had regard to the documentary evidence provided today and took account of the GDC's written submissions and those made by Miss Chaney in her NOA. It accepted the advice of the Legal Adviser.
41. The Committee was in agreement with the Registrar (and it is not in dispute on appeal) that Miss Chaney was required to complete at least 10 hours of verifiable CPD during her two-year CPD cycle. She has completed nine verifiable CPD hours between 1 August 2022 and 31 July 2024. Miss Chaney is therefore short of 1 hour of verifiable CPD in that two-year period.
42. The Committee was satisfied that Miss Chaney had not complied with this requirement.
43. The Committee has taken full account of the difficult personal circumstances described by Miss Chaney. Having carefully considered Miss Chaney's personal circumstances, the Committee did not consider these to amount to exceptional circumstances that would have prevented her from completing her CPD requirements in the statutory time frame. It noted that during the time in question Miss Chaney was working as a dental professional and was also able to complete most of her CPD requirements. The Committee considered that Miss Chaney could have completed the remaining 1 hour of CPD prior to the deadline.
44. As of today, Miss Chaney had completed nine hours of verifiable CPD in the requisite period. The Committee is satisfied that Miss Chaney was non-compliant with her CPD requirement.
45. The Committee was satisfied that the GDC has complied with the 2017 Rules in dealing with Miss Chaney's CPD requirements including the serving of the statutory notices on her.
46. The Committee also balanced the interests of Miss Chaney against the wider public interest and to the public expectation that registered dental professionals will meet their statutory CPD requirements in order to remain on the Register. The Committee was satisfied that the decision was proportionate, and this appeal therefore fails.
47. Accordingly, the appeal is dismissed. The Committee wished to remind Miss Chaney that it is open to her to apply for the restoration of her name to the Register.
48. This decision will be confirmed to Miss Chaney in writing.
49. That concludes this determination.