

Summary of Decisions

From the Dental Council meeting in March 2020

The Dental Council (Council) is the statutory body constituted under the Health Practitioners Competence Assurance Act 2003 (the Act) to maintain the health and safety of members of the public by providing mechanisms to ensure that health practitioners are competent and fit to practise. Council endeavours to keep its key stakeholders up to date with key decisions.

This document is a summary of Council's decisions from the meeting held in March 2020.

Naming policy – consultation feedback

The Dental Council is required by recent amendments to the Health Practitioners Competence Assurance Act 2003 (new sections 157A to 157I) to develop, consult on and implement a naming policy April 2020.

Council considered the 26 submissions received from the consultation (10 October 2019 - 6 December 2019).

Most of the submissions agreed with the draft Naming policy for the following main reasons:

- The benefits of increased transparency within the dental industry
- The public knowing more could reduce harm
- It makes good sense
- The draft policy achieves the statutory purpose

The key concerns or disagreement with the draft policy related to:

- The impact on practitioners (including adverse consequences)
- Given that the Council already has discretion to publish orders, there are other less harsh ways to manage competency and fitness to practise concerns.
- Serious consequences and risks of publishing notices on social media platforms
- Lack of confidence that the policy would be applied fairly and consistently over time.
- The policy focus was wrong – it will not always be in the public interest to name a practitioner

As a result of the submissions, some further amendments were made to the policy.

In Council's view, the overall premise of dissenting submissions appeared practitioner-centric and overlooked the clear parliamentary intent to achieve greater transparency in health regulators' decision-making with a greater focus on the public interest. There was no punitive intent (to 'name and shame'). Council's policy recognises that naming has adverse consequences that need to be considered before deciding on publication and meet statutory requirements.

The Naming policy will come into effect on 12 April 2020.

Consultation on the professional working relationship guidance documents

At its meeting of 3 February 2020, Council accepted the following draft guidance documents:

- Guidance for a consultative professional relationship between an oral health therapist, dental therapist, dental hygienist or orthodontic auxiliary and dentist/dental specialist
- Guidance for the professional relationship between a dental technician or clinical dental technician and other health practitioners.

Council considered the draft consultation document on the proposed changes to the professional/work relationship documents.

Council approved the consultation document noting the draft gazette notice will be included in the consultation to reflect the changes to the scopes of practice, should the proposals be accepted.

The consultation document will be issued in March 2020.

Royal College of Pathologists of Australasia - Fellowship of the Faculty of Oral and Maxillofacial Pathology

Council accepted the ADC/DC(NZ) Accreditation Committee's recommendation from its 31 January 2020 meeting that the Royal College of Pathologists of Australasia for the Fellowship of the Faculty of Oral and Maxillofacial Pathology programme 2019 annual report be accepted as satisfactory in continuing to meet the accreditation standards.

Recertification - eye health

Council further reflected on practitioners' views that continue to be raised about the eye health requirements in the new recertification programme. Based on this feedback and further discussions with eye specialist professional groups, the Council has reconsidered this requirement and decided not to include eye health declarations in the recertification programme at this time.

Instead, an additional question will be introduced in the annual practising certificate (APC) online application asking practitioners whether they have had an eye test in the past 2 years. This question has been included to raise awareness amongst practitioners about the importance of eye health and to give the Council a view of the extent to which practitioners are complying with voluntary guidelines that all practitioners should have an eye test every 2 years.