



# Dental Council of NSW

Annual Report 2017-18

# President's Message



The 2017/18 Annual Report for the Dental Council of New South Wales (Council) is presented.

The Council is a statutory body established under the Health Practitioner Regulation National Law (NSW). Council members are appointed by His Excellency the Governor of NSW and the Council is comprised of twelve members from all Divisions of registered dental practitioners, as well as community and legal members.

The Council's activity continues to be focused on protecting the public through avenues that require safe practice and compliance with professional Guidelines and Standards.

In 2018, complaint numbers were up slightly on previous years.

Significantly, the majority of complaints relate to performance (treatment) factors with conduct and health having substantially lower numbers.

For complaints about clinical care or treatment, issues related to infection control continue to arise. Council is acting swiftly with infection control complaints and inspections of the dental practice are being conducted in a timely and efficient manner.

Practitioners are reminded of their obligations as health professionals to ensure compliance with the relevant standards, codes, guidelines and declarations of the Dental Board of Australia in order to practise in a professional and ethical manner.

As is indicated above, the Council is comprised of twelve members. I would like to acknowledge Mr Stephen McGlynn who retired as the dental prosthetist member of the Council on 30 June 2018. Mr McGlynn has been exemplary in his service to the Council and I wish him well in his future endeavours. On that note I would like to welcome Mr Christiaan Claassens (dental prosthetist) as the new member of the Council.

I would also like to acknowledge the contribution made by Mr Michael Miceli, who retired during the year and welcome Ms Jebby Phillips as the new community member.

Our longstanding Executive Officer, Ms Farina Bains, accepted a new role within the Health Professional Councils Authority and we wish her well in her new position. Ms Bains has wisely provided advice to Council to facilitate the decision-making process and we thank her. Following this we welcome our new Executive Officer, Mr Colin Borg, who has hit the ground running in keeping the Council business progressing.

Thanks are extended to Dental Council members, the Professional Officers, the Authorised Persons, the Hearing and Panel members, and the whole Dental Council team in the HPCA who have made this a successful year.

It also behoves me to acknowledge Conjoint Associate Professor Bill O'Reilly and Dr Penny Burns who have not sought reappointment as of 30 June 2018 as President and Deputy President of the Council respectively. Both of these individuals have given much more than required in serving the Dental Council and their leadership and counsel is greatly appreciated. They have both offered their services to continue as members of the Council.



**Conjoint Associate Professor F Shane Fryer OAM**

President

Dental Council of New South Wales

## Regulation of Dental Practitioners in 2017/18

# SNAPSHOT



### Practitioner information

**6,981**

**dental practitioners registered in NSW**

3.2% more than last year

30.2% of dental practitioners in Australia

**321**

**NSW dental practitioners had complaints made about them**

3.9% less than last year (n 13 less)

4.6% of registered dental practitioners in NSW



### Complaints received

**425**

**new complaints were received**

5.5% more than last year (n 22 more)

0 complaints were mandatory notifications

63.8% of complaints were about clinical care (n 271) followed by:

- billing 7.5% (n 32) and
- National Law breach 6.8% (n 29)

**61.9%**

**of complaints were from patients (n 263) followed by:**

- relatives 14.6% (n 62) and
- member of the public 4.5% (n 19)



### Complaints managed

**348**

**complaints were managed directly by the Council**

74.9% more than last year (n 149 more)

**180**

**assessments and hearings were concluded**

57.9% more than last year (n 66 more)

**24**

**immediate actions were considered or taken by Council**

14.2% less than last year (n 4 less)

**14**

**outcomes for closed complaints involved cancelled or surrendered registration**

36 involved conditions on practice

50 involved counselling or interview



### Practitioners monitored

**86**

**cases were being actively monitored at year end**

26.7% conduct (n 23)

58.2% performance (n 50)

15.1% health (n 13)

## **Council Members**

Twelve members sit on the Dental Council as prescribed by the National Law.

Registered dental practitioner members:

- Conjoint Associate Professor William O'Reilly AM, BDS (Syd), Dip Law, BAB, FACLM, CHE (Dentist)
- Dr Penny Burns BDS (Hons) Syd, FPFA, FICD, FADI (Dentist)
- Dr Christine Biscoe BDS (Syd) (Dentist)
- Dr Anthony Burges BDS, FRACDS, FICD, FPFA, FADI (Dentist)
- Conjoint Associate Professor Frederic (Shane) Fryer OAM, BDS, MSc (Syd), FRACDS, MRACDS(Orth) (Dentist/Dental Specialist)
- Dr Kavita Lobo BDS (Hons), FADI (Dentist)
- Mr Stephen McGlynn Adv Dip DP(Syd), Dip DT (Syd) (Dental Prosthetist)
- Dr John Pearman BDS (Syd), FPFA, FADI, FICD (Dentist)
- Associate Professor Janet Wallace PhD, GCPTT, BOH, Dip DT, Dip BM, FADI (Oral Health Therapist)

Legal member:

- Ms Rosemary MacDougal Dip Law (LPAB)

Community members:

- Mr Michael Miceli LL.M (Until 31 December 2017)
- Mr David Owen MBA BSc
- Ms Jebby Phillips BA (Hons) (From 28 March 2018)

The NSW Governor appointed Conjoint Associate Professor William O'Reilly AM as the President and Dr Penny Burns as the Deputy President of the Dental Council.

Conjoint Associate Professor Fryer OAM commences as President on the retirement of Conjoint Associate Professor O'Reilly AM as President in July 2018.

Dr Lobo commences as Deputy President on the retirement of Dr Burns as Deputy President in July 2018.

## **Executive Officer**

Mr Colin Borg is the current Executive Officer for the Dental Council. Ms Farina Bains was the previous Executive Officer during the year and her work is acknowledged with thanks and appreciation. The Executive Officer leads a team of nine that works directly with the Council.

In addition, the Dental Council is supported by four part-time Professional Officers who are registered dental practitioners and provide clinical expertise.

All staff working both directly and indirectly with the Council are employed by the HPCA as an executive agency of the Ministry of Health. Councils cannot employ staff under the National Law.

## Council Meeting Attendance

The Dental Council met ten times during the year.

**Table i: Member attendance at Council meetings, eligibility to attend and term of office**

Member	Meetings Attended	Meetings Eligible to Attend	First Date of appointment	Current Term of Office
Conjoint Associate Professor William O'Reilly AM - President	10	10	1 July 2012	1 July 2015-30 June 2018
Dr Penny Burns – Deputy President	10	10	1 July 2010	1 July 2015-30 June 2018
Dr Christine Biscoe	9	10	1 July 2015	1 July 2015-30 June 2018
Dr Anthony Burges	9	10	1 July 2012	28 March 2018 – 30 June 2020
Conjoint Associate Professor Frederic (Shane) Fryer OAM	9	10	1 May 2014	1 May 2017 – 30 June 2019
Dr Kavita Lobo	9	10	1 July 2015	1 July 2015-30 June 2018
Ms Rosemary MacDougal	7	10	17 July 2013	1 July 2016– 30 June 2019
Mr Stephen McGlynn	8	10	1 July 2012	1 July 2015– 30 June 2018
Mr Michael Miceli	6	6	1 July 2012	1 July 2015 – 31 December 2017
Mr David Owen	9	10	1 July 2012	28 March 2018– 30 June 2020
Dr John Pearman	7	10	1 July 2015	28 March 2018– 30 June 2020
Ms Jebby Phillips	2	3	28 March 2018	28 March 2018 – 30 June 2020
Associate Professor Janet Wallace	6	10	1 July 2012	28 March 2018 – 30 June 2020

Council members are appointed for a term up to three years and may be reappointed up to a maximum of nine years.

## Regulatory Committees and Panels

The National Law sets out the committees and panels that support the Council in undertaking its regulatory activities.

Regulatory committees and panels include:

- Assessment Committee
- Impaired Registrants Panels (IRP)
- Performance Review Panels (PRP)

The Dental Council appointed one Assessment Committee and 10 Impaired Registrants Panels during the year.

**Part 2:** Reports from Health Professional Councils

Table ii provides information on regulatory committee and panel membership.

**Table ii: Dental Council Regulatory Committees and Panels**

<b>Assessment Committee</b>	<b>Impaired Registrants Panels</b>
<b>Chair</b> Dr Mark Sinclair	<b>Chair</b> Nil
<b>Council Members</b> Nil	<b>Council Members</b> Nil
<b>Non Council Members</b> Dr Megan Phillips Mrs Frances Taylor Mr Martin Dunn Dr David Wheatley Dr Edward Peel	<b>Non Council Members</b> Dr Beth Kotze, Medical Practitioner (4 panels) Dr Angie Marie Lang, Dental Practitioner (5 panels) Dr Mary-Anne Friend, Medical Practitioner (3 panels) Dr Denise Yvonne Salvestro, Dental Practitioner (2 panels) Dr Ian Brian Ditchfield, Dental Practitioner (1 panel) Dr Robert Alexander Smith, Dental Practitioner (2 panels) Dr Karen Arnold, Medical Practitioner (3 panels)

The Council acknowledges and thanks the practitioners and lay members appointed to the many panels and hearings conducted during the year.

### **Council Committees**

Councils may establish committees to assist with Council functions. Committee members are not necessarily Council members.

The Dental Council has a Complaints and Notifications Committee and Health Committee.

## Meetings and Events

The Dental Council was represented at the following meetings and events during the year.

**Table iii: Dental Council representation at meetings and events**

Name of Meeting / Event	Attended By
Charles Sturt University presentation to final year dental students – Orange	Conjoint Associate Professor William O’Reilly - President
Ministry of Health Regulators Forum – Sydney	Conjoint Associate Professor William O’Reilly - President
Dental Board of Australia National Conference – Melbourne	Dr Penny Burns – Deputy President Mr Michael Miceli – Council member Ms Farina Bains – HPCA Ms Rebecca Greenwood – HPCA
Meeting with NSW Health and AHPRA regarding mandatory reporting – Melbourne	Conjoint Associate Professor William O’Reilly - President
Dental Board of Australia meeting on revalidation – Melbourne	Dr Kavita Lobo – Council member
Australian Dental Association’s North Eastern Division presentation – Coffs Harbour	Dr John Pearman – Council member
Australian Dental Council Forum – Melbourne	Dr Anthony Burges – Council member
University of Newcastle presentation to final year Oral Health Therapist students – Newcastle	Associate Professor Janet Wallace – Council member
University of Sydney presentation to dental students – Sydney	Conjoint Associate Professor Frederic (Shane) Fryer – Council member
Meeting with Minister for Health, The Hon. Brad Hazzard MP regarding key topical or emerging issues for Councils – Sydney	Conjoint Associate Professor William O’Reilly – President Conjoint Associate Professor Frederic (Shane) Fryer – Council member
Dental Hygienists Association of Australia presentation – Canberra	Associate Professor Janet Wallace – Council member

## Overseas Travel

The Dental Council did not incur any overseas travel costs during the year.

## Remuneration

Council members received the following remuneration.

President	\$6,119 per annum
Deputy President	\$3,739 per annum
Council Members	\$3,739 per annum

Council members also receive sitting fees for conducting Council Inquiries, attending committee meetings and undertaking other regulatory activities if these are on a day other than the regular Council meeting.

Council members are reimbursed for expenses when travelling on official business at Council direction.

Panel and Tribunal members receive remuneration and reimbursement of expenses related to Council business.

## Education and Research Account

The Dental Council maintains an Education and Research account. This helps fund activities that promote better understanding of professional standards and compliance, issues that can lead to complaints and how complaints are managed. The account may also be used to fund relevant research activity including both Council specific initiatives and collaborative projects.

Education and Research account expenditure this year included \$17,358 to the Australian Dental Association NSW Centre for Professional Development for License costs to enable access for all registered dental practitioners to a DVD on medical emergencies.

## Financial Management

The Dental Council's accounts performance was reported in the Financial Statement as follows.

Accounts Performance 2017/18	\$
Revenue	3,064,288
Operating expenditure	2,656,867
Gain / (loss) on disposal	(3,481)
<b>Net result</b>	403,940
<b>Net cash reserves* (cash and cash equivalents minus current liabilities)</b>	2,486,614

\* Included in the cash reserves is an Education and Research bank account balance of \$430,781.

The Dental Council's budget for the period 1 July 2018 to 30 June 2019 is as follows.

Budget 2018/19	\$
Revenue	2,742,671
Operating expenditure	3,176,936
<b>Net result</b>	-434,265

Full financial statements are presented in Part 3 of this report 'Financial Statements for NSW Health Professional Councils'.