

UK Parliament SIs 2000-2009/2008/1801-1850/General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules Order of Council 2008 (SI 2008/1823)

2008 No 1823

General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules Order of Council 2008

**HEALTH CARE AND ASSOCIATED PROFESSIONS
PROFESSIONS COMPLEMENTARY TO DENTISTRY**

Made 4th July 2008
Coming into force 1st August 2008

At the Council Chamber, Whitehall, the 4th day of July 2008
By the Lords of Her Majesty's Most Honourable Privy Council

The General Dental Council have made the General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules 2008 as set out in the Schedule to this Order.

In accordance with section 50C(2) and (3) of the Dentists Act 1984, such rules shall not come into force until approved by order of the Privy Council.

Having considered the rules, their Lordships approve them.

This Order may be cited as the General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules Order of Council 2008 and shall come into force on 1st August 2008.

SCHEDULE The General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules 2008

Signature(s)

EXPLANATORY NOTE

Document information

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Judith Simpson

Clerk of the Privy Council

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04/07/2008

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SCHEDULE

THE GENERAL DENTAL COUNCIL (CONTINUING PROFESSIONAL DEVELOPMENT) (PROFESSIONS COMPLEMENTARY TO DENTISTRY) RULES 2008

The General Dental Council make the following Rules in exercise of the powers conferred by sections 36Z1(1) and (4), 36Z2, 50A and 50C(5) and (6) of the Dentists Act 1984.

Citation and commencement

1

These rules may be cited as the General Dental Council (Continuing Professional Development) (Professions Complementary to Dentistry) Rules 2008 and shall come into force on 1st August 2008.

Interpretation

2

In these rules--

"the Act" means the Dentists Act 1984;

"CPD" means continuing professional development which--

- (a) comprises lectures, seminars, courses, individual study or other activities undertaken by a dental care professional or an applicant for restoration to the register under rule 11;
- (b) can reasonably be expected to advance a person's professional development as a dental care professional; and
- (c) is relevant to the person's practice or intended practice as a dental care professional;

"CPD cycle" means a period of five years beginning--

- (a) in the case of a dental care professional who is registered for the first time under any title or titles on or after 1st August 2008, on the next occurring 1st August; and
- (b) in the case of any other dental care professional, on 1st August 2008;

and each subsequent period of five years;

"CPD requirement" means the requirement that every dental care professional shall complete at least 150 hours of CPD during a CPD cycle, of which at least 50 hours shall be verifiable CPD;

"CPD year" means a period of 12 months beginning on 1st August in any calendar year;

"dental care professional" means a registered dental care professional;

"period of grace" means a period of six months after the end of a CPD cycle during which a dental care professional may complete any outstanding CPD for that CPD cycle in accordance with an undertaking given in response to a notice sent under rule 8(1) or (3);

"register" means the dental care professionals register and "registered" shall be construed accordingly;

"verifiable CPD" means CPD for which there is documentary evidence that--

- (a) the dental care professional has undertaken the CPD; and
- (b) the CPD has--
 - (i) concise educational aims and objectives;
 - (ii) clear anticipated outcomes; and
 - (iii) quality controls.

CPD requirement for dental care professionals

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- (1) Subject to paragraph (2), every dental care professional shall comply with the CPD requirement.
- (2) This rule shall not apply to a person ("P") referred to in section 36Z4(1) of the Act.
- (3) Any CPD which a person is required to undertake pursuant to these rules may be undertaken outside the United Kingdom.

CPD record

4

- (1) A dental care professional shall keep an up-to-date record of CPD completed during a CPD cycle ("CPD record").
- (2) A CPD record shall contain--
 - (a) a description of each item of CPD completed by the dental care professional, indicating whether the item constitutes verifiable CPD;
 - (b) the number of hours of CPD attributed to each item; and
 - (c) the documentary evidence in respect of each item of verifiable CPD completed by the dental care professional.
- (3) A dental care professional shall retain a CPD record for at least five years after the end of the CPD cycle to which it relates.
- (4) At any time within the period of five years after the end of a CPD cycle, the registrar may send a dental care professional a notice requiring the dental care professional to deliver to the registrar the dental care professional's CPD record for that CPD cycle.
- (5) The notice must--
 - (a) specify a date, not less than 28 days after the date on which the notice is sent, by which the dental care professional must comply with the notice; and
 - (b) state that if, by the date specified in the notice, the dental care professional does not--
 - (i) complete the CPD record to the satisfaction of the registrar, including the provision of the information specified in paragraph (2); and
 - (ii) deliver the CPD record to the registrar,

the dental care professional's name may be erased from registration under all titles under which the dental care professional is registered.

Delivery of CPD statement to the registrar at end of CPD cycle

5

- (1) A dental care professional shall, within 28 days of the end of a CPD cycle, deliver to the registrar a statement ("CPD statement") containing--
 - (a) the total number of hours of CPD completed by the dental care professional during the CPD cycle; and
 - (b) the number of hours of verifiable CPD completed by the dental care professional during the CPD cycle.
- (2) Where the registrar does not receive a dental care professional's CPD statement by the date specified in paragraph (1), or it is received but does not contain the information specified in paragraph (1), the registrar may send the dental care professional a notice requiring the dental care professional to deliver to the registrar the dental care professional's CPD record for that CPD cycle.
- (3) The notice must--
 - (a) specify a date, not less than 28 days after the date on which the notice is sent, by which the dental care professional must comply with the notice; and
 - (b) state that if, by the date specified in the notice, the dental care professional does not--
 - (i) complete the CPD record to the satisfaction of the registrar, including the provision of the information specified in rule 4(2); and

- (ii) deliver the CPD record to the registrar,

the dental care professional's name may be erased from registration under all titles under which the dental care professional is registered.

Final notice to deliver CPD record to the registrar

6

(1) Where the registrar does not receive a dental care professional's CPD record by the date specified in a notice sent under rule 4(4) or 5(2), or it is received but does not contain the information specified in rule 4(2), the registrar may send the dental care professional a final notice requiring the dental care professional to deliver the dental care professional's CPD record to the registrar.

(2) The final notice must--

- (a) specify a date, not less than 14 days after the date on which the notice is sent, by which the dental care professional must comply with the notice; and
- (b) state that if, by the date specified in the notice, the dental care professional does not--
 - (i) complete the CPD record to the satisfaction of the registrar, including the provision of the information specified in rule 4(2); and
 - (ii) deliver the CPD record to the registrar,

the dental care professional's name may be erased from registration under all titles under which the dental care professional is registered.

Erasure from the register for failure to provide CPD record

7

(1) Where a dental care professional does not comply with a final notice sent under rule 6(1), the registrar may erase the dental care professional's name from registration under all titles under which the dental care professional is registered.

(2) When the registrar erases a dental care professional's name from the register under this rule, the registrar shall notify the dental care professional in accordance with paragraph 3(1) of Schedule 4A to the Act.

Completion of CPD requirement during period of grace

8

(1) Where a dental care professional delivers a CPD statement or CPD record to the registrar under rules 4, 5 or 6 but the registrar is not satisfied that the dental care professional has complied with the CPD requirement during the CPD cycle to which the CPD statement or CPD record relates, the registrar shall send a notice to the dental care professional which shall--

- (a) state the reasons why the registrar is not satisfied that the dental care professional has complied with the CPD requirement; and
- (b) invite the dental care professional to--
 - (i) make written representations or submit written evidence to the registrar on the matters specified in the notice; or
 - (ii) give an undertaking to the registrar to complete the outstanding CPD in respect of the CPD cycle within a period of grace.

(2) A notice sent under paragraph (1) must specify a date, not less than 28 days after the date on which the notice is sent, by which the dental care professional must comply with the notice.

(3) Where, after considering any written representations made or written evidence submitted by a dental care professional in response to a notice sent under paragraph (1), the registrar is not satisfied the dental care professional has complied with the CPD requirement, the registrar shall send a notice to the dental care professional inviting the dental care professional to give an undertaking to complete the outstanding CPD in respect of the CPD cycle within a period of grace.

(4) A notice sent under paragraph (3) must specify a date, not less than 7 days after the date on which the notice is sent, by which the dental care professional must give the required undertaking.

(5) Where a dental care professional has given an undertaking in response to a notice sent under paragraph (1) or (3), the dental care professional shall send written evidence of completion of the outstanding CPD to the registrar within 7 days of the end of the period of grace.

CPD undertaken in a period of grace

9

(1) A period of grace shall begin on the date on which a notice is sent under rule 8(1) or (3).

(2) Any outstanding CPD undertaken during a period of grace shall not be counted as CPD for the CPD cycle in which it is undertaken for the purpose of determining the dental care professional's compliance with the CPD requirement in respect of that CPD cycle.

Erasure from the register for failure to comply with the CPD requirement

10

(1) Where a dental care professional to whom the registrar has sent a notice under rule 8(1) or (3) does not make written representations, submit written evidence or give an undertaking by the date specified in the notice, the registrar may erase the dental care professional's name from registration under all titles under which the dental care professional is registered.

(2) Where a dental care professional gives an undertaking in response to a notice sent under rule 8(1) or (3) and--

- (a) the dental care professional does not send to the registrar written evidence of completion of the outstanding CPD within 7 days of the end of the period of grace; or
- (b) the registrar is not satisfied that the dental care professional has completed the outstanding CPD,

the registrar may erase the dental care professional's name from registration under all titles under which the dental care professional is registered.

(3) When the registrar erases a dental care professional's name from the register under paragraph (1) or (2), the registrar shall notify the dental care professional in accordance with paragraph 3(1) of Schedule 4A to the Act.

Restoration to the register: evidence required in different circumstances**11**

(1) This rule applies to an application for restoration to the register made by a person ("the applicant") who was previously registered and whose name was erased from the register for any reason.

(2) Where the applicant's application is received by the registrar--

- (a) no more than one year after the date on which the applicant's name was erased; and
- (b) after the end of the CPD cycle during which the applicant's name was erased,

the application shall be accompanied by written evidence that the applicant has complied with the CPD requirement for the CPD cycle during which the applicant's name was erased from the register.

(3) Where the applicant's application is received by the registrar--

- (a) more than one year after the date on which the applicant's name was erased; and
- (b) before the end of the CPD cycle during which the applicant's name was erased,

the application shall be accompanied by written evidence that the applicant has completed at least 30 hours of CPD, of which at least 10 hours shall be verifiable CPD, for each whole CPD year that has elapsed since the beginning of the CPD cycle during which the applicant's name was erased from the register until the date of the applicant's application under this rule.

(4) Where the applicant's application is received by the registrar--

- (a) more than one year after the date on which the applicant's name was erased; and
- (b) after the end of the CPD cycle during which the applicant's name was erased,

the application shall be accompanied by the written evidence referred to in paragraph (5).

(5) The evidence referred to in paragraph (4) is written evidence that the applicant has--

- (a) complied with the CPD requirement for the CPD cycle during which the applicant's name was erased; and
- (b) completed at least 30 hours of CPD, of which at least 10 hours shall be verifiable CPD, for each whole CPD year that has elapsed since the end of the CPD cycle during which the applicant's name was erased from the register until the date of the applicant's application under this rule.

(6) Where the applicant's name was erased from the register as a result of the applicant having not complied with the CPD requirement for a particular CPD cycle, the applicant's application shall be accompanied by written evidence that the applicant has undertaken an amount of CPD equal to the outstanding balance for that CPD cycle.

(7) The evidence required under paragraph (6) shall be provided in addition to any evidence the applicant may be required to provide under paragraph (2), (3) or (4).

(8) The maximum amount of CPD for which an applicant shall be required to provide evidence to the registrar under this rule shall be 150 hours, of which at least 50 hours must be verifiable CPD.

(9) Where an applicant is required to produce evidence of the maximum amount of CPD referred to in paragraph (8), the CPD shall have been undertaken during the five year period immediately preceding the application.

Restoration to the register: procedure**12**

(1) Where the registrar receives an application to which rule 11 applies and the application complies with the relevant paragraph or paragraphs of that rule, the registrar may restore the applicant's name to the register under the title or titles under which the applicant was previously registered.

(2) Where the registrar receives an application to which rule 11 applies and the registrar is not satisfied that the application complies with the relevant paragraph or paragraphs of that rule, the registrar shall send a notice to the applicant which shall--

- (a) state the reasons why the registrar is not satisfied that the application complies with the relevant paragraph or paragraphs; and
- (b) invite the applicant to make written representations or submit written evidence to the registrar on the matters specified in the notice.

(3) The notice must specify a date, not less than 28 days after the date on which the notice is sent, by which the dental care professional must comply with the notice.

(4) Where, after considering written representations made or written evidence submitted by an applicant in response to the notice, the registrar is not satisfied that the application complies with the relevant paragraph or paragraphs of rule 11, the registrar may decide not to restore the applicant's name to the register.

(5) Where the registrar receives an application to which rule 11 applies, the registrar shall notify the applicant of a decision in respect of the application in accordance with paragraph 3(1) of Schedule 4A to the Act.

Service of notices by electronic communication**13**

Any notification to be sent by the registrar under these rules may be served on a person by an electronic communication, but only if--

- (a) the person consents in writing to the receipt of such notifications by electronic communication; and
- (b) the communication is sent to the number or address specified by that person when giving consent.

NOTES**Initial Commencement***Specified date*

Specified date: 1 August 2008: see Preamble.

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The Common Seal of the General Dental Council was affixed hereto on the 5th day of June 2008 in the presence of

Hew Byrne Mathewson

President

Duncan Hugh Rudkin

Registrar

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EXPLANATORY NOTE

(This note is not part of the Regulations)

This Order, which is made under the Dentists Act 1984, approves rules made by the General Dental Council setting out the requirements in respect of post-registration training which have to be met by registered dental care professionals. In particular, rule 4 provides that all registered dental care professionals must undertake a specified amount of post-registration training. Rule 10 sets out the circumstances in which a dental care professional may be erased from the register for non-compliance with these rules, and rule 11 makes provision regarding applications for restoration to the register following such erasure.

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