



**Policy and Procedures for Registration  
Dental Care Professionals  
Dentistry (Jersey) Law 2015**

**May 2019**

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## 1. Introduction and background

- 1.1 The Regulation of Care (Jersey) Law 2014 was introduced to establish an independent Health and Social Care Commission to regulate health and social care provision in the island.
- 1.2 In 2017 the Jersey Care Commission was appointed to:
- provide the people of Jersey with independent assurance about the quality, safety and effectiveness of their health and social care services
  - promote and support best practice in the delivery of health and social care by setting high standards and challenging poor performance
  - work with service users and their families and carers to improve their experience of health and social care and achieve better outcomes.
- 1.3 The Commission adopts Right-touch regulation principles identified by the Better Regulation Executive and the Professional Standards Authority of:
- **Proportionality:** regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised
  - **Consistency:** rules and standards must be joined up and implemented fairly
  - **Targeting:** regulation should be focused on the problem and minimise side effects
  - **Transparency:** regulators should be open, and keep regulations simple and user friendly
  - **Accountability:** regulators must be able to justify decisions and be subject to public scrutiny
  - **Agility:** regulation must look forward and be able to adapt to anticipated change.
- 1.4 On 1 January 2019 functions previously undertaken by the Minister for Health and Community Services (HCS) were transferred to the Jersey Care Commission. These functions include the registration of Dental Care Professionals under the Dentistry (Jersey) Law 2015

## 2. Scope

- 2.1 These procedures do not apply to Dentists who must apply to register with the Royal Court.
- 2.2 The Commission will keep a register of registered dental care professionals which specifies the profession complementary to dentistry of each registrant (according to the classification of such professions contained in Regulations made under section 36A(2) of the Dentists Act 1984 United Kingdom):
- The General Dental Council (Professions Complimentary to Dentistry) Regulations Order of Council 2006)
  - The General Dental Council (Professions Complementary to Dentistry) (Dental Hygienists and Dental Therapists) Regulations Order of Council 2006
- 2.3 Professions and titles which are required to register include:

<b>Profession</b>	<b>Titles</b>
Clinical dental technicians	Clinical dental technician, clinical dental technologist, denturist
Dental nurses*	Dental nurse, dental surgery assistant
Dental technicians	Dental technician, dental technologist
Orthodontic therapists	Orthodontic therapist, orthodontic auxiliary
Dental hygienist	Dental hygienist
Dental therapist	Dental therapist

- 2.4 In order to register and with the Commission and practice in Jersey, dental care professionals must also be registered with the General Dental Council (GDC) in the United Kingdom.
- 2.5 \*Dental nurses who were working in Jersey on 23 February 2016 are currently exempt from the provisions of the Law until 22 February 2021. Dental Nurses who are employed after 23 February 2016 are not exempt by the Law and must be registered before they take employment/practice.

## 3. Registration process

### 3.1 Application

Applicants will be required to complete the application process in full and provide:

- Photographic ID
- A copy of General Dental Council Annual Practising Certificate
- The fee

<b>Information requested</b>	<b>Reason and expectation</b>
Personal details	Applicants must state their name as it is registered with the GDC (if this is different from photographic identification, further verification of identity will be required – e.g. marriage certificate).
Email address	Registration/renewal information will be sent electronically via email in the first instance. Personal email address accounts are preferable to ensure that the applicant continues to receive relevant information in the event of a change of employment.
Professional registration	Applicants must provide their registration details which will be cross checked directly with the GDC to confirm that the applicant is registered and that there are no fitness to practice issues.
Employment Details	Applicants are required to state where they will be employed and the proposed commencement date of that employment.
Disclosure	In order to establish that the applicant has not been engaged in any activity which is likely to reflect discredit on the profession, applicants are required to disclose whether they have been subject to investigations or proceedings and provide further details where appropriate.
Declaration	The applicant is required to confirm that the information provided is true and complete and that they are aware that any false statements may result in a refusal or cancellation of registration.

#### 4. Determination of application

- 4.1 Once the application is received, the Commission will carry out an assessment of the information and make a determination about the registration.
- 4.2 When all the specified information is provided and meets the expectations and verification outlined above, on receipt of the fee, the person shall be registered and provided with a certificate of registration.
- 4.3 Where the application does not meet the expectations outlined above, the Commission will give the applicant the opportunity to meet the requirements.
- 4.4 Where application requirements are not met and the Commission believe that there are grounds to refuse an application, the applicant will be issued with a Notice of Proposal, the Notice will give a deadline in which to make representations in writing, to the Commission no later than 14 days after the Notice is given.

- 4.5 The decision will be delegated to a panel consisting of the Chief Inspector and two Commissioners, one of whom will be the Chair of the panel. Before reaching a decision, the panel will take into account any representations made.
- 4.6 The Commission will aim to respond with the decision within 14 days of the deadline for representations elapsing. If the Commission is unable to respond within this timeframe, the applicant will be informed of this and the reasons why.
- 4.7 A Decision Notice issued to the applicant will set out the Commission's decision, setting out the reasons for the decision and will refund fees paid (if the application is refused).
- 4.8 An appeal against a decision of the Commission must be made to the Royal Court within the period of 28 days following the date the applicant receives the Decision Notice.

## 5. Conditions of registration

### 5.1 General conditions

Registered dental care professionals must comply with any conditions imposed under the Dentists Act 1984

- 5.2 Registered dental care professionals must inform the Commission in writing within 7 days of:

- any referral to the GDC regarding their fitness to practise;
- the outcome of proceedings following such a referral; or
- any charges or convictions of an offence

- 5.3 Registered dental care professionals must inform the Commission in writing within one month of any change to the information provided within the application. If changing a name, evidence will be required to confirm the change (e.g. marriage certificate).

### 5.4 Additional conditions

The Commission may impose additional conditions on registration where it considers necessary to do so:

- to protect members of the public;
- because it is otherwise in the public interest; or
- in the interest of the registered person

- 5.5 Where the Commission believe that there are grounds to impose conditions, a Notice of Proposal will be issued. The Notice will give a deadline to make representations, in writing, to the Commission no later than 14 days after the Notice is given. Where the person accepts the proposed conditions a registration certificate detailing the conditions will be issued.

- 5.6 Where the person does not accept the proposed conditions, the decision is delegated to a panel consisting of the Chief Inspector and two Commissioners, one of whom will be the Chair of the panel. Before reaching a decision to impose the conditions, the panel will take into account any representations made.
- 5.7 The Commission will aim to respond with the decision within 14 days of the deadline for representations elapsing. If the Commission is unable to respond within this timeframe, the applicant will be informed of this and the reasons why.
- 5.8 A Decision Notice issued to the applicant will set out the Commission's decision regarding the conditions, setting out the reasons for the decision and where imposed, the period for which the conditions remain in force.
- 5.9 An appeal against a decision of the Commission must be made to the Royal Court within the period of 28 days following the date the applicant receives the Decision Notice.
- 5.10 Additional conditions imposed will remain in force for the period specified within the registration of the person. This will not exceed 18 months, however, the Commission may, on its expiry make a further decision to re-impose the condition.

## 6. Renewal of registration

- 6.1 Registration under the Law expires on 31 December each year, registrants will be notified of the expiry and details of how to renew each October. Renewal information will be sent out electronically in the first instance, therefore registrants should ensure they update the Commission of changes to email addresses. Following completion of the renewal process where the registrant confirms their wish to remain on the register, a registration certificate will be issued.
- 6.2 Where the registrant does not respond to the electronic renewal process and subsequent email reminders, information will be sent via to the registrant's postal address.
- 6.3 If an application for renewal is not received by the 31 December, the registrant will not be registered for the following year and his or her name will be removed from the register.
- 6.4 Registrants must inform the Commission of a change of address within one month of any changes.

## 7. Suspension of registration

- 7.1 The Commission must suspend a dental care professional's registration upon becoming aware that their registration with the GDC has been suspended. The suspension will end upon the ending of the suspension with the GDC.

- 7.2 The Commission will serve a Notice of Suspension to the registrant setting out the reasons and period for which the suspension has effect.
- 7.3 An appeal against a decision of the Commission must be made to the Royal Court within the period of 28 days following the date the applicant receives the Decision Notice.

## 8. Cancellation of registration

- 8.1 The Commission will cancel a dental care professional's registration at any time upon the written request of the registrant.
- 8.2 The Commission must cancel a dental care professional's registration if:
- the person ceases to be registered with the GDC; or
  - their registration was obtained through fraudulent means.
- 8.3 The Commission may cancel a dental care professional's registration if the registrant:
- is convicted of an offence that in the opinion of the Commission makes the person unfit to be registered;
  - has failed to comply with a condition imposed on their registration; or
  - is found to have engaged in conduct of a kind that in the opinion of the Commission makes the person unfit to be registered.
- 8.4 Where the Commission believes there are concerns about fitness to practise, in the first instance the matter will be referred to the GDC for investigation
- 8.5 Where the Commission believes that there are grounds to cancel registration, and in the case of a fitness to practise issue, following a determination by the GDC, a Notice of Proposal will be issued which will set out the reasons for the proposal and will give a deadline to make representations, in writing, to the Commission no later than 14 days after the Notice is given.
- 8.6 The decision is delegated to a panel consisting of the Chief Inspector and two Commissioners, one of whom will be the Chair of the panel. Before reaching a decision, the panel will take into account any representations made.
- 8.7 The Commission will aim to respond with the decision within 14 days of the deadline for representations elapsing. If the Commission is unable to respond within this timeframe, the applicant will be informed of this and the reasons why.
- 8.8 A Decision Notice issued to the applicant will set out the Commission's decision setting out the reasons for the decision and where registration is cancelled, the period for which the cancellation applies.



8.9 An appeal against a decision of the Commission must be made to the Royal Court within the period of 28 days following the date the applicant receives the Decision Notice.