

# Shifting the balance:

a better, fairer system  
of dental regulation



# Presentation Structure

- Patient and Public Survey 2017 attitudes to serious misconduct
- GDC Registrant survey 2017
- Literature review on seriousness
- Cross – regulatory work

# Aims and objectives

- To develop a firm evidence base for policy development in this area through a programme of research
- To ensure that we take a proportionate approach to enforcement action and focus on serious misconduct.
- To develop a 'hierarchy of risk 'for decision makers supporting them to make proportionate decisions.

# We presented the public and registrants with a range of scenarios

A dentist accidentally prescribes/a dental nurse accidentally gives the wrong medication to a patient, and there are serious side effects leading to the patient being admitted to hospital

A dentist removes the wrong tooth/a dental nurse reads notes out wrong, as a result, a dentist removes the wrong tooth

A dentist/dental nurse is charged for drunk and disorderly behaviour on a night out

A dentist/dental nurse posts racist comments on their personal Facebook page

A dentist/dental nurse gives a patient a rude response to a complaint the patient has made about them



# People suggest different sanctions for different scenarios

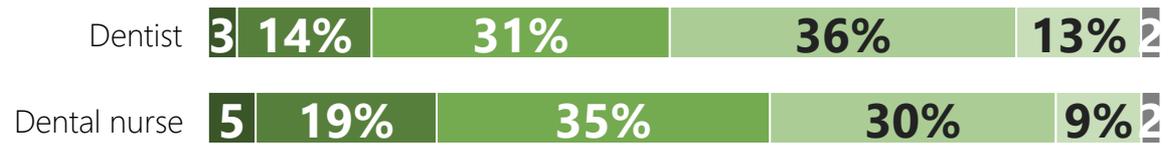
For each of these situations, please tell me what you think would be the most appropriate action, if any, for the dental regulator to take against the dentist/dental nurse? This action would be on top of any action other organisations, such as the police, may have taken.

■ No action 
 ■ Reprimand 
 ■ Conditions 
 ■ Suspension 
 ■ Strike off register 
 ■ Don't know

**A dentist accidentally prescribes/a dental nurse accidentally gives the wrong medication to a patient, and there are serious side effects leading to the patient being admitted to hospital**



**A dentist removes the wrong tooth/a dental nurse reads notes out wrong, as a result, a dentist removes the wrong tooth**



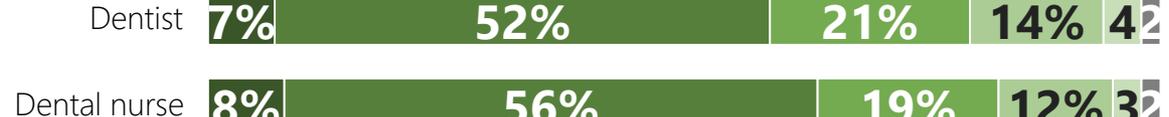
**A dentist/dental nurse posts racist comments on their personal Facebook page**



**A dentist/dental nurse is charged for drunk and disorderly behaviour on a night out**



**A dentist/dental nurse gives a patient a rude response to a complaint the patient has made about them**



Base: All respondents: (1,232)

# The public expect more severe sanctions when wrongdoing occurs during treatment than during personal time



Base: All respondents: (1,232)

# ...as the distinction between professional and public life is clear



***Their behaviour in their personal time has no bearing on their professional performance I would hope, and I would not really be likely to know what they get up to anyway.***

(Male, 60-64, social grade C2)



***I would prefer not to know what they do in their private lives as long as they do a good professional job in their work.***

(Male, 60-64, social grade C2)



***Suspension for being convicted...the private behaviour reflects on their professional judgement. The GDC need to be aware of any issues that could directly affect the welfare of patients."***

(Female, 45-54, social grade C1)



## Registrant survey - attitudes to misconduct

A dentist posts racist comments on their personal Facebook page

No Action 4%

Strike off register 14%

A dentist is charged for drunk and disorderly behaviour on a night out

No action 10%

Strike off register 7%

A dental nurse posts racist comments on their personal Facebook page

No action 5%

Strike off register 14%

A dental nurse is charged with drunk and disorderly behaviour on a night out

No action 13%

Strike off register 6%

# Literature Review

- Literature review carried for the GDC by  
CAMERA/Plymouth University Schools of Medicine and Dentistry
- Synthesises the relevant available evidence about how regulators use their Fitness to Practise powers and processes to sanction serious misconduct.
  - Includes published and grey literature that covers both health and other selected professions and covers literatures in the UK and professional regulation internationally.

# Literature Review

## Emerging Findings

- Defining (serious) Misconduct
- Nexus
- Factors informing decision-making around serious misconduct
- Aggravating and mitigating factors.

## Cross - regulatory work

- A cross-regulatory picture of how serious misconduct is dealt with. Is it proportionate?
- Scoping and working with other regulators to develop a research project that will examine their approaches
- Project aims and objectives include:
  - Relative and absolute concept of seriousness
  - Differences and similarities in approaches to seriousness
  - Link between public confidence and enforcement action

## Next Steps

- Literature Review
- Registrant Survey findings on seriousness
- Cross regulatory research
- End to End Review
- Shifting the Balance evidence based review of seriousness