

Dental Council Report for 2012

Overview of activity

2012 was a busy year for the Dental Council and significant achievements accrued. Among the key milestones this year were the finalisation of a mutual recognition agreement with the Commission on Dental Accreditation of Canada (CDAC) and the publication of a new Code of Practice regarding Professional Behaviour and Ethical Conduct for dentists.

The publication, in February, of the Code of Practice regarding Professional Behaviour and Ethical Conduct was the first major revision of the Council's ethical standards for dentists in over 10 years and is the product of 3 years work by the previous and present Dental Council. The Code mirrors a patient's journey through treatment and includes, for the first time, guidance on dealing with adverse event and suspected patient abuse. The Code also significantly revises the previous Code regarding consent, record keeping and patient communication as well as providing guidance on the use of social media. The Council sought and gained the NALA 'Plain English' accreditation for the Code. It is the Council's intention that members of the public, not just the profession, should be encouraged to read it. In doing so, the public can gain an insight into the standards of behaviour and ethics expected of their dentist. The Council intends to use this document as a template to revise the Codes of Conduct for auxiliary dental workers.

In March, the Council undertook visits to the Dental Schools in Cork and Dublin as is required under Sections 34 and 35 of the Dentists Act, 1985. The President and Registrar of the Dental Council were accompanied by Prof Malcolm Jones (Emeritus Professor, Cardiff University) and Dr Marjoke Vervoorn (Director of Education, Academisch Centrum Tandheekunde Amsterdam). Also in attendance were observers from Canada, Prof Claude Lemarche (Chairman, Commission on Dental Accreditation Canada) and Ms Susan Matheson (Director, Commission on Dental Accreditation Canada); Dr Robert Broadbent, who was CEO of the Australian Dental Council at the time, observed the visit to the Dublin University Dental Hospital. The Dental Council approved the 'Report of the Visitation to Dublin University Dental Hospital' and will consider the report for Cork University Dental School and Hospital at its first meeting in 2013.

The Reciprocity Agreement between the Commission on Dental Accreditation of Canada (CDAC) and the Dental Council of Ireland was signed on 5th December 2012. The Agreement affirms the appraisal by the CDAC and the Dental Council that the accreditation standards and policies of the other party are substantially equivalent to its own. The Agreement is for an initial period of five years and is subject to ongoing review over this period. There are twelve dental programmes endorsed in this Agreement, ten in Canada and two in Ireland and people who graduate from these programmes after 5th December 2012 can benefit from its provisions. The Dental Council has recognised the ten programmes accredited by the CDAC under the provisions of Section 27(2)(d) of the Dentists Act, 1985.

Under the Agreement the CDAC agrees to encourage the Canadian Dental Regulatory Authorities Federation (CDRAF) to accept graduates of the two Irish dental programmes as graduates of an accredited educational programme without the need to meet other educational requirements for licensure and registration. Ultimately, to practice in Canada all dentists, from Canada and elsewhere, have to pass the National Dental Examining Board (NDEB) examinations. The Council has published detailed information on this initiative on its website.

The Council is very pleased that this enterprise progressed with such alacrity. This Agreement will help to ensure that both the Schools' dental programmes and the Dental Council's accreditation processes are at the forefront of dentistry internationally.

During 2012 the Council also issued guidance regarding the new EU regulations on tooth-whitening. The new tooth-whitening regulations have had the effect of bringing products that contain or release hydrogen peroxide within the practice of dentistry. The Council strongly welcomes this development and it has worked closely with the Irish Medicines Board in the introduction of the new regulations.

The Council has finalised a revised Code of Conduct regarding Non Surgical Cosmetic Procedures and this will be published early in 2013. The Council consulted widely on this matter and the new Code will clearly state that the Dental Council does not believe that the administration of "Botox" style products or derma-fillers is the practice of dentistry. Dentists who chose to use these products for cosmetic treatments will be obliged to justify their use and be competent in all aspects of these treatments. Dentists cannot advertise or market these treatments in connection with their practice as a dentist.

Two sub-groups were established to revise our current Codes of Practice regarding infection prevention and control and regarding anaesthesia, sedation and resuscitation in dentistry. The sub-groups' membership reflects the skills required to overview both Codes of Practice and is taken from within and outside the Council and dentistry. Both sub-groups have been asked to complete their work within 9 months, and it is intended to then consult with interested external bodies. It is anticipated that Council will consider the outcome of both sub-groups during 2013.

The Dental Council places great importance in active participation in other regulatory forums both nationally and internationally; to the forefront in 2012 was our contribution to the Health, Social Care and Regulatory Forum (HSCRF) and to the Federation of European Dental Competent Authorities and Regulators (FEDCAR).

The Council continues to sponsor prizes for students of the entire dental healthcare team. The Council provides this support in order to promote excellence and acknowledge achievement.

Education and Training

The Council completed its statutory accreditation review of the undergraduate dental programmes run by both Trinity College and University College Cork. These programmes are delivered by the two Dental Schools and the accreditation review highlighted the difficult and challenging times facing both Schools, in particular Cork University Dental School and Hospital. The Dental Council is very appreciative of the welcome and support their visitation team and observers received from both Schools and the preparatory work undertaken which aided the visitors' work immensely. The Council have continued to engage with the Schools to advance the visitation process.

The work to maintain Irish dentists' capacity for employment in Australia continued with a further visit in October from the Australian Dental Council. Representatives of the Dental Council will be required to visit Australia to examine their accreditation process in 2013. The Registrar also initiated discussions with his New Zealand counterpart to explore potential mutual recognition of the other's accreditation processes. The Council hopes there will be significant progress on this in 2013.

The Dental Council assumed responsibility for Continuing Professional Development (CPD) from the HSE on 1st July 2009. The profession responded enthusiastically to the Dental Council's role in what was a non-statutory requirement for dentists and, in turn, the Dental Council has worked to promote and support that enthusiasm. Dentists have had an obligatory requirement to maintain competence. The Council published a scheme in 2010 setting out a competence framework, and the requirement for dentists to be competent was strengthened with the publication of the Code of Practice regarding Professional Behaviour and Ethical Conduct (Section 3.7). The Council has published information for course organisers on its website to facilitate a clear understanding of the process of accreditation of verifiable CPD points and to aid the smooth processing of applications at Council.

The CPD model continues to evolve and the Education and Training Committee has commenced an examination of the present scheme in anticipation of a mandatory scheme being introduced following a new Dental Act.

The Council was pleased to approve the Postgraduate Diploma in Primary Care Dentistry from the Royal College of Surgeons Ireland. This is an important development as it affords dentists, who wish to remain in general dental practice, an opportunity to undertake a pathway in postgraduate education and qualification. The Council acknowledges the significant input from all stakeholders in developing the programme.

The CPD subcommittee met six times during the year to consider applications from course organisers for attendees to be able to regard their attendance as verifiable CPD. The Specialist Training and Registration Committee met once in 2012 to consider two applications for specialist registration from applicants who hadn't undertaken training under the supervision of the Irish Committee for Specialist Training in Dentistry.

Auxiliary Dental Workers

I am delighted to report that the first four Orthodontic Therapists were registered in 2012. The scheme establishing the register of Orthodontic Therapists was introduced in 2002 but there was no uptake because of the lack of training opportunities in Ireland. During 2012 the Council introduced a framework to allow Irish based dental nurses take a UK based qualification while receiving their clinical training in Ireland. Currently, approval has been given to 8 dental nurses to proceed with their training in Orthodontic Therapy and it is anticipated that there may be a similar number in 2013. This additional grade of healthcare professionals will work under the supervision of orthodontists in providing access to orthodontic care and is an expansion of the career pathway for dental nurses and dental hygienists. The Council has decided that it is appropriate for it to approve the orthodontic practices where the clinical training is being delivered in Ireland. Four visits by members of the Auxiliary Dental Workers Committee were arranged during 2012.

In 2012 the Dental Council brought all dental nursing training in Ireland under its remit when it approved the National Examining Board for Dental Nurses (NEBDN) examination for Irish based students. As part of this development the Council is about to embark on a process to accredit the three centres training students who will take the NEBDN examinations in 2013, which will include visits to each centre by members of the Auxiliary Dental Workers Committee. One visit was carried out in 2012 which was a planned return visit to dental nursing programmes in Letterkenny IT. The purpose was to assess the clinical facilities in advance of the first intake of students. I am pleased to report that the first cohort of students commenced in September and are now mid way through their first year of training. The Dental Council has continued to test and develop its visitation process specific to auxiliary dental workers' educational programmes. This development is consistent with the Dental Council's recognition and support for training for all members of the dental team, enhancing the quality of care for dental patients.

The Dental Council was very pleased to register the first cohort of Irish trained clinical dental technicians in 2012. This development supports the Council's aims and the public recognition of the importance of regulation of professionals and the enhancement of standards.

Initial consultation has taken place to establish a register of dental technologists. Dental hygienists, clinical dental technicians and orthodontic therapists have mandatory registers, dental nurses do so on a voluntary basis at present so it is essential that dental technologists, who are an integral part of the dental team, take their rightful place within the Irish dental regulatory framework.

The Dental Council, in reviewing the present dental hygienist scheme, has engaged with the General Dental Council (U.K.) and the Australian Dental Council. The Dental Council welcomes the change to the dental hygienist programmes to include training to provide treatment in a domiciliary care environment. The on-going addition of the duties is to allow these dental healthcare professionals enhance and expand their services to patients, especially vulnerable adults.

The Council refined its published Scope of Practice in the areas of orthodontic therapy and dental hygiene. These were minor revisions and the primary purpose was to provide clarification with regard to the scope of practice for both classes of dental healthcare worker.

The Council received a legal opinion in 2012 regarding some provisions of some of schemes establishing auxiliary dental workers. While this opinion does not significantly affect the way the Council regulates auxiliary dental workers, the Council did decide to revise the schemes to ensure that there is a consistency in the way the four schemes are presented, and to reflect some changes in both the education and practice. It is planned to complete this work in 2013.

Fitness to Practise

During 2012 the Council significantly improved the way it handles complaints from the public. Repeated events highlighted a general misunderstanding as to the purpose and extent of the Council's powers in investigating complaints under the Fitness to Practise provisions of the Dentists Act, 1985. This is not surprising as the legal definition of professional misconduct exercises the brightest of legal brains. Patients made complaints to the Council under the impression that it could, for example, obtain refunds for treatment or compel a dentist to pay for further work. The vast majority of complaints the Council receives could be more accurately classified as consumer issues rather than professional misconduct matters. By and large, patients are seeking to resolve their problem rather than making a conscious decision to ask the Council to investigate if the treatment constituted professional misconduct. Understandably, patients became frustrated when, having engaged with the Council, the process does not yield the result that they had sought.

The Council now has a process where there is a significant engagement with a patient at the outset. Patients are taken through our ethical codes and we discuss the most appropriate way for them to address their particular issue. The definition of professional misconduct is discussed with them and they are also advised of the powers the Council has in this area. The purpose of this process is two-fold, firstly and most importantly, it gives patients a clear direction on the best way for them to deal with their problem, secondly, it allows us assess whether there is a possible misconduct issue that may require further investigation. If this is the case, the patient is taken through the fitness to practise process in detail where we clearly set out what we can and cannot do under the Act. It is only after this point that patients, who wish to make a complaint, are asked to sign a form confirming that that is their intention. This form is not on our website because of the key importance we place on this prior engagement. This process complies with the advice given by the Office of the Ombudsman through their healthcomplaints.ie website.

We warmly welcome the introduction of the Dental Complaints Resolution Service during 2012. This service was established by the Irish Dental Association with support from Dental Protection Limited, the largest indemnity providers to the dental profession in Ireland. This service will give patients who have minor complaints, which are best resolved by mediation, another route to address their grievances and this service is complimentary to the Dental Council's processes.

The Council considered five matters under the Fitness to Practise provisions of the Dentists Act. Four concerned complaints received about registered dentists and were considered at Inquiries held by the Council's Fitness to Practise Committee. In three of the cases complaints of professional misconduct were proven. Another case concerned the conviction of a dentist for an offence triable on indictment. The Council decided to erase this dentist's name from the Register. The Council has decided that as a matter of policy it will publish details where a complaint of professional misconduct has been proven, unless there are extenuating circumstances to justify withholding publication.

Acknowledgements

I appreciate the significant commitment given to the Council by its members. In 2012 the Council, statutory Committees and various sub-groups and sub-committees met on 53 occasions. There were also numerous other informal meetings held during the year requiring the attendance of members of the Council. Council members do not receive fees to serve and their commitment to Council business requires them to make significant professional and personal sacrifices. I would like to formally acknowledge this commitment and thank members for their commitment.

I would also like to thank the Registrar and staff of the Council for their work in supporting the business of the Dental Council during 2012. The translation of the multiple new tasks undertaken by Council into reality could not have been achieved without their skill, dedication and I have no doubt, on some occasions, their forbearance. All of these tasks have to be countenanced in addition to the demands of running the daily business of Council in an office that faces all the challenges imposed by the present employment moratorium.

Dr Eamon Croke
President

Consideration of matters under the Fitness to Practise provisions of Act

Dentist	Council decision
<p>Dr John Tait (56/78) S42 – convicted of an offence triable on indictment</p>	Erasure
<p>Dr Geraldine Cronin (39/00) S38 – Guilty of professional misconduct</p>	Temporary suspension, conditions attached to the retention of her name in the register, censured
<p>Dr Margolzata Fijas (124/05) S38 – Guilty of professional misconduct</p>	Conditions attached to the retention of her name in the register, censured.
<p>A dentist S38 – Guilty of professional misconduct</p>	<p>Conditions attached to the retention of his name in the register, admonished.</p> <p>Council decided that it was not in the public interest to publish this dentists name as the complaint dated back to the mid 1990's and no subsequent complaints had been received about the dentist.</p>
<p>A dentist S38 - Not guilty of professional misconduct</p>	<p>Admonished</p> <p>The Council can only publish where the dentist is found guilty of professional misconduct</p>

Dental Council Prizes – 2012

Cork University Dental School and Hospital

4th Year Medicine and Surgery – Ms Bonolo Ordirile and Ms Orna Ní Choileain
3rd Year Conservative Dentistry – Mr Thomas John Horgan
3rd Year Prosthetic Dentistry – Mr Suzanne Mary O’Connor
Colm O’Sullivan Medal - Dental Hygiene – Ms Claire Kennelly

Dublin Dental University Hospital

5th Year Restorative Dentistry and Periodontology – Dr Lorna McNamara
5th Year Oral Surgery, Oral Medicine and Oral Pathology – Dr Orla Carthy
5th Year Child Dental Health – Dr Orla Carthy
Best Overall Result – Dental Nursing – Ms Bronagh McBrearty
Best Academic Achievement – Dental Hygiene – Ms Aisling McNally
All-Round Award – Dental Technology – Mr Daniel Kane

The Council also sponsors the following three prizes in Clinical Audit awarded annually in Dublin Dental University Hospital.

- Best overall clinical audit
- Best pure audit
- Special Merit Award

Report required by Code of Practice for the Governance of State Bodies.

I wish to report that:

- There was no commercially significant developments affecting the body in 2012, including the establishment of subsidiaries or joint ventures and share acquisitions or other issues likely to arise in the short to medium term;
- I affirm that all appropriate procedures for financial reporting, travel, procurement and asset disposals are being carried out;
- I affirm that Codes of Business Conduct for Directors have been put in place and adhered to;
- I affirm that Government policy on the pay of Chief Executives and all State body employees is being complied with;
- I confirm that the members of the Dental Council are not paid fees;
- There were no significant post balance sheet events;
- I confirm that the Guidelines for the Appraisal and Management of Capital Expenditure Proposals in the Public Sector are being complied with in as far as it applies to the Dental Council;
- I certify that Government travel policy requirements are being complied with in all respects;
- I confirm that the Code of Practice for the Governance of State Bodies has been adopted and is being complied with, in as far as it applies to the Dental Council.
- I confirm that the Dental Council has complied with its obligations under tax legislation

The report regarding financial controls will be provided when the Council publishes its audited annual accounts

Dr Eamon Croke
President

Membership of the Council

Dr Eamon Croke	Elected – President
Dr Barney Murphy	Elected – Vice President
Dr Terry Farrelly	Elected – Chair of Fitness to Practise
Dr Gerard McCarthy	Elected
Dr Paul O’Reilly	Elected
Dr Roger Ryan	Elected
Prof Leo Stassen	Elected
Dr Francis Burke	Appointed UCC
Dr Patricia McDermott	Appointed UCC
Prof June Nunn	Appointed TCD – Chair of Auxiliary Workers Committee
Dr Jacinta McLoughlin	Appointed TCD
Dr Marielle Blake	Appointed RCSI – Chair of Education Committee
Ms Katharine Bulbulia	Appointed Medical Council
Mr Michael Gilbride	Appointed Medical Council
Mr Gerry Horkan	Appointed Minister for Education
Dr Dympna Kavanagh	Appointed Minister for Health
Ms Margaret Swenney	Appointed Minister for Health
Ms Catrioina Craddock	Appointed Minister for Health
Ms Marie Henson	Appointed Minister for Health *
Mr Maurice Petherick	Clin Dent Tech - Elected to Auxiliary Workers Committee
Ms Rhona Butterfield	Dent Hygienist - Elected to Auxiliary Workers Committee
Ms Tina Gorman	Dent Nurse - Elected to Auxiliary Workers Committee

* appointed in February 2012

2012 Dental Council/Committee Meeting Attendance

		Meetings Attended	%	
Council Meetings (6 meetings in 2012)				
Dr Eamon Croke	Elected - President	6/6	100%	
Dr Barney Murphy	Elected - Vice President	6/6	100%	
Dr Terry Farrelly	Elected	6/6	100%	
Dr Roger Ryan	Elected	6/6	100%	
Dr Marielle Blake	Appointed RCSI	6/6	100%	
Mr Gerry Horkan	Appointed Minister for Education	6/6	100%	
Dr Francis Burke	Appointed UCC	6/6	100%	
Dr Patricia McDermott	Appointed UCC	6/6	100%	
Dr Gerard McCarthy	Elected	6/6	100%	
Ms Katharine Bulbulia	Appointed Medical Council	6/6	100%	
Ms Margaret Swenney	Appointed Minister for Health	6/6	100%	
Prof Leo Stassen	Elected	5/6	83%	
Prof June Nunn	Appointed TCD	5/6	83%	
Dr Jacinta McLoughlin	Appointed TCD	5/6	83%	
Dr Paul O'Reilly	Elected	5/6	83%	
Ms Marie Henson	Appointed Minister for Health	4/5	80%	Note 1
Mr Michael Gilbride	Appointed Medical Council	4/6	67%	
Ms Catrioina Craddock	Appointed Minister for Health	3/6	50%	
Dr Dymrna Kavanagh	Appointed Minister for Health	3/6	50%	
Finance and General Purposes Committee (7 meetings in 2012)				
Dr Eamon Croke	President	7/7	100%	
Dr Barney Murphy	Vice - President	6/7	86%	
Dr Terry Farrelly	Chair - Fitness to Practise Cmtte	7/7	100%	
Dr Marielle Blake	Chair - Education & Training Cmtte	7/7	100%	
Prof June Nunn	Chair - Auxiliary Dental Workers Cmtte	6/7	86%	
Fitness to Practise Committee (4 meetings in 2012)				
Dr Terry Farrelly	Elected - Chairperson	4/4	100%	
Dr Barney Murphy	Elected	4/4	100%	
Dr Gerard McCarthy	Elected	4/4	100%	
Dr Paul O'Reilly	Elected	4/4	100%	
Dr Roger Ryan	Elected	4/4	100%	
Dr Jacinta McLoughlin	Appointed TCD	4/4	100%	
Dr Marielle Blake	Appointed RCSI	4/4	100%	
Ms Margaret Swenney	Appointed Minister for Health	4/4	100%	
Ms Marie Henson	Appointed Minister for Health	2/3	67%	Note 1

2012 Dental Council/Committee Meeting Attendance

		Meetings Attended	%
Education and Training Committee (4 meetings in 2012)			
Dr Marielle Blake	Appointed RCSI - Chairperson	4/4	100%
Dr Eamon Croke	Elected	4/4	100%
Dr Terry Farrelly	Elected	4/4	100%
Dr Gerard McCarthy	Elected	4/4	100%
Dr Paul O'Reilly	Elected	4/4	100%
Dr Francis Burke	Appointed UCC	4/4	100%
Prof June Nunn	Appointed TCD	4/4	100%
Mr Gerry Horkan	Appointed Minister for Education	4/4	100%
Prof Leo Stassen	Elected	3/4	75%
Dr Jacinta McLoughlin	Appointed TCD	3/4	75%
Dr Dympna Kavanagh	Appointed Minister for Health	3/4	75%
Dr Patricia McDermott	Appointed UCC	2/4	50%
Mr Michael Gilbride	Appointed Medical Council	0/4	0%
Auxiliary Dental Workers Committee (4 meetings in 2012)			
Prof June Nunn	Appointed TCD - Chairperson	4/4	100%
Dr Eamon Croke	Elected	4/4	100%
Dr Barney Murphy	Elected	4/4	100%
Dr Gerard McCarthy	Elected	4/4	100%
Dr Roger Ryan	Elected	4/4	100%
Mr Gerry Horkan	Appointed Minister for Education	4/4	100%
Ms Tina Gorman	Dental Nurse - Elected to ADWC	4/4	100%
Prof Leo Stassen	Elected	3/4	75%
Mr Maurice Petherick	Clin Dent Tech - Elected to ADWC	3/4	75%
Dr Patricia McDermott	Appointed UCC	2/4	50%
Ms Catrioina Craddock	Appointed Minister for Health	2/4	50%
Ms Rhona Butterfield	Dental Hygienist - Elected to ADWC	1/4	25%
Specialist Training and Registration Committee (1 meeting in 2012)			
Dr Marielle Blake	Appointed RCSI - Chairperson	1/1	100%
Dr Paul O'Reilly	Elected	1/1	100%
Dr Francis Burke	Appointed UCC	1/1	100%
Dr Patricia McDermott	Appointed UCC	0/1	0%
Prof Leo Stassen	Elected	0/0	-

Note 2

Note 1: Ms Marie Henson was appointed to Council after February meetings

Note 2: Prof Stassen did not attend the scheduled meeting of the Specialist Training and Registration Committee due to a conflict of interest