

**ON PAPERS****Interim Order Committee  
Review Hearing****16 November 2023**

**Name:** Yasir RAHMAN  
**Registration number:** 76339  
**Case number:** CAS-203534-F7K4Q1

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**General Dental Council:** Manuel Cao Hernandez IHLPS.

**Registrant:** Represented by MDDUS

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**Outcome:** Interim conditions confirmed  
**Duration:** 15 months

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**Committee members:** Gill Mullen (Chair and Lay member)  
Charlotte Carling (DCP member)  
Christopher Roberts (Dentist member)

**Legal adviser:** Alastair McFarlane

**Committee Secretary:** Gurjeet Dhuper

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*The role of the Interim Orders Committee (IOC) is to undertake a risk assessment based on the information before it. Its role is to assess the nature and substance of any risk to the public in all the circumstances of the case and to consider whether it is necessary for the protection of the public, is otherwise in the public interest, or is in the registrant's own interests to impose an interim order on their registration. It is not the role of the IOC to make findings of fact in relation to any charge. That is the role of a differently constituted committee at a later stage in the process.*

1. This is a review hearing of the IOC. Neither party was present at today's hearing, following a request by the GDC for the review of the interim order to be conducted on the papers in the absence of both parties. The Committee first considered the issues of service and whether to proceed with the hearing in the absence of Mr Rahman and any representatives. The Committee accepted the advice of the Legal Adviser on these matters.
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 GDC practice.

### **Decision on service**

3. The Committee considered whether notice of the hearing had been served on Mr Rahman in accordance with Rules 35 and 65 of the *General Dental Council (Fitness to Practise) Rules Order of Council 2006* ('the Rules').
4. The Committee received from the GDC an indexed hearing bundle of 51 pages. The bundle contained a copy of the Notice of Hearing, dated 26 October 2023 ('the notice'), which was sent to Mr Rahman's registered address. The Committee took into account that there is no requirement within the Rules for the GDC to prove delivery of the notice, only that it was sent. Although it noted that the notice was delivered on 27 October 2023 and signed for by 'RAHMAN'. The Committee further noted the evidence that a copy of the notice was sent by email to Mr Rahman and to his legal representatives.
5. The Committee was satisfied that the notice contained proper notification of this review hearing, including its date and time, as well as confirmation that the hearing would be held remotely via Microsoft Teams. Mr Rahman was also notified that the Committee had the power to proceed with the hearing in his absence.
6. On the basis of all the information provided to it, the Committee was satisfied that notice of today's hearing had been served on Mr Rahman in accordance with the Rules. The Committee was also satisfied that the period of notice given was reasonable in all the circumstances.

**Decision on whether to proceed with the hearing in the absence of Mr Rahman and on the papers**

7. The Committee next considered whether to exercise its discretion under Rule 54 to proceed with the hearing in the absence of Mr Rahman. It approached this issue with the utmost care and caution. The Committee took into account the factors to be considered in reaching its decision, as set out in the case of *General Medical Council v Adeogba [2016] EWCA Civ 162*. The Committee remained mindful of the need to be fair to both Mr Rahman and the GDC, taking into account the public interest in the expeditious review of the interim order.
8. The Committee was satisfied that Mr Rahman was aware of this hearing today. It had regard to an email dated 3 November 2023 from his legal representatives, stating *“Dr Rahman is agreeable for the review of the interim order being conducted on the papers, in the absence of both parties.”*
9. Given the indications received from both parties, particularly the confirmation received on behalf of Mr Rahman, the Committee was satisfied that it was fair and in the public interest to proceed with the hearing in his absence and on the papers.

**Background**

10. This is the first review of an order for conditional registration first made on Mr Rahman's registration on 30 May 2023 for a period of 15 months. The interim order was made on the grounds that it was necessary for the protection of the public and was otherwise in the public interest, in response to concerns which were summarised as follows in the initial determination:

*“The Committee had sight of the notice of hearing, which informed you that in April 2023 the GDC received an online Webform complaint from a former colleague of yours (the informant) raising concerns that you had acted inappropriately towards her and other staff members. Subsequently the informant sent an email to the GDC outlining her concerns in further detail and attaching screenshots of the email correspondence to her employer raising concerns about you and the employer's investigation outcome letters.*

*The informant explained that on 5 December 2022 ‘a sexual harassment comment’ was made to her that made her fearful of being in the same room as you and she reported this to her Practice Manager, and this was then passed onto the Head Office who carried out a formal meeting with the informant and several other staff members that came forward with other complaints about you. The informant says that you had been allowed to continue working but was concerned that you were still openly speaking to several staff members about the investigation, making degrading comments about the informant and to other staff members and generally making the informant feel uncomfortable and unsafe at work.”*

**Today's review**

11. In comprehensively reviewing the order today, the Committee considered all of the information placed before it, including the written submissions from the GDC and those from Mr Rahman's representatives. It accepted the advice of the Legal Adviser.
12. In its written submissions, the GDC submitted that there has been no material change that would necessitate an amendment to the Order.
13. The Committee had regard to the email dated 3 November 2023 from Mr Rahman's representatives in which they state that Mr Rahman is fully compliant with the interim conditions on his registration and raised no objection to their continuation.
14. In reaching its decision in respect of the interim order, the Committee remained mindful that its task is not to find facts, but to conduct an assessment of risk based on the information before it. In all its considerations, the Committee applied the principle of proportionality, balancing the public interest with Mr Rahman's own interests. It had regard to the Interim orders guidance for decision makers – Interim Orders Committee (October 2016).
15. This Committee is not bound by the decision of the previous Committee. However, the information before it indicates that there has been no material change of circumstance to undermine the ongoing requirement for an interim order on Mr Rahman's registration. He still faces outstanding fitness to practise allegations which are yet to be fully investigated and which are serious and present a real risk of harm to the public. Further, given the nature of the allegations, the Committee considered that a fully informed member of the public would expect an order to remain in place until the conclusion of the matters in this case. In all the circumstances, the Committee was satisfied that an order remains necessary for the protection of the public and is otherwise in the public interest.
16. The Committee next considered whether the current interim order of conditions remains appropriate and proportionate. It noted that both parties are content for the current conditions to continue and that the conditions appear to be working well. The Committee had sight of the information provided demonstrating Mr Rahman's compliance. It noted that no further concerns have been raised and that there is nothing before the Committee to show that Mr Rahman has breached his conditions. The Committee was satisfied that the current order of conditions remains workable, proportionate and sufficient to address the risks identified in this case. The Committee received no information to indicate that any variation to the current conditions is required, or that an interim suspension order should be imposed at this review.
17. In all the circumstances, the Committee determined that the current interim order of conditions should remain in place on Mr Rahman's registration, without variation, for the remainder of the term of the order.

The interim conditions will continue to appear against Mr Rahman's name in the Register are as follows:

1. He must notify the GDC within 7 days of any post he accepts for which GDC registration is required [*and the Commissioning Body on whose Dental Performers List he is included*].
2. If employed, he must provide contact details of his employer and allow the GDC to exchange information with his employer or any contracting body for which he provides dental services.
3. He must inform the GDC of any formal disciplinary proceedings taken against him, from the date of this determination.
4. He must inform the GDC within 7 days of any complaints from colleagues or patients made against him from the date these conditions take effect.
5. He must inform the GDC if he applies for paid or unpaid dental work outside the UK.
6. At any time he is employed, or providing dental services, which require him to be registered with the GDC, at each practice he must place himself and remain under the supervision of a workplace supervisor\* nominated by him, and approved by the GDC. The workplace supervisor shall be a GDC registrant.
7. He must submit reports from his workplace supervisor every three months and at least 14 days prior to any review hearing. The reports to cover an assessment of the relationship between Mr Rahman and other members of staff and whether any concerns have been raised about his conduct.
8. He must limit his practice to his current employers only.
9. He must inform within 1 week the following parties that his registration is subject to the conditions above:
  - Any organisation or person employing or contracting with him to undertake dental work
  - Any locum agency or out-of-hours service he is registered with or applies to be registered with (at the time of application)
  - Any prospective employer (at the time of application)
  - The Commissioning Body in whose Dental Performers List he is included, or seeking inclusion (at the time of application)
10. He must permit the GDC to disclose the above conditions to any person requesting information about his registration status.

*\* The registrant's day to day work must be supervised by a person who is registered with the GDC. The supervisor needs to work at the same practice as the registrant, need not be on site at all times but must make himself/herself available to provide advice or assistance should they be required.*

*The registrant's conduct and relationships with staff and patients must be reviewed at least once fortnightly by the supervisor via one to one meetings. These fortnightly meetings must be focussed on all areas of concern identified by the conditions.*

**Next review of the order**

18. Unless there has been a material change of circumstances, a Committee will review the interim order on the papers at an administrative meeting within the next six months. That Committee will be invited by the GDC to confirm the order and Mr Rahman will be asked whether there are any written submissions to be put before the Committee on his behalf. He will then be notified of the outcome in writing following the decision of the Committee.
19. Alternatively, Mr Rahman is entitled to have the interim order reviewed at a hearing. This means that he will be able to attend and make representations, send a representative on his behalf or submit written representations about whether the order continues to be necessary. Mr Rahman must inform the GDC if he would like the interim order to be reviewed at a hearing.
20. Even if Mr Rahman does not request a hearing, where there has been a material change of circumstances that might mean that the order should be revoked, varied or replaced, a Committee will review the order at a hearing to which he will be invited to attend.
21. That concludes this determination.