

Guidance on reporting matters to the GDC, your views on our proposals

This consultation asks for views on proposals to consolidate the guidance the General Dental Council (GDC) provides dental professionals regarding matters they must report to their regulator.

The GDC is proposing a new 'Guidance on reporting matters to the GDC' that will build upon and replace the current Guidance on reporting criminal proceedings. The proposed guidance will not introduce new requirements for dental professionals, but it will bring together in one place guidance related to all matters which must be reported to the GDC.

We invite everyone with an interest in how dental professionals are regulated to share their views.

About this consultation

This consultation survey has 11 questions, which start on page six.

We would encourage all respondents to read the information in the consultation before answering the questions.

A copy of the proposed guidance we are consulting on can be found on our [website](#).

Foreword

The GDC has been reviewing the guidance that we provide dental professionals, and we are proposing a move towards an approach that better supports professional decision making. We have been exploring the concept of professionalism, and how we can provide the dental team with the right level of guidance and the space needed to make informed judgements.

We have made commitments to these aims in our [Corporate Strategy for 2023 - 2025](#) and the proposed guidance on reporting matters to the GDC is part of a series of consultations we will be running across 2023 and 2024 to help us to meet them.

About the GDC and our role in setting guidance

The core objective of our regulatory activities is public protection. This is a role given to us by Parliament and set out in the Dentists Act. To protect the public, our work is focused on the following four areas.

We:

- set and support standards in dental education and practice
- maintain a register of dental professionals who meet our standards
- ensure that nobody is admitted to that list if they do not meet the relevant requirements
- take action if any dental professional falls short of our standards.

Our role and functions are set out in legislation. The objectives set for us by Parliament are at the core of everything we do and in some areas of our work the legislation also prescribes, in some detail, how we should deliver those objectives.

The GDC is required to set guidance about the standards of conduct, performance, and practice required of dental professionals. We are also required to consult specific groups of people and organisations before issuing or updating guidance. This includes representatives of dental patients, dental professionals and providers of dental services. This consultation meets these requirements.

There is no requirement for the guidance to be in a particular format. This means we can provide this guidance in a way that we consider will work best for the profession, improve patient outcomes, and maintain public confidence in dentistry. We recognise that individuals will have different preferences for the degree of detail, prescription, and direction the GDC provides through guidance.

Responding to the consultation

The consultation will run for 12 weeks from 16 March to 8 June 2023.

This consultation invites questions on the following areas:

- Section 1: Overview of the proposed Guidance on reporting matters to the GDC
- Section 2: Proposed sections of the Guidance on reporting matters to the GDC
- Section 3: Considering impacts on different groups

If you have any questions about the consultation or would like the consultation in another format, please contact stakeholder@gdc-uk.org.

Respondents are invited to share their views on all or some of the questions. If you are using our online platform to submit your views, it is possible to save progress and return to it later to complete. You can also save and print your response once you have submitted it via the online platform.

Alternatively, you can send your responses to the questions in this consultation paper via email to stakeholder@gdc-uk.org or post it to the GDC's head office at 37 Wimpole Street, London, W1G 8DQ.

About your response

Details of your response may be included in our consultation outcome report, including attribution to organisations. Your response may also be subject to publication as a result of a Freedom of Information (FOI) request.

We ask for contact details from those responding to the consultation only for the purposes of asking questions about your response. The need to do this is rare. The names and personal contact details of those responding will not be included in our outcome report and will not be published as part of a FOI release.

At the end of this survey, we will ask you to tell us a bit about you by completing an anonymous survey. This information will not be connected to your responses to this consultation. We will use the data you provide us for overall analysis and insight into the fairness and inclusivity of our processes. Providing this data is extremely helpful, and we would like to encourage you to complete this step. We cannot assess whether we are being fair and inclusive without these responses.

You can find out more about how we collect, store, and process information in our [privacy notice](#).

What we are consulting on

We are proposing to consolidate guidance on all matters dental professionals are required to report to the GDC within one resource. The changes to the guidance aim to provide dental professionals with clarity around their professional obligations to report matters which may impact upon their fitness to practise, patient safety, or public confidence in the profession.

The draft guidance can be found on the [GDC's website](#).

Analysis

We will use descriptive statistics to analyse the scale questions, including sub-group analysis if appropriate. Responses to the open questions will be analysed thematically to identify key areas of interest. When analysing and reporting on the data we will take into account whether responses are from an individual or an organisation.

Overview of the proposed Guidance on reporting matters to the GDC

Patients and the public place their trust in dental professionals to practise safely and effectively, and act in such a way as to maintain that trust. Sometimes circumstances will arise that affect a dental professional's ability to deliver safe and effective care or may undermine public confidence in the dental profession. If this is the case, the dental professional must report this to the GDC.

The GDC requires dental professionals to report matters that pose a potential risk to patients, or may impact public confidence in the profession to the regulator. This is so that we can fulfil our statutory duty to protect patients by considering whether they indicate a fitness to practise concern.

These requirements are currently set out in different documents, with some of these detailed in the [initial registration/restoration form](#), and others contained within the [Standards for the Dental Team](#).

In addition, the GDC introduced supplementary guidance on [reporting criminal proceedings](#) in 2013 to set out which criminal proceedings dental professionals must report to the GDC. It also sets out the exemptions from this requirement, for example, fixed penalty notices. However, it does not cover other matters that must be reported to the GDC.

We propose consolidating these requirements into one piece of guidance to provide clarity on the matters that dental professionals must report to the GDC. This will support professionals to make decisions to protect their patients from harm when matters arise that may indicate a concern about their, or another registrant's, fitness to practise. It is important to note that these are not new requirements for dental professionals, but rather the drawing together and clarification of existing reporting requirements.

The changes we propose in this consultation are part of a wider ambition to promote professional behaviours, skills, and attributes across dentistry. We continue to take steps to maintain and improve patient safety by moving dental regulation towards preventing harm rather than responding to the consequences of it.

A key part of this move is to foster a system that supports and encourages professionalism and decision making that is centred on the best interests of patients.

Proposed sections of the Guidance on reporting matters to the GDC

The sections we propose to include guidance on reporting;

- Concerns about the fitness to practise of yourself or others
- Proceedings by a regulatory or other public body
- Criminal proceedings, and
- Cooperating with an investigation from the GDC or other public body

Guidance on reporting a professional's own health, conduct, or performance concerns, or concerns relating to another professional.

Standard 9.2 of [Standards for the Dental Team](#) states that dental professionals must protect patients and colleagues from risks posed by their health, conduct or performance.

Underneath this standard we set provide guidance that dental professionals must seek appropriate advice if they know, or suspect, that patients may be at risk because of their health, conduct or professional performance. The standard does not go on to indicate in what circumstances a dental professional should notify the GDC.

However, at initial registration, dental professionals are required to declare any existing health conditions and are instructed to inform the GDC should that declaration change, or any condition becomes present which may impair fitness to practise.

It would not be appropriate for the GDC to provide a prescriptive list of health, conduct or performance concerns which must be reported to us as the impact of these on a professional's fitness to practise will vary. Nor would such an approach be in line with our wider strategic ambitions to promote professional behaviours and decision-making among dental professionals.

When to report a health, conduct or performance concern

Dental professionals must consider whether they are able to manage the health condition, conduct or performance concern so that it does not impact their ability to practise safely and effectively. They may wish to seek advice, or to take further action including changing, adapting or limiting their practice, and making reasonable adjustments. If the professional is not able to manage the impact locally, and they remain concerned about their fitness to practise, they must report that to the GDC.

In addition, Standard 8.2 of the [Standards for the Dental Team](#) requires dental professionals to raise a concern if they think that the public and patients need to be protected from another dental professional registered with the GDC. We propose to include this within the guidance.

Section 1: Concerns about the fitness to practise of yourself or others has been added to the proposed guidance to clarify when dental professionals must notify the GDC of concerns about their own health, conduct, or performance concerns, or concerns relating to another professional.

Guidance on reporting regulatory proceedings or other proceedings from a public or governmental body.

Standard 9.3 of the [Standards for the Dental Team](#) sets out the requirement to report regulatory proceedings or other proceedings from a public or governmental body. This requirement sets out that a dental professional must notify the GDC immediately if subject to the fitness to practice procedures of another healthcare regulator, either in the United Kingdom or anywhere else in the world and of any finding by governmental or public body that may indicate a concern about their fitness to practice.

Section 2: Proceedings by a regulatory or other public body has been included in the proposed guidance to clarify these requirements. This section includes a non-exhaustive list of bodies covered by this requirement.

Guidance on reporting criminal proceedings.

Standard 9.3 of [Standards for the Dental Team](#) sets out the requirement to report criminal proceedings, and this requirement is supplemented by the [GDC's guidance on reporting criminal proceedings](#). This guidance is now included as section three of the proposed guidance and has been reviewed to ensure that the requirements are clear and up to date.

The proposed guidance has been updated to include reporting previous charges and convictions, including protected convictions and cautions.

Section 3: Criminal proceedings has been included in to update the requirements in the proposed guidance.

Guidance on cooperating with an investigation from the GDC or other public body.

Standard 9.4 of [Standards for the Dental Team](#) requires those registered with the GDC to co-operate with our proceedings, and those of other public bodies.

Section 4: Cooperating with an investigation from the GDC or other public body has been included in the proposed guidance to clarify this requirement.

Questions

About you

1. Are you responding

On behalf of myself

On behalf of my organisation

2. Please complete the following (For inquiry purposes only. Details will not be published and will not form part of an FOI release)

Full name

Organisation

Email address

3. Please select the following that best describes you or your organisation

Education or training provider

UK registered dental professional (please see **3a** and **3b** below)

Dental patient or member of the public

Professional body

NHS

Regulator

Training or studying to join the GDC register

If you selected Other, please specify:

3a. Please select all categories of registration that apply to you.

Dental hygienist

Dental nurse

Dental technician

Dental therapist

Dentist

Orthodontic therapist

Clinical dental technician

3b. Are you on a specialist list?

Yes

No

Looking at the [proposed guidance](#) and the information provided in this consultation, please answer the following questions.

4. **To what extent do you agree or disagree that the proposed guidance provides clear direction on the range of matters that must be reported to the GDC?**

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer:

5. **To what extent do you agree or disagree that the proposed guidance provides clear direction on reporting health, performance or conduct concerns?**

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly disagree

Please explain your answer:

6. **To what extent do you agree or disagree that the proposed guidance provides clear direction on reporting criminal proceedings?**

Strongly agree
Agree
Neither agree nor disagree
Disagree
Strongly agree

Please explain your answer:

7. To what extent do you agree or disagree that the proposed guidance provides clear direction on reporting regulatory proceedings?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly disagree:

8. To what extent do you agree or disagree that the proposed guidance provides clear direction on cooperating with the GDC?

- Strongly agree
- Agree
- Neither agree nor disagree
- Disagree
- Strongly agree

Please explain your answer:

9. Please tell us if there is anything else that you think should be included in the proposed Guidance on reporting matters to the GDC.

10. Please tell us if you have any further comments about the proposed Guidance on reporting matters to the GDC.

Considering impacts on different groups

In this section we would like you to consider whether this guidance has the potential to impact people with regard to their protected characteristics. We aim to foster inclusion, promote diversity and further eliminate discrimination in line with our [Equality, Diversity and Inclusion Strategy](#).

Please note, you do not have to provide us with any information regarding your protected characteristics to answer this question. You will have a chance to provide us with this information anonymously when you have submitted your response to this consultation.

The protected characteristics are;

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

11. Please tell us about any impacts you think the proposed guidance may have with regard to the protected characteristics, or any other aspect of equality, diversity and inclusion.

Thank you

Please tell us a bit about you by completing this anonymous [Equality, Diversity and Inclusion questionnaire](#).

The GDC is committed to championing equality, diversity and inclusion inside our organisation, with the sector we regulate, and with the public. Completing these questions will help ensure that the way we work is fair and does not discriminate against individuals or groups.

Giving us this information is voluntary. The data will be aggregated to provide an analysis of respondents to our consultation only.

If you require this survey in an alternative form, please email stakeholder@gdc.uk.org.