

Guidance on reporting matters to the General Dental Council

An important part of being a professional is recognising when patient safety or public confidence might be compromised by your conduct, performance, or any health issues you are experiencing. You should be able to recognise when a matter arises that requires you to assess your own fitness to practise or the fitness to practise of those you work with.

This guidance covers matters you must report to the General Dental Council (GDC), including if you have concerns about your own fitness to practise, the fitness to practise of others, or if you are subject to regulatory investigations or criminal proceedings anywhere in the world. It also sets out your obligations to co-operate with formal or informal inquiries undertaken by the GDC or a public body.

If you are in doubt about whether to report a matter to the GDC you should contact us. It is important to report matters which may bring into question concerns about your fitness to practise. If you do not report such matters without delay, it could lead to an allegation of impaired fitness to practise being made.

You may wish to contact your indemnity provider or your professional association about any of the matters outlined in this guidance.

Section one:

Concerns about the fitness to practise of yourself or others

You must inform the GDC if you have concerns about your conduct, performance or health that impact on your fitness to practise.

Health

We understand that health concerns can be complex, and it is not always easy to determine whether you need to notify the GDC about your circumstances. Things which may indicate that you need to speak to the GDC include: the diagnosis of a new physical or mental health condition which might impact your ability to practise safely, a relapse in an existing condition or changes to the work environment that have impacted support provided locally.

You should speak to your manager, employer or practice principal about any risks posed by your health condition which could be putting patients at risk or reducing confidence in the profession. You must take action to address any risks.

You may wish to seek advice from peers, your employer, occupational health, and/or a medical doctor and take further action including changing, adapting, or limiting your practice, and making reasonable adjustments.

If you remain concerned that your fitness to practise might be impaired, you must inform the GDC immediately and cease practising if necessary.

Conduct and performance

If patients may be at risk because of a conduct or performance issue, you must take action to address this. Where possible, this action should be taken locally in the first instance.

You should discuss the issue with your manager, employer or practice principal to understand what can be done next.

If you remain concerned that your fitness to practise might be impaired, or the issue cannot be resolved locally, and you may be putting patients at risk or reducing confidence in the profession, you must inform the GDC immediately.

You must raise concerns you have about the health, conduct or performance of a colleague.

Where you are concerned that a colleague's health, conduct, or performance is putting patients at risk or that it could reduce trust in the profession you should act to address this. Any action you decide to take will depend on the context and seriousness of the concern. These actions might include speaking to the individual to better understand the situation, encouraging them to get help, and notifying their manager, employer, or practice principal.

If you remain concerned that another dental professional may be putting patients at risk or reducing confidence in the profession, you must inform the GDC immediately.

Raising concerns with the GDC is a serious matter and you must use your professional judgement and raise matters only where you have a reasonable concern which is not related to personal or employment matters.

Section two:

Proceedings by a regulatory or public body

You must inform the GDC immediately if you are subject to the fitness to practise procedures of another healthcare regulator, either in the United Kingdom or anywhere else in the world.

You should contact the GDC if findings made by any public body raise concerns about your conduct, performance, or behaviour such that patient safety and/or public confidence could be affected.

If someone tells us about a finding made against you by a public body, we may open a fitness to practise case if we consider the finding raises concerns that could affect patient safety or public confidence.

Section three:

Criminal proceedings

You must inform the GDC immediately if anywhere in the world you:

- are charged with a criminal offence, including road traffic offences
- are found guilty of a criminal offence, including road traffic offences
- receive a conditional discharge for an offence
- accept a criminal caution (including a conditional caution), or otherwise formally admit to committing a criminal offence
- receive a formal adult warning (in Scotland)
- receive a caution (unless you were under 18 when the caution was issued)
- are placed on a barred list, such as those held by either the Disclosure and Barring Service or Disclosure Scotland.

You are not obliged to inform the GDC about notices or orders such as the following:

- A fixed penalty notice for a road traffic offence.
- A fixed penalty notice issued by local authorities (for example for offences such as dog fouling, or graffiti).
- Civil orders, for example those to prevent criminal behaviour or other preventative orders.
- A conviction or caution outside the United Kingdom which, if committed in England and Wales would not constitute a criminal offence.

You should consider informing the GDC if your behaviour could amount to misconduct:

In some circumstances, the behaviour which led to a notice, order, or other out-of-court disposal, may raise wider concerns about your conduct, performance, or behaviour. You need to consider whether your behaviour raises concerns about patient safety or, should it become widely known, could undermine public confidence in the dental profession. In circumstances where there are patient safety concerns or public confidence could be undermined, you should notify the GDC.

You should be aware that if someone else tells us about a notice, order, or other out-of-court disposal you have been subject to, we may open a fitness to practise investigation if the circumstances around you receiving the notice or order raise concerns about your conduct, performance, or behaviour. You should also be aware that if someone else tells us about the matter, we may consider whether the failure to tell us might form part of fitness to practise considerations.

Should you be arrested or investigated for an offence, you are not obliged to inform the GDC. However, for serious offences you should consider the impact on public confidence and whether informing the GDC would help maintain confidence in the profession.

If you need advice as to whether you should notify the GDC you should contact your indemnifier, or the GDC at <https://www.gdc-uk.org/contact-us>

Section four:

Reporting past convictions and cautions

You must report all past convictions and cautions, unless they qualify as protected convictions and cautions.

You are required to report convictions and cautions within your application for GDC registration or for restoration to the register. The application forms and guidance for registration and restoration contain information about what must be reported to the GDC.

If you did not report a conviction or caution at registration or restoration, you must notify the GDC immediately.

For the purposes of calculating protection periods in relation to disclosure of convictions and cautions, the GDC follows the requirements that are set for England and Wales. These are as follows:

You must report all convictions for offences on a specified offences list such as that kept by [the Disclosure and Barring Service](#), and equivalent offences in other jurisdictions. You must also report all convictions for which you received a custodial sentence, including when that sentence was suspended.

You must report all other convictions unless:

- eleven years have passed since the date of conviction, and you were 18 or over at the date of conviction; or
- five and a half years have passed, and you were under 18 at the date of conviction.

You must report all cautions for offences on a specified offences list if you were 18 or over at the time the caution was given. You must also report all cautions for non-specified offences unless:

- it was issued six or more years ago; or
- you were under 18 years at the time the caution was given.

Section five:

Co-operating with an investigation from the GDC or a public body

If you are contacted by the GDC or a public body, you must respond in full within the time specified.

If the communication is about concerns with your fitness to practise, you should consider notifying your indemnity/ insurance provider, and do this as soon as possible. You may also wish to seek advice from your indemnity provider or professional association regarding any situation where you are required to cooperate with an investigation.

When a concern is raised by you or about you, in relation to sections 1-3 of this guidance, you have a professional obligation to co-operate with any investigation and to comply with any sanction (for example, conditions on your practice) that may follow.

Legal basis for this guidance

The basis for the requirements outlined in this guidance is derived from Sections 26B and 36M, as well as Sections 27 and 36N of the Dentists Act, 1984..

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