

## Information for oral health practitioners

# Facing a Dental Council inquiry

We inquire into serious concerns about oral health practitioner's clinical practice, health, and behaviour as part of our role to protect public safety. This responsibility is set out under the Health Practitioners Competence Assurance Act 2003, which ensures that health practitioners are competent and fit to practise their professions.

We are committed to being open and transparent throughout what we understand can be a stressful process. We aim to review concerns and make decisions as quickly as possible.

If you have received notification from us that a concern has been raised about you, please remember that no action has been taken at this stage beyond informing you of the concern.

Our inquiry process is constructive, not punitive. It is focused on protecting the health and safety of the public and maintaining confidence in the profession.

We will keep you fully informed throughout the process, in line with legal requirements.

## How notifications are handled

When we receive a notification, our staff carefully review it to decide whether an inquiry is required.

- Some concerns can be closed immediately, especially if they are found to be vexatious or without substance.
- However, if the notification is from a legally specified source – such as another health practitioner, the Health and Disability Commissioner (HDC), or your employer – we are required by law to make inquiries.

You can generally continue working in your current role while inquiries are underway.

## Reach out if you need support

Inquiries can take time and may feel challenging. We encourage you to seek support throughout the process.

You may wish to:

- Contact your professional indemnifier for advice and support
- Seek independent legal advice
- Speak with your professional association for peer assistance
- Access health and wellbeing support services.

If you would like help connecting with support services, please contact us directly.

## What happens next?

If an inquiry is warranted, we begin by gathering more information. You will be asked for your input and given the opportunity to comment.

All information gathered is treated as confidential.

Your first point of contact is usually a case administrator or case manager, who will explain:

- Why the inquiry is being conducted
- What information we are seeking from you
- How you can respond.

You will receive either a copy of the original notification or a summary, depending on whether the notifier has requested, and been granted, anonymity.

We will typically ask you to:

- Provide comments on the issues raised
- Submit any relevant documentation (e.g., patient records, referrals, radiographs).

## Providing your comments

You will be asked to submit your comments and supporting documents within a specified timeframe, which your case manager will confirm.

Your comments help us understand the full context early in the process.

If you need assistance preparing your response, you may seek help from your peers, indemnifier, or professional association.

If you require more time, you may request an extension – please contact your case manager as early as possible.

Please send all written correspondence to: [protection@dcnz.org.nz](mailto:protection@dcnz.org.nz).

## Review by a professional advisor

Once your response and any supporting documentation are received, one or more professional advisors will review your case. Professional advisors are registered practitioners with relevant clinical experience and sound understanding of professional and ethical standards. They assess the information provided to determine whether the concerns raised require further regulatory action. They will consider:

- The concern raised
- Your response and documentation
- Any relevant history with the Dental Council (e.g., past notifications or compliance issues).

They will then make one or more of the following recommendations:

- Close the case with no further action
- Close the case with educative advice
- Refer the matter to another relevant organisation
- Conduct further inquiries
- Refer the case to Council for consideration.

You will be informed in writing of the recommendation as soon as possible.

## Referral to the Health and Disability Commissioner (HDC)

If we receive a complaint where a health consumer has been affected we must refer the matter to the HDC. If this occurs, we will notify you immediately.

The HDC follows an independent process which can be lengthy. While we make parallel inquiries where possible, some matters must wait until the HDC's process concludes. Unfortunately, we have limited control over those timelines.

We will continue to keep you informed.

## Further inquiries and practice visits

If more information is needed, a professional advisor may conduct a practice visit.

- You will be notified in advance and can schedule a convenient time
- Visits may be grouped geographically to manage costs
- You may have a support person present (optional)
- You are encouraged to review the Dental Council Standards framework for oral health practitioners and the practice standards before the professional advisor's visit.

During the visit, the professional advisor will:

- Discuss your reflections on the concerns
- Explore your knowledge and application of Dental Council standards and competencies.

This is not an exam, and there is no "pass" or "fail".

After the visit:

- A draft inquiries report will be sent to you within two days
- You will have 10 working days to suggest factual corrections or provide comments
- A final report will be shared with you and submitted to Council
- You will be informed when your case will be considered by Council and when to expect a decision.

## Direct referral to Council

Sometimes, a professional advisor may recommend a direct referral to Council without a practice visit. If this happens:

- You will be notified
- You will have another opportunity to comment
- All your feedback will be considered
- You will be informed of the Council meeting date and expected decision timeline
- If an immediate public safety risk is identified, an urgent referral may be made for interim measures (e.g., restrictions on your practice). Risk is assessed throughout the inquiry processes. You will be notified if we believe your ongoing practice should be restricted while the inquiry process is continuing. Such actions are rare and reserved for serious risk cases.

## Council consideration and decision-making

When Council considers your case:

- All documentation is reviewed
- Council members check for conflicts of interest and step aside if necessary
- Decisions are made collectively by lay and professional members.

Council's focus is on managing risk in the least restrictive way possible – keeping the public safe while supporting practitioners to return to safe, competent practice.

This is not a disciplinary process. Council does not impose penalties, nor does it award compensation or costs.

After review, possible outcomes include:

- No further action
- No further action, other than educative advice and/or a follow-up visit to review compliance
- Referral to a Competence Review Committee (if there are concerns about your ability to practise safely)
- Referral to a Professional Conduct Committee (if there are concerns about your professional behaviour)
- A request for a medical examination or testing (if health is a concern)
- Interim conditions (e.g., scope of practice limitation, supervision requirement) or, rarely, suspension, in cases of serious risk.

You will be informed of Council's decision after the meeting. This may take several weeks, and your case manager will keep you updated.

**We are committed to treating you fairly and respectfully throughout.**

**If you have any questions or need support at any stage, please contact your case manager.**

## Contact us

### Dental Council

Level 7, 22 The Terrace, Wellington 6011

Phone: +64 4 499 4820

Email: [protection@dcnz.org.nz](mailto:protection@dcnz.org.nz)

Website: [www.dcnz.org.nz](http://www.dcnz.org.nz)

**Dental Council**

Te Kaunihera Tiaki Niho