

# **Information Guide for Unrepresented Registrants**

A guide for unrepresented dental professionals  
undergoing fitness to practise proceedings

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## 1. Introduction

This guide has been written with unrepresented dental professionals in mind. It aims to let you know what to expect when your case has been referred to a hearing.

## 2. About this booklet

This booklet will provide you with useful information if you have had a fitness to practise allegation made against you which is proceeding to a hearing. It gives you information about the process a case goes through and the possible outcomes of a case.

More information about how we [assess and progress a complaint](#) once it has been received can be found on our website. You can also find more information about the following:

- Who we are
- Who is registered with us
- What is fitness to practise
- What is the purpose of the fitness to practise process
- Who can raise a concern
- What type of cases we investigate
- The investigating process
- Our standards
- What happens when we receive a complaint
- Who deals with the initial complaint on behalf of the GDC (role of the caseworker)
- How long will the process take

We would recommend that you have a look at this information on our website which you may find helpful.

This is only a guide to the General Dental Council's (GDC) procedures, and you should **not** rely on it as a statement of the law. It is not a substitute for you getting legal advice or support from your professional association (if you have one).

The GDC cannot give you legal advice or tell you how to respond to a complaint against you. You should contact your professional body or defence organisation and professional indemnity insurer immediately if we tell you that there has been a complaint made about your fitness to practise.

If for any reason these organisations are unable to assist you, you may want to seek advice from a solicitor or from the Citizens Advice Bureau.

We try to make the processes we follow as transparent as possible. If a complaint is made about you, we will treat you fairly. We will give you information at each stage of the investigation and will explain how the process may affect you.

### 3. Submitting and accessing information

As part of your defence if you intend to submit any documents from any third parties (not directly involved in these proceedings), you need to make sure the individual(s) are made aware of the reasons why you need this information and that you intend to use this information in your fitness to proceedings. This is important because any information they provide will be disclosable. If necessary, you may need to remove (or redact) any names and or details of people who have not agreed for their name to be included in the material you are presenting as part of your defence.

More information about the disclosure of information as part of the fitness to practise process as well as your access rights under the Freedom of Information Act 2000 Data Protection Act 2018 can be found in our disclosure policy on our website

<https://www.gdc-uk.org/about/freedom-of-information>

### 4. Interim Orders

The Interim Orders Committee (IOC), a statutory committee of the Council, considers whether it is necessary to make an ‘*emergency*’\* order affecting an individual’s registration for the protection of the public or otherwise in the public interest or in the interest of the individual concerned pending the outcome of an inquiry by the Investigating Committee or one of the practice committees.

The IOC does not investigate the allegations or conduct a fact finding exercise. These functions are reserved for the practice committees.

The IOC may:

- Impose a suspension (up to 18 months with six monthly reviews)
- Impose conditions (up to 18 months with six monthly reviews)
- Decide that no order is necessary

A case may be referred to the IOC at any stage.

\* By “emergency”, we mean that if an allegation is serious enough to suggest that you may cause harm to yourself or other people, or there are other reasons in the public interest that mean you should not be permitted to practise as normal during the investigation and proceedings, we may apply for an interim order to prevent you from practising, or to place limits on your practise until your case is heard and concluded.

A committee will hear the application for an interim order and if one is imposed it will apply immediately or as soon as the notice of outcome of the committee’s decision in relation to the interim order is served on you.

Examples of cases where we may apply for an interim order include sexual misconduct, serious mistakes, or self-administering controlled drugs in the workplace. These are not the only examples where we may ask for an interim order. We consider each case on its own merits. In most cases we will not ask for an interim order and that means you will be able to continue to work without any restrictions until your main hearing.

If we do apply for an interim order, a hearing will be held at relatively short notice – because the GDC may need to take quick action to protect the public. The committee which hears the application will decide whether the allegation is serious enough for an interim order. If the committee imposes an interim order, they can do so for up to 18 months. There will be a review every six months. You can also apply for an early review of the order. At a review hearing the committee will decide whether it is still necessary for an interim order to be in place.

You are entitled to be represented, or represent yourself, when the committee considers the application for an interim order. You can find more in our document, called [Guidance for the Interim Orders Committee](#).

**As soon as you receive notification of the hearing date, you need to let the GDC's legal team and the Hearings team know whether you intend to come along to the hearing and if you will be represented. You can do this in writing or by telephone.**

## 5. Case Examiners

From the 1 November 2016 the way that we decide whether a case should be referred to a practice committee is changing. From this date, cases will no longer be referred to the Investigating Committee for a decision, but will instead be considered by the Case Examiners.

The Case Examiners are appointed GDC staff members with a statutory duty to make decisions at the conclusion of an investigation. Each case is considered by a pair of Case Examiners (one lay and one a dentist or dental care professional) who review all relevant evidence obtained during our investigation, including any evidence provided by the dental professional (the registrant) in question or the informant.

The Case Examiners are not asked to make findings of fact in a case or come to substantive conclusions regarding a registrant's fitness to practise, but are instead asked to determine whether an allegation should to be considered by a Practice Committee. As such they essentially conduct a filtering process, closing some cases and referring others for a full hearing.

In coming to that determination, the Case Examiners consider:

- whether there is a real prospect of the facts, as alleged, being found proved, and if so
- whether or not there is a real prospect of the statutory ground being established (e.g. misconduct), and if so
- whether or not there is a real prospect of a finding of current impairment being made

## 6. The Investigating Committee (IC)

The Investigating Committee (IC) will consider whether there is a 'real prospect' of

the facts, as alleged, being found proved, and if so, whether or not there is a 'real prospect' of a finding of current impairment being made.

The meeting is held in private and their task is to look at the evidence that is available and decide whether or not there is a case to answer. The Investigating Committee does not decide whether the allegation is proven, they only decide whether we have a real prospect of proving the allegation at a final hearing.

The Investigating Committee can decide that:

- More information is needed
- The 'real prospect' test has been met (which means they will pass the case to one of our practice committees, which are explained in more detail below); or
- There is 'no case to answer' (which means that the case does not need to be taken any further. If this is the case, you may be issued with a written warning or advice about your conduct or performance to ensure you do not repeat your behaviour or activities in the future (a warning may be published on our website or it may be given in private depending on what the Investigating Committee decide is appropriate)
- Your case should be referred to the Interim Orders Committee (see above)

We will write to you (and the person who raised the concern with us) and give you the Investigating Committee's decision and its reasons.

## **7. Appeals against the decision of the Case Examiners and the IC**

There is no process for appealing against a decision of the Case Examiners or the Investigating Committee. However, you may apply for permission to lodge a Judicial Review<sup>1</sup> of the Case Examiners or the Investigating Committee's decision.

Under the new legislation Case Examiners have the opportunity to review a closure or warning decision. More details about this can be found on our website [here](#).

If the Investigating Committee decide there is 'no case to answer' and we receive another concern about your fitness to practise which is similar in nature, we can take the first case into account when considering the new information.

There is no process for appealing against a decision of the Case Examiners or the Investigating Committee. However, you may apply for permission to lodge a Judicial Review of the Case Examiners or the Investigating Committee's decision.

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<sup>1</sup> Judicial Review is when a case is considered by the High Court to make sure that the decision is legal and based on good procedure

## 8. What happens if the case is referred to a hearing?

If the Case Examiners or the Investigating Committee decide that your case should be referred for a hearing, we will arrange for your case to be heard at a full hearing. The case will be heard by one of the following practice committees:

- The Professional Conduct Committee - for cases alleging misconduct, evidence of convictions, cautions or determinations by other regulators and decisions to bar a professional
- The Health Committee - for cases where your health may be affecting your ability to practise
- The Professional Performance Committee - for cases where there are allegations about your standard of skills and/or knowledge

You can find more guidance information on our website about the role of the following committees: [Professional Conduct Committee](#), [Interim Orders Committee](#), [Health Committee](#) and [Professional Performance Committee](#). Information and guidance can also be found about [Preliminary Meetings](#).

## 9. Preparing a case for a hearing

If your case is referred to a hearing, we will ask one of our legal teams to act for us and they will start preparing the case for the hearing. They will gather information and take witness statements from people they believe have relevant information about the matter. This may include the complainant who originally brought the matter to our attention. They may also instruct clinical or medical experts, as appropriate.

We will give you the details of the legal team acting on our behalf. This legal team will remain in contact with you or your legal representative (if you have one) throughout the next stage of the process.

If you have any questions about what is happening with your case, you can contact the legal team acting on behalf of the GDC.

Any witnesses asked to attend a hearing to give evidence by the GDC will be asked questions by the GDC's legal representative. You (or your representative) will also get the chance to ask them questions.

In exceptional circumstances witnesses may be considered as vulnerable due to their particular circumstances. This may mean they will be allowed to be questioned with special measures. More details about vulnerable witnesses and special measures can be found on our website in our [Witness Information Guide](#).

## 10. Representation throughout the proceedings

Throughout our fitness to practise process you have the right to:

- Be legally represented, or to represent yourself
- Be represented by a member of an organisation of which you are a member, or by a friend or family member, whether or not legally qualified
- Prepare and produce statements and documents in your defence
- Call any witnesses, including expert witnesses, in support of your case
- If you do not have legal representation, you will be given the opportunity to meet the committee's independent legal adviser who will be assisting the committee during the hearing. The legal adviser will be able to explain the fitness to practise process to you but will not be able to give you any legal advice

It is up to you to decide whether you want to be represented, but it may be helpful to get advice from your defence organisation or professional body (if you are a member of either), or to get independent legal advice, such as from a law centre or the Citizens Advice Bureau. There is a list of other organisations at the back of this booklet which may useful information for you to consider.

## 11. Before the hearing

Before we schedule your case for a hearing, we will invite you or your legal representative (if you have one) to participate in the GDC's pre-hearing case management procedure. You will be invited, along with the GDC's legal team, to complete a pre-hearing questionnaire and attend a telephone conference dealing with practical issues relating to the hearing. This might include, for example, finding a suitable hearing date, identifying the number of witnesses to be called and agreeing dates when information will be disclosed between the parties.

The pre-hearing case management procedure allows the parties to communicate effectively with one another (facilitated by a neutral GDC Hearings Case Management Officer, who has no involvement in the fitness to practice proceedings). It can help both sides reach agreement in relation to the effective management of the hearing.

If you do not take part in pre-hearing case management procedure the Hearings Case Management Officer will not be able take into account, any requests you may have as to when the hearing will take place. The Hearings team cannot guarantee to schedule the hearing at a time that suits everyone but will try to accommodate the wishes of the parties, so it is helpful if you (or your representative) participate in the pre-hearing procedure from the outset.

This procedure does not provide an opportunity and is not the time to consider the merits of the case or the reliability of any of the evidence.



Further details about this can be found in our 'Pre-hearing Case Management Procedure Guidance'. You will be sent a copy of this document by the Hearings Case Management Officer once your case has been referred for a hearing. You will be sent details of the location of the hearing and details of the allegations made against you at least 28 days before the agreed date of the hearing.

At least two weeks before the date of the hearing we will publish, on our website, the date of the hearing and the allegation(s) against you.

## **12. Review of previous determination: Rule 6E and Rule 8E**

During the course of an investigation, cases may sometimes be referred back to the Case Examiners or the Investigating Committee by a Practice Committee, the GDC's legal team, the casework team, the registrant or the informant may ask for a review. This normally happens if new information becomes available.

Should this occur, all interested parties will be given an opportunity to submit written representations, before the Case Examiners or the Investigating Committee make a decision. The Case Examiners or the Investigating Committee may, if it considers it appropriate, cancel the need for a public hearing.

Further details about this can be found on our website under legal framework.

## **13. Where will the hearing be held?**

Hearings are normally held at a small number of locations in central London. In exceptional circumstances, the hearing may be held outside London. If it is not possible for a witness to come to the hearing in person, the committee may allow them to give their evidence by other methods, for example, by video link, Skype or in exceptional circumstances by phone.

If you think you may need to rely on one of these methods to give evidence, either for yourself or in relation to one of your witnesses, you need to bring this to our attention early enough in the process so that we can arrange the relevant facilities if we think your request is reasonable.

Such matters should be raised with the Hearings Case Management Officer during the pre-hearing case management procedure.

## **14. Attending the hearing**

It is in your best interest to attend the hearing as this is the chance to present your case, you will also have an opportunity to question the witnesses called by the GDC. If you are not present then you will not get the opportunity to question the GDC's witnesses on any points in their statements that you do not agree with, or be able to clarify any other matters that you may consider are relevant that they have not already said.

You can, however, give a written statement to be read out in your absence and submit other documents as part of your evidence if you decide not to attend. All of this information will be taken into consideration by the committee before it makes its decision.

If you need a particular witness to come to the hearing and they refuse, the committee can insist that they attend. This is known as a 'witness summons'. Please contact the hearings team if you are having any problems with getting a witness to attend a hearing and we can discuss this with you or your representative.

If you choose not to attend the hearing, the committee may still decide to proceed in your absence. Before making this decision, the committee will need to take into account a number of factors, such as whether it is satisfied that the GDC has complied with its statutory duty to give you proper notice of the hearing, and whether it is fair to proceed in your absence.

If you (or the GDC's legal team) want an adjournment (to postpone the hearing), you need to explain why it should be granted. Committees rarely grant adjournments simply because it would be more convenient for us, you or your representative to have the hearing at another time. You must present good reasons for this to happen.

You can find more information about this in our pre-hearing case management procedure. A copy of this document will be sent to you by the Hearings Case Management Officer once the pre-hearings case management procedure is underway.

It is in your best interests to attend a hearing, if at all possible. However, we understand that in some circumstances you may find this difficult. If this is the case, please let us know so that we can see what we can do to help you.

## **15. Role of the GDC's legal representative**

As indicated above, once the Case Examiners or the Investigating Committee refers your case to a hearing, our case is prepared by a legal team and we will be represented at the hearing by a barrister or a solicitor (who is usually referred to as the 'prosecuting counsel' or 'case presenter').

Prosecuting counsel has a different role to the caseworker and our legal team. Prosecuting counsel's role is to represent us and put our case to the committee, examine and cross-examine witnesses (i.e. ask questions of them) and show how we can prove our case against you.

## **16. At the hearing**

Hearings are usually held in public. This means that members of the public (including the press) can attend.

Sometimes, all or part of your hearing is held in private if confidential or sensitive information is to be considered. This may be the case if, for example, the committee thinks it needs to protect patient confidentiality or protect your private life or that of any witnesses. You or your representative can apply to the committee to hear all or part of a case in private.

Even if the committee holds a hearing in private, any decisions the committee makes, and the reasons for these, still need to be given in public, but it will not outline the sensitive information that was disclosed and considered by the committee.

## **17. Who attends the hearing?**

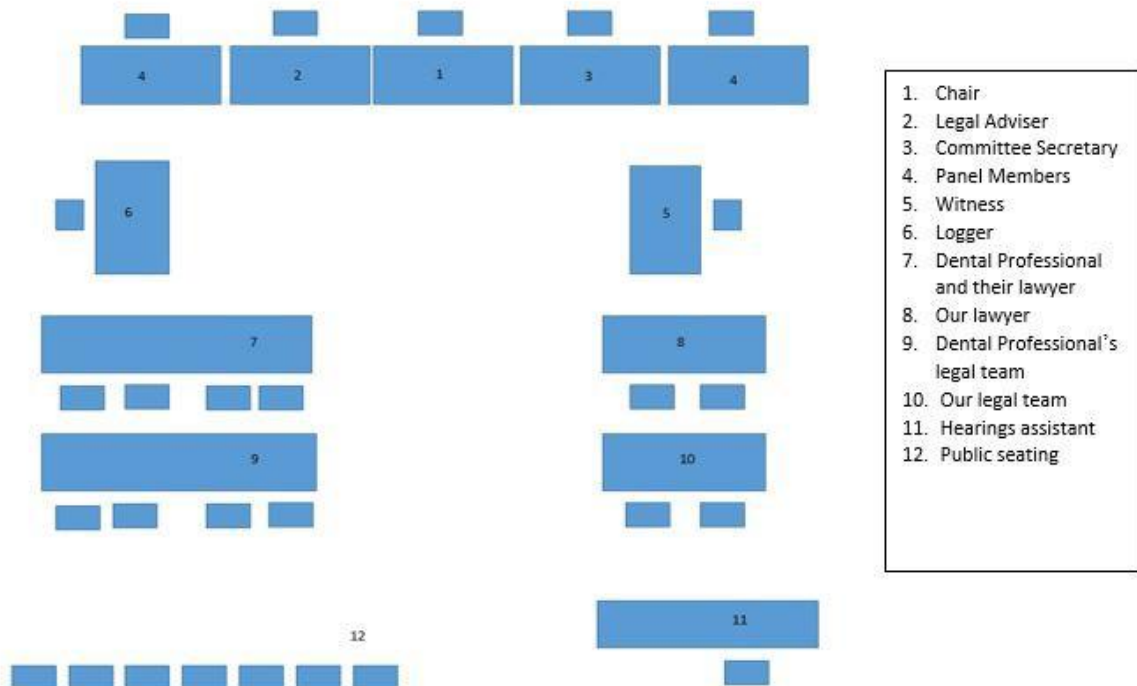
- You and any legal representatives you have instructed and members of your defence organisation (if you have one).
- Legal representative for the GDC (either a barrister or solicitor) and members of staff from GDC's legal team.
- Members of the committee. The panel members who make up the committee are all independent of the GDC and completely impartial. At least one member will be a dental professional and one will be a lay person who is not registered with us, so is not a dental professional. The committee chair will be an experienced panel member who runs the proceedings to make sure the hearing is fair.
- An independent legal adviser (an experienced barrister or solicitor). He/she will give advice in public on legal matters and the procedure to be followed by the committee. The legal adviser does not take part in the decision making process, although he/she remains with the committee throughout its private deliberations.
- A medical adviser (if your case concerns your health).
- A committee secretary. The committee secretary will be responsible for making sure that the hearing runs appropriately. The committee secretary is a member of GDC staff. He/she does not play any role in the decision making although he/she remains with the committee throughout its private deliberations and helps draft the committee's determinations, setting out the reasons for their decision(s).
- A hearings assistant. The hearings assistant is a member of GDC staff and will provide support throughout the hearing to the committee, the parties and witnesses.
- A logger, a person who ensures the digital recording of the hearing is taking place. The electronic record of the hearing may be used to create a transcript of the hearing at a later date if required. After the hearing, you can request a copy of the transcript by contacting a member of staff from our Hearings team, if you need it.

- Witnesses. Both parties can call witnesses relevant to their case. They may include the complainant, patients, experts, colleagues and GDC staff. You can find more [witness related information](#) on our website.
- A neutral witness support officer may be present to offer support and assistance to witnesses and unrepresented registrants if required. The witness support officer is a member of GDC staff.

Members of the public and press can also attend hearings and will be allowed to observe if it is being held in public.

## 18. What does the hearing room look like?

The layout is similar to a court room, but it is less formal. Typically, this is the layout of a hearing room.



### People in the hearing room

- 1. Chair**  
The chair will be an experienced panel member who runs the proceedings to make sure the hearing is fair.
- 2. Legal adviser**  
The legal adviser will be an experienced barrister or solicitor who advises the committee. The legal adviser does not play any role in the committee's decision- making.
- 3. Committee secretary**  
The committee secretary will be responsible for making sure that the hearing runs appropriately. They may become involved in helping the committee settle witness- related issues during the course of the hearing. The committee

secretary does not play any role in the committee's decision-making.

**4. Panel members**

The panel members are all independent of the GDC and completely impartial. They will include at least one dental professional and one person who is not a dental professional.

**5. Witness**

This is where you will sit if you decide to give evidence. All witnesses have to sit here to give their evidence.

**6. Logger**

The logger makes sure the digital recording of the hearing is taking place, so a full record of what has been said can be made.

**7. Dental professional and their lawyer**

The dental professional's lawyer is usually a barrister or solicitor and is sometimes referred to as 'defence counsel'. This lawyer asks the witnesses questions.

Sometimes a dental professional will not have a lawyer and will ask questions them self. This is where you and your representative (if you have one) will sit.

**8. Our lawyer**

Our lawyer will be a barrister or solicitor, and is sometimes referred to as 'prosecuting counsel or 'presenting officer'. This lawyer asks the witnesses questions.

**9. Dental professional's legal team**

**10. Our legal team**

The legal teams are responsible for preparing the case for us and the dental professional's defence.

**11. Hearings assistant**

The hearings assistant tells you when it is your turn to give evidence. While you are waiting, you can ask the hearings assistant for help if you need anything. If you leave the waiting area for any reason, let the usher know.

**12. Public seating**

If the hearing is open to the public, members of the public and the press sit here. If you have brought someone with you, they may be allowed to sit here, if they are not being called as a witness. The witness support officer may sit here if they are needed at the hearing.

As the majority of our hearings are held in public, you are able to come and see a hearing room and a hearing taking place prior to your own if this would be helpful to you. You can attend at any time but it may be worth contacting the Hearings team in advance so they can confirm that there is a hearing taking place and that it is being heard in public.

## 19. What happens at the hearing?

- Both parties are given an opportunity to deal with any preliminary applications, relating to matters of law or procedure.
- You (or your legal representative) will tell the committee if you admit any of the allegations laid against you.
- The GDC's legal representative will open the case.
- The GDC will describe its case against you.
- The GDC will call its witnesses and ask them questions to take their evidence from them. This is called 'examination-in-chief'.
- You (or your legal representative) may cross-examine the witnesses. This means you<sup>2</sup> (or your representative) will be able to ask them questions and may challenge the things they have said in their examination-in-chief.
- The committee may question the witnesses.

After the GDC has completed its case, you may:

- Make a submission that there is no case to answer (i.e. that the GDC has provided insufficient evidence to support the allegations against you and/or that your fitness to practise is impaired). If the committee determines that there is no case to answer, then the hearing will not proceed any further.

Where there has been no submission that there is no case to answer, or there has been such a submission but it has not been successful, you may present evidence in support of your case. At this stage, you may decide to give evidence or call witnesses in support of your case.

The GDC are likely to question you and your witnesses through cross-examination as described above. The committee may have further questions for you and your witnesses.

The hearing is conducted in two stages<sup>3</sup>

### Stage one

This is the factual inquiry. At this stage, the allegations, as set out in the notification of hearing, are considered. The burden of proving the allegations lies with the GDC.

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<sup>2</sup> In some circumstances if you are representing yourself, you may not be permitted to ask some witnesses questions directly, in particular if the matters alleged relate to inappropriate sexual behaviour. Further information about this can be found in our Witness Information Guide on our website.

<sup>3</sup> These are the main stages of the hearing. There may be times when other relevant matters need to be considered and determined by the Committee.

However, you will be asked at the beginning of this stage whether you have any formal admissions to make.

- Both parties, starting with the representative for the GDC, will have the opportunity to present evidence to the committee<sup>4</sup>. This can be done by providing documents or calling witnesses to give evidence (under oath<sup>5</sup>) about relevant factual or expert matters. If you wish, you can also give evidence under oath about your recollection of the events or issues in question.
- After all the evidence has been seen and heard, independent legal advice is given to the committee by the legal adviser. Following this, parties and any members of the public will be asked to leave the hearing room. The committee will remain to make its *findings of fact*. Essentially, it will decide on the *balance of probabilities*, whether the individual allegations are proved; that is, whether it is more likely than not that what is alleged happened. This is the same standard as the one applied in civil proceedings in court.

When the committee has made its *findings of fact*, parties and any members of the public are invited back into the hearing room. The chair of the committee will then announce each outcome, giving reasons where appropriate. If some or all of the allegations are found proved, the hearing will move to stage two.

### Stage two

- This is when (findings of) *impairment* and *sanction* are considered.
- As in stage one, both parties, starting with the representative for the GDC, will have the opportunity to present evidence which is specifically relevant to *impairment* and *sanction*. If you wish, you can give further evidence under oath to the committee.
- Following any evidence, both parties, starting with the representative for the GDC, will have the opportunity to make submissions on the issues of *impairment* and *sanction*. This means that you will be able to speak to the committee and tell them what has changed since the events complained about occurred and what you think should happen now to your registration with the GDC.

Submissions are not evidence. They are comments, observations or suggestions that you wish the committee to take into account when considering the outcome of your case. This can include any extenuating circumstances and testimonials. During submissions, reference may be made to any applicable GDC guidance documents, copies of which can be provided to you before the hearing.

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<sup>4</sup> After the representative for the GDC has presented all the GDC's evidence, and before you start presenting your evidence, you can choose to address the Committee on whether you think the GDC has produced sufficient evidence to successfully prove one or more of the allegations against you. The Committee will consider the comments you make and inform you of its decision(s).

<sup>5</sup> An oath is a promise to tell the truth. If you are religious, you can take an oath on a holy book of your choosing. If you do not want to take a religious oath you can read out an 'affirmation' to confirm that the evidence you are about to give will be the truth and nothing but the truth

- After all the evidence has been seen and heard, and submissions made, independent legal advice is given to the committee by the legal adviser. Following this, parties and any members of the public will be asked to leave the hearing room. The committee will remain to decide: (a) whether your fitness to practise is impaired, and if so, (b) what sanction, if any, to impose on your registration. The committee will make its decisions using its own independent judgement and any other guidance it considers appropriate.
- When the committee has made its decisions, parties and any members of the public are invited back into the hearing room. The chair of the committee will then announce the decisions and the reasons for them.
- If a sanction of conditions, suspension or erasure is imposed, there will be an additional short process to allow the committee to decide whether or not to take immediate action in respect of your registration. If this applies in your case, the purpose and manner of this process will be explained to you.

More details about the sanctions the committee can impose can be found below.

## 20. What powers does the practice committee have?

The committee can make the following sanctions:

- **Reprimand** - The committee decides to give a reprimand (a statement of their disapproval), but you are still fit to practise with no restrictions on your registration and no other action needs to be taken.
- **Conditions** - Conditions are applied to your work for a set period of time. The conditions may require that you take further training and then give evidence to prove that you have taken steps to improve. Conditions usually have to be reviewed before the end of the period.
- **Suspension** - The committee suspends your registration. This means that you cannot work as a dental professional or profit from dentistry for a set period of time. This will usually be reviewed before the end of the suspension period.
- **Erasure** - This is the most serious course of action as it removes your name from the GDC register. This means you have been 'struck off' and can no longer work as a dental professional in the UK.

When deciding what sanction to impose, the committee will always consider the least severe options first, and decide if it is appropriate to apply them, before moving onto other orders that are available. The actions the committee take are to protect the public and are not meant as a punishment.

The committee will always consider the individual circumstances of each case and will take into account all that has been said at the hearing before making its decision.



The removal of a registrant's name from the GDC's register is called erasure; it is the most serious sanction that can be applied. It will only be imposed if the committee decides it is the minimum sanction necessary to:

- Protect patients and the wider public
- Maintain confidence in the profession; and
- Declare and uphold proper standards of conduct

We will give you or your representative a copy of the committee's determination (i.e. its explanation and reasons) at the end of the hearing. We will also put this information on our website. If the case has involved any particularly sensitive information about your health or personal circumstances, we will make sure that the version available on the website does not include sensitive information.

Previous decisions made by the committees are available on our website and will give an idea of the types of sanctions imposed.

## **21. Appeals against committee decisions**

If the Committee makes a decision that restricts your practise, you can appeal against the committee's decision if you think it was wrong or the sanction was unfair. You only have 28 days in which you can make an appeal. You should submit your appeal to the High Court in England and Wales or to the Court of Session in Scotland. You may wish to seek legal advice in relation to any potential appeal you may wish to make.

Should the order be upheld by the court, you may have to pay some costs.

## **22. Notification to PSA for Health and Social Care**

All decisions made by the committees are reviewed by the Professional Standards Authority for Health and Social Care (PSA) which promotes best practice and consistency in regulating healthcare professionals. If the PSA thinks the decision is not sufficient for the protection of the public, it can appeal against the decision to the courts.

The PSA has forty days, starting from the end of the appeal period given to the registrant, in which to lodge an appeal against a decision of the committee.

You can find more details about the sanctions the committee can impose in our ['Guidance for the Practice Committees – including Indicative Sanctions Guidance'](#) on our website or we can send you a copy.

## **23. Review of conditions of practice and suspension orders**

If the committee imposes conditions or a suspension order on you, it will usually arrange a hearing to review the order, shortly before it is due to run out. This is known as a resumed hearing. If your case is to be reviewed, then you will be told about it when the sanction is imposed.

If practising conditions were imposed on your registration the committee will look for evidence that you have met these conditions at the review. If you were suspended, the committee will probably look for evidence that you have dealt with the problems that caused the suspension.

A review committee will always want to make sure that the public are protected. If they think you are still not fit to practise (or if they think you should not practise without restrictions), they may extend the conditions or suspension order. They may also replace the order that is running out with another order that could have been made at the time of your original hearing.

For example, they may replace a 'suspension' with 'conditions' if they think this provides enough public protection. They may also consider suspending your registration.

The GDC's case review officers will monitor all cases where you are the subject of suspension or conditions, to ensure that you have complied with the committee's order.

If we identify that you are in breach of an order, we will:

Ask for your comments regarding the apparent breach

We can:

- Note the breach for a future reviewing committee to consider
- Make a request that the order is reviewed early
- Make another referral to Fitness to Practise
- Make a referral to the GDC's Illegal Practice Team who could bring a prosecution against you

You can contact the case review team for assistance with:

- Conditional registration
- Suspended registration
- Interim Orders
- Voluntary removal requests from the Register

The Case Review team cannot:

- Interpret a committee's decision
- Give you legal advice

## **24. Restoration**

If your name is erased from the register, you can apply for restoration (to be put back on the register) after five years.

A hearing will be held before a committee, who will consider your application. Find out [more](#).

We can:

- Note the breach for a future reviewing committee to consider
- Make a request that the order is reviewed early
- Make another referral to Fitness to Practise
- Make a referral to the GDC's Illegal Practice Team who could bring a prosecution against you

You can contact the case review team for assistance with:

- Conditional registration
- Suspended registration
- Interim Orders
- Voluntary removal requests from the Register The

Case Review team cannot:

- Interpret a committee's decision
- Give you legal advice

## 25. GDC Contact details

If you need any more information, please contact our Fitness to Practise team or our Hearings team:

Fitness to Practise team  
37 Wimpole Street  
London  
W1G 8DQ  
Telephone: 020 7167 6000

Hearings team  
37 Wimpole Street  
London  
W1G 8DQ  
Telephone: 020 7167 6000

Case Review team  
37 Wimpole Street  
London  
W1G 8DQ  
Telephone: 020 7167 6000

## 26. Non-GDC contacts and sources of

### Help/assistance Solicitors

To find a local solicitor, you can search the law society's website  
[www.law.society.org.uk](http://www.law.society.org.uk)  
Telephone: 0870 606 2555 (during office hours)

### Barristers

The Bar Pro Bono Unit assists with advice and representation in cases involving a range of legal issues.

You can find more about the Bar Pro Bono unit via their website

[www.barprobono.org.uk](http://www.barprobono.org.uk)

Telephone: 020 7092 3960 (lines open Monday to Friday, 10.00am and 4.00pm).

### Free Representation Unit

The Free Representation Unit provides free legal advice on employment and social security hearings for people who are not eligible for legal aid and cannot afford a lawyer. They have offices in London and Nottingham.

London office: 020 7611 9555  
Nottingham office: 01158 484262  
[www.thefru.org.uk](http://www.thefru.org.uk)

### **Law Centres Federation**

Services for people who cannot afford a lawyer

Telephone : 020 7749 9120

[www.lawcentres.org.uk](http://www.lawcentres.org.uk)

### **Citizens Advice**

Citizens Advice helps people with their legal, money and other problems by providing free, independent and confidential advice.

To find your nearest Citizens Advice Bureau go to

[www.citizensadvice.or.uk](http://www.citizensadvice.or.uk) or look in your local phone directory.

### **British Dental Association (BDA)**

A national professional association for dentists

British Dental Association (National Office)

64 Wimpole Street

London

W1G8YS

Telephone: 020 7935 0875

Fax: 020 7487 5232

Email: [enquiries@bda.org](mailto:enquiries@bda.org)

### **British Association of Dental Nurses (BADN)**

PO Box 4

Room 200

Hillhouse International Business Centre

Thornton-Cleveleys

FY5 4QD

Telephone: 01253 338360

[www.badn.org.uk](http://www.badn.org.uk)

### **Dental Technologists Association (DTA)**

3 Kestrel Court

Waterwells Drive

Waterwells Business

Park Gloucester

GL2 2AT

Telephone: 01452 886366

[www.dta-uk.org](http://www.dta-uk.org)

### **Mind**

Providing advice on advocacy for people with mental health issues

15-19 Broadway

Stratford

London

E15 4BQ

Telephone: 020 8519 2122

Fax: 020 8522 1725

Email: [contact@mind.org.uk](mailto:contact@mind.org.uk)

**A link to the GDC's support for registrants' page on our website can be found**

<https://www.gdc-uk.org/professionals/ftp-prof/support>

## 27. Useful Information

### Meanings of words

Some terms that you are not familiar with may be used at the hearing and in documents relating to it. Here is a list of some of those words and what they mean

<b>Adjourn</b>	A hearing is adjourned when it stops for a break. The break is known as an 'adjournment'. For example, the hearing will adjourn for lunch or short breaks and at the end of each day (if the case lasts for more than a day). The hearing may also be adjourned for a set time while extra evidence is gathered, if any of the people involved in the hearing are ill and cannot attend, or if the hearing has overrun. In such circumstances, the hearing will be adjourned until a later date
<b>Allegation</b>	The accusation made against the dental professional.
<b>Caseworker</b>	The person responsible for investigating the initial stages of the complaint against the registrant
<b>Case examiner</b>	A GDC employee who makes a decision about a case at the conclusion of an investigation. One of the decisions they can make is to refer a case for a hearing. Each case is considered by a pair of case examiners (one lay and one dentist of dental care professional).
<b>Charge</b>	The list of allegations against the dental professional.
<b>Chair</b>	The person who is the head of the practice committee and is responsible for making sure the hearing is run properly.
<b>Complainant</b>	A person who makes a complaint about a dental professional to the GDC. A complainant may also be called an informant.
<b>Conditions</b>	A measure where the practice committee sets conditions on the dental professional to require them to do or not do certain things. For example, the dental professional could be prevented from providing certain treatments for a certain period of time or have to take further training.
<b>Committee</b>	An independent group (panel) of people who make decisions about the dental professional's fitness to practise. All our practice committees include at least one dental professional and one non-dental person (lay person).
<b>Committee secretary</b>	An employee of ours who advises the chair on the procedure for the hearing.
<b>Cross-examination</b>	This is where a person is questioned by lawyers and the practice committee while giving evidence.
<b>Defence counsel</b>	A barrister or solicitor who represents the dental professional at the hearing.

<b>Determination</b>	The practice committee's decision at the end of the case.
<b>Dental care professional dental (DCP)</b>	A person who works in dentistry. This includes dentists, nurses, dental technicians, clinical dental technicians, orthodontic therapists, dental therapists, and dental hygienists.
<b>Dentists Register and</b>	The register of dental professionals who are allowed to work the Register of DCPs the UK.
<b>Erasure</b>	A measure where the practice committee removes the dental professional's name from the Register of Dental Professionals, meaning that they cannot work as a dental professional. This is commonly known as being 'struck off'.
<b>Evidence</b>	What a witness (including the dental professional and the complainant) says at the hearing as well as documentary evidence (photographs, dental records and so on) that is presented at the hearing.
<b>Expert witness</b>	A witness who can give opinions on any matter within a field that they are an expert in.
<b>Findings of facts</b>	This is where the practice committee decides, after it has heard all the evidence, whether each allegation has been proved.
<b>Finding of impairment</b>	This is when the practice committee has made a finding of facts and they then consider whether the dental professional's fitness to practise is 'impaired' (that is, whether they are fit to practise).
<b>Fitness to practise</b>	The dental professional's ability to carry out their duties.
<b>Informant</b>	A person who raises concerns about a dental professional to the GDC. An informant may also be called a complainant
<b>Hearings assistant</b>	An employee of ours who provides administrative support to the practice committee. They welcome all parties and witnesses and direct them to the appropriate waiting rooms. The hearings assistant is available throughout the day to answer any questions.
<b>Interim order</b>	A measure where the practice committee places conditions on or suspends a dental professional's ability to work, on a temporary basis.
<b>Investigating committee</b>	A group (panel) of people who make a decision about a case at the conclusion of an investigation. One of the decisions they can make is to refer a case for a hearing.
<b>Lay member</b>	A member of the practice committee who is not a dental professional.
<b>Legal adviser</b>	An experienced barrister or solicitor who advises the practice committee.
<b>Logger</b>	A person who ensures the digital recording of the hearing is taking place.

<b>Mitigation</b>	The reasons the dental professional gives for his or her actions.
<b>Practice committee</b>	The committee which makes decisions on allegations. We have three practice committees relating to professional conduct, health and performance.
<b>Prosecution counsel</b>	A barrister or solicitor who represents us at the hearing.
<b>Registrant</b>	A person whose name appears on the register and so can work as a dental professional.
<b>Respondent</b>	A dental professional who is the subject of fitness to practise proceedings.
<b>Sanction</b>	The action the practice committee takes against the dental professional. The action could be: <ul style="list-style-type: none"> <li>• a reprimand, where the committee states their disapproval;</li> <li>• conditions, where conditions are set on the dental professional's ability to work;</li> <li>• suspension, where the dental professional cannot work for a set period; or</li> <li>• erasure, where the dental professional is struck off.</li> </ul>
<b>Suspension</b>	A measure that removes the dental professional's right to practise or profit from dentistry for a set period of time.
<b>Undertakings</b>	A measure where the case examiners require a dentist or dental care professional to do or not do certain things. For example, the dental professional could be prevented from providing certain treatment for a certain period of time or have to take further training.
<b>Witness support officer</b>	An employee of ours who provides support and assistance to all witnesses and unrepresented registrants attending hearings.