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By email: [Tristen.Kelso@bda.org](mailto:Tristen.Kelso@bda.org)

9 December 2022

Dear Mr Kelso,

Thank you for your email dated 24 November 2022 to my colleague [REDACTED] and the enclosed email from [REDACTED] which has been forwarded to the General Dental Council's (GDC) policy team to answer.

### **Current registration arrangements**

It is worth laying out the background to the current requirements. The changes to the processes of GDC registration following the UK's formal exit from the European Union (EU) on 31 January 2020, and the end of the transition period at 11pm GMT on 31 December 2020 are laid out at this GDC webpage: [Brexit - information for dental professionals \(gdc-uk.org\)](https://www.gdc-uk.org/brexit-information-for-dental-professionals).

To provide some further context: prior to the UK's exit from the EU and during the transition period ending at the close of 2020, the GDC was responsible for administering two systems for recognising professional qualifications under the relevant (EU) Professional Qualifications Directive 2005/36/EC:

1. *Automatic recognition*

Exempt persons holding qualifications in dentistry listed in Annex V of the directive were entitled to automatic recognition of their qualifications.

2. *General Systems*

Exempt persons holding qualifications in dentistry not listed in Annex V and all dental care professional (DCP) qualifications were not subject to automatic recognition and were instead administered under the "general systems" regime.

In practice, under these systems, individuals' dental hygienist qualifications (including those gained in the Republic of Ireland) were assessed by a panel of assessors and were either (i) recommended for registration or (ii) if deficiencies were identified against UK standards, individuals were able to undertake a compensation measure to make good the deficiency and so be recommended for registration.

As the above link explains, at the end of the transition period, the UK Government enacted legislation which enables the GDC to continue recognising EEA-qualified dentists under a near-automatic system. (Recognised EEA qualifications are those which were listed in V.3. Annex V of Directive 2005/36/EC at 11pm GMT on 31 December 2020.)

Under the enacted legislation, the general systems fell away at the end of 2020 with the result that EEA-qualified DCPs applying for GDC registration after the end of the transition period, including [REDACTED], have followed [the assessment process for overseas dental care professionals](#).

The UK Government webpage [EEA-qualified and Swiss healthcare professionals practising in the UK - GOV.UK \(www.gov.uk\)](#) confirms the situation. In advance of the International Registration reform proposals I shall discuss later in this correspondence, there is no alternative means of considering applications such as [REDACTED]



### **The assessment process for overseas dental care professionals**

In recent years, the situation has arisen that overseas-qualified dentists have sought, in increasing numbers, to apply for registration in the DCP register. This is the result of relevant wording in the Dentists Act which, although it is our belief that the policy intention when the legislation was drafted was only to permit overseas-qualified DCPs entry to the DCP register, does allow overseas-qualified dentists to make applications to that register.

Capacity issues with the Overseas Registration Examination (ORE) exacerbated by its suspension during the pandemic have been a driver for internationally qualified dentists to seek registration as a DCP.

### **International registration reform**

The GDC has been working for some time with officials from the Department of Health and Social Care (DHSC) to address the prescriptive detail which restricts the GDC from modernising its international registration processes.

Earlier this year, the DHSC consulted upon a Section 60 Order [Changes to the General Dental Council and the Nursing and Midwifery Council's international registration legislation](#) (the Order). As your interest is with dental hygienist applications in connection with the DCP register, I shall omit full discussion of the reforms the Order provides in connection with the dentists register.

Still, it is worth noting that the ORE reforms are intended to increase the examination's capacity. Whilst this in itself may have the impact of reducing the driver for internationally qualified dentists to seek registration as a DCP, the consultation proposals and the government response to the consultation (published in November 2022 and available at the link above) go further.

As I describe above, the GDC believes the policy intention when the relevant section of the Dentists Act was drafted was only to permit overseas-qualified DCPs entry to the DCP register. The Order specifies that a relevant qualification relied upon by an applicant to satisfy the registrar that they have the requisite knowledge, skills and experience to be registered under a particular title in the dental care professionals register cannot be a diploma in dentistry. The government response confirms their intention that this reform will go forward.

So, at a point following the current Parliamentary process, only overseas-qualified DCPs will be able to apply for entry to the DCP register. This will have a significant impact upon the numbers of applications to the DCP register and we anticipate numbers will likely return to the level prior to dentists making applications under this route.

#### *Further flexibility, subject to the Council's decisions*

More manageable numbers will be a major factor for the policy development for future DCP registration models. The future Order will deliver flexibility for the GDC to ensure that international processes are proportionate and streamlined, whilst continuing robustly to protect patient safety.

Most importantly, the Order, together with developments arising from the Professional Qualifications Act, could allow the GDC to explore flexible pathways to international registration and to achieve the appropriate balance between the recognition of programmes of education delivered outside the UK, including the Republic of Ireland, and registration based on recognition of the qualification held by an applicant.

#### *Available information*

Our ambitions for International Registration reform are in the public domain through [our consultation response to the DHSC consultation](#). I hope reading it will provide you and [REDACTED]

██████████ with reassurance that we are determined to modernise our international registration processes.

Additionally, in August this year, the GDC Chair, Lord Toby Harris spoke to the reform agenda and described how “we need the legislation to be in place before we can start to make our international registration processes more effective. We’re already drafting the policy to be ready to consult on proposals that will increase the capacity of the ORE. We are also preparing ourselves for the work to develop a wider range of routes using new powers for international registration over the longer term.” ([A view from the Chair: setting out our future alongside the regulatory reform timetable](#)),

### **Looking forward**

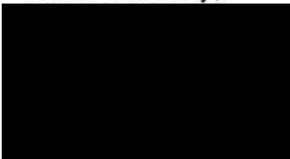
It has been our ambition and our hope that the timing of the Order would permit us the opportunity to mitigate some of the impacts upon our registration processes occasioned by the UK’s exit from the EU. Sadly, this has not proven possible.

The current assessment process will continue to include those overseas-qualified dentists who have made live applications to the DCP register prior to the Order taking effect. The Order cannot have retrospective effect upon those applications.

To close, I would repeat my earlier statement that the Order, together with developments arising from the Professional Qualifications Act, will allow the GDC to explore flexible pathways to international registration and to achieve the appropriate balance between the recognition of programmes of education delivered outside the UK, including the Republic of Ireland, and registration based on recognition of the qualification held by an applicant.

I hope this information is of assistance to you. Please contact me if you have any questions.

Yours sincerely,



Associate Director of the GDC Policy and Research Programme