

ON PAPERS
Registrations Appeal Hearing
CPD Appeal Hearing

8 August 2025

Name: FANG, Shan Yu
Registration number: 300466
Case number: CAS-211211-F1P2X4

General Dental Council: Instructed by Jack Chaffey, ILAS
Registrant: Unrepresented

Outcome: Appeal dismissed

Committee members: Jacky Hart (Chair, Dental Care Professional Member)
Dr Jasdeep Badyal (Dentist member)
Audrey McFarlane (Lay member)

Legal adviser: Melissa Coutino

Committee Secretary: Jenny Hazell

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 Ms Fang from the Dentists Register for her 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 2A of the *Dentists Act 1984* (as amended) ('the Act').

2. The hearing was conducted remotely via Microsoft Teams in line with current GDC practice..

Preliminary matters

Decision to conduct the appeal in the absence of Ms Fang and on the papers

3. Neither party was present at today's hearing, following notification from the GDC that the appeal was to be conducted on the papers. 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 Ms Fang had made no such request.

4. Notification of this appeal was sent to Ms Fang by Recorded Delivery and secure email on 3 July 2025 in accordance with Rule 5 of the Registration Appeal Rules. The Committee has seen a copy of the Track and Trace receipt which confirms that the item was delivered to Ms Fang's registered address on 10 July 2025.

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

Decision and reasons on the appeal

Background

6. The GDC's (Continuing Professional Development) (Dentists and Dental Care Professionals) Rules 2017 ('the CPD Rules') set out the CPD requirements placed on dentists as of 1 January 2018, and the steps that the GDC shall take in respect of registrants' compliance and non-compliance with those requirements.

7. In accordance with Rule 1, a 'CPD cycle' means, in respect of a dentist, a period of five years beginning on 1 January following the date the dentist is first registered and each subsequent period of five years. A 'CPD year' means, in respect of a dentist, a period of 12 months beginning on 1 January in any calendar year.

8. Ms Fang appealed against the Registrar's decision that her CPD is non-compliant because she completed zero hours of verifiable CPD between 1 January 2023 – 31 December 2023 and zero hours of verifiable CPD between 1 January 2024 - 31 December 2024.

Summary

9. The GDC's case in support of its decision was set out in its written submissions dated 13 June 2025. These are summarised as follows:

10. Ms Fang first registered with the GDC as a dentist on 11 May 2022. Therefore, in accordance with Rule 1 as set out above, Ms Shan Yu Fang's current CPD cycle began on 1 January 2023 and will end on 31 December 2027. The period of time which has been assessed and is the subject of this appeal are the CPD years from 1 January 2023 to 31 December 2024.

11. On 22 October 2024, the GDC sent an email reminder to Ms Fang's registered email address. This reminder notified Ms Fang 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 January 2025. Ms Fang was advised that if she did not submit a compliant statement before the deadline, her registration may be put at risk.

12. On 11 November 2024, the GDC also sent Ms Fang an Annual Renewal Notice 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. Ms Fang was also reminded in the Annual Renewal Notice that she was required to submit her CPD statement by 28 January 2025. The Notice stated that Ms Fang would need to have completed at least ten hours of CPD over the last two years, unless she was in the first year of her first CPD cycle.

13. Between 26 November 2024 and 8 January 2025, the GDC sent numerous reminders to Ms Fang regarding her CPD declarations and requirements.

Rule 6 notice

14. On 24 February 2025 the GDC sent a Rule 6 notice to Ms Fang by recorded delivery to her registered address. The notice stated that she had not declared enough hours to meet the requirement to complete a minimum of ten hours of CPD over two consecutive years. It was noted that she had submitted an annual CPD statement of zero verifiable hours for the 2023 CPD year and an annual CPD statement of zero verifiable hours for the 2024 CPD year. The notice stated that if Fang wished to retain her registration, she should submit her CPD record to the Registrar by 24 March 2025 in order to demonstrate that she had met the requirement. Ms Fang 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 register.

15. On 20 March 2025, Ms Fang submitted an email to the GDC, where she acknowledged that she had missed the CPD requirements for 2023 and 2024. Ms Fang stated:

'I recently started the process of applying to practice in the UK and have now reached the final stage of my Performer List application. However, I only recently realized that I have not yet completed the required 10 hours of Verifiable CPD for 2023-2024.

Currently, I have accumulated 22 hours of CPD and will continue to comply with the required CPD hours moving forward.'

16. The email included attachments being a Personal Development Plan (PDP) and certificates showing completed CPD hours, however, the hours are out of cycle (and relate to the 2025 CPD year).

Rule 8 notice

17. On 4 April 2025, the GDC sent a Rule 8 notice to Ms Fang's registered address by recorded delivery confirming that Ms Fang had failed to provide a compliant CPD record demonstrating that she had met the minimum requirement for the period 1 January 2023 to 31 December 2024 and that as a result, the Registrar had made the decision to remove her name from the register for non-compliance with the Rules. Ms Fang was notified that unless an appeal was submitted, the Registrar's decision would take effect on 7 May 2025.

Notice of Appeal

18. On 2 May 2025, the GDC received a Notice of Appeal (NOA) via email from Ms Fang which confirmed that she wished to appeal against the decision to remove her from the register. Included in the NOA was evidence of recent CPD hours completed in an effort to comply.

19. On 6 May 2025, Ms Fang's CPD evidence was assessed by a Registration Operations Officer. Ms Fang was deemed to be non-compliant with her CPD requirements on the basis that she had zero verifiable CPD hours for the period 1 January 2023 to 31 December 2024. For abundant clarity, it was noted that the CPD certificates provided by Ms Fang in support of her appeal were for CPD hours completed outside of the relevant period and therefore were not relevant. It was confirmed that, as of 6 May 2025, Ms Fang had completed zero verifiable CPD hours between 1 January 2023 and 31 December 2024.

Submissions

20. The GDC submitted that Ms Fang 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 January 2023 to 31 December 2024, in accordance with Rule 2.

21. It is submitted by the GDC that Ms Fang was reminded on numerous occasions, via post and email of the need to complete her CPD hours and of the requirement to complete ten verifiable CPD hours in each two-year period, as set out in detail above.

22. The GDC's position is that as of 6 May 2025, Ms Fang had completed zero verifiable CPD hours between 1 January 2023 and 31 December 2024, which clearly breaches the requirement that dentists submit evidence that they have completed a minimum of ten verifiable CPD hours in each two-year period. There is no power to waive these provisions.

23. The GDC noted that Ms Fang conceded that she did not complete the requisite CPD hours between the period of 1 January 2023 and 31 December 2024 and did not realise this until after the period had ended. While her submission is acknowledged, the GDC noted that Ms Fang was reminded in writing of her CPD obligations on multiple occasions. Regardless, the GDC's position is that all registrants ought to be aware of the requirements for continued registration which includes ongoing compliance with the CPD requirements.

24. The GDC acknowledged Ms Fang has completed additional CPD after the end of her CPD cycles. Despite this, the GDC submits that only CPD completed in the 2023-2024 CPD years can be considered, as set out in Rule 2.

25. In Ms Fang's NOA, she acknowledged that she had not realised her error regarding her CPD and has since completed CPD hours in an effort to comply. Evidence of these CPD hours completed in 2025 and a letter confirming an offer to work as a self-employed associate dentist

in the UK were included. The letter states that it will sponsor Ms Fang's visa once she was included on the NHS Performers List.

26. However, no evidence was provided by Ms Fang to show that she had completed any CPD hours during the 2023 and 2024 CPD cycle.

Committee's decision

27. The Committee had regard to the documentary evidence provided today and took account of the written submissions made on behalf of the GDC and those made by Ms Fang in her NOA. It accepted the advice of the Legal Adviser.

28. The Committee was in agreement with the Registrar (and it is not in dispute on appeal) that Ms Fang was required to complete at least 10 hours of verifiable CPD during her two-year CPD cycle. She has completed zero verifiable CPD between 1 January 2023 and 31 December 2024, which is in breach of the CPD requirements. The Committee was of the view that Ms Fang could have completed this CPD prior to the deadline of 31 December 2024.

29. The Committee noted the number of reminders were sent by both email and text to Ms Fang as well as to her registered address. It determined that it was her responsibility to be familiar with the CPD requirements. There were no exceptional circumstances put forward by Ms Fang that would have prevented her from completing her CPD requirements in the statutory time frame. Although Ms Fang has provided CPD certificates, these fall outside the relevant period in question and therefore were not relevant for the purposes of this appeal. As of today, Ms Fang has completed zero verifiable CPD in the requisite period. The Committee is satisfied that Ms Fang was non-compliant with her CPD requirements.

30. The Committee was satisfied that the GDC has complied with the CPD Rules in dealing with Ms Fang's CPD requirements including the serving of the statutory notices on her.

31. The Committee also balanced the interests of Ms Fang against the wider public interest and with the public expectation that dentists 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 is therefore dismissed.

32. The Committee wishes to remind Ms Fang that it is open to her to apply for the restoration of her name to the Register upon completion of the required number of CPD hours.

33. This decision will be confirmed to Ms Fang in writing.

34. That concludes this determination.