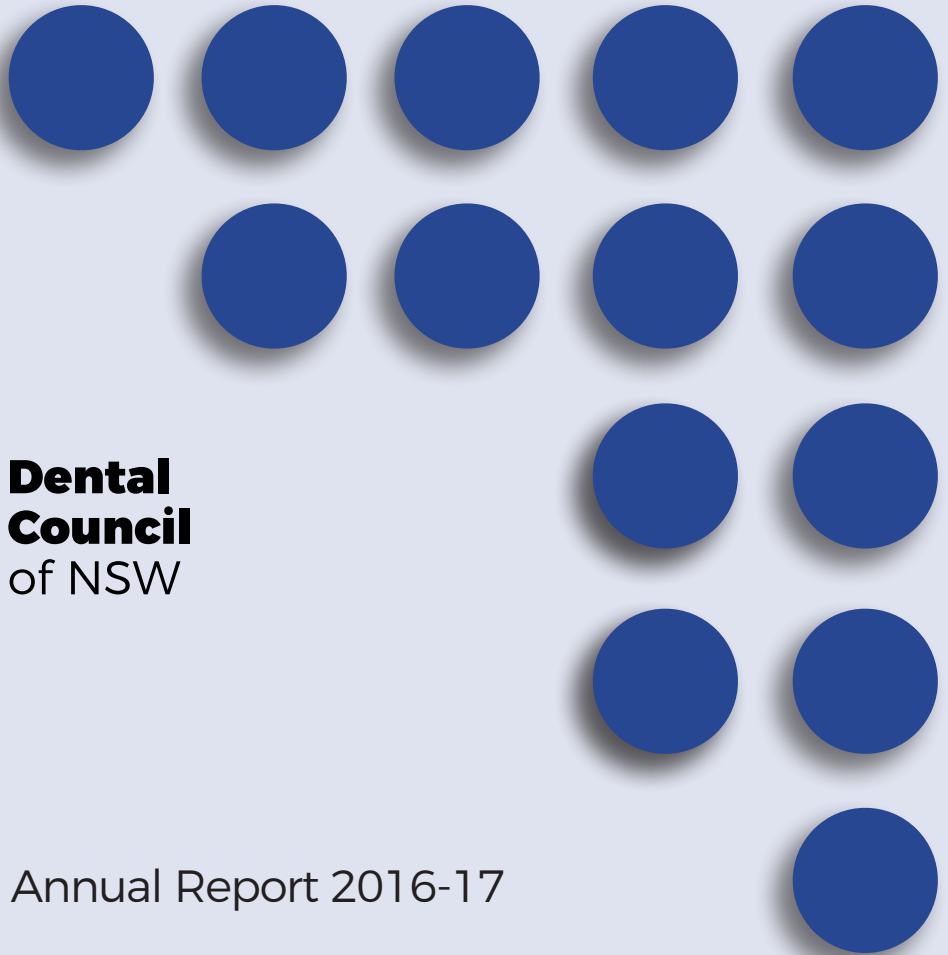


**Dental
Council**
of NSW

Annual Report 2016-17



President's Message



I am pleased to submit the 2017 Annual Report for the Dental Council of New South Wales (Council). The Council continues to strive to protect the public by ensuring safe practice and compliance with standards and guidelines amongst the dental profession in NSW.

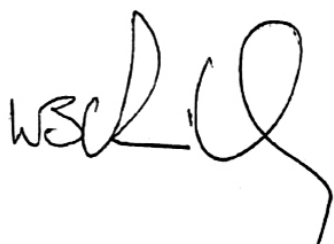
In response to an emerging number of infection control breaches during the previous year, the Council commenced an audit in early 2016 to assess compliance with the required infection and prevention control standards by NSW dental practitioners. We are pleased that the audit revealed a high level of compliance providing the Council, the profession, stakeholders and the public with a general assurance of low risk to public health.

In order to continue to efficiently manage the increasing volume and complexity of its regulatory activities, the Council decided, in the previous reporting year, to impose a levy on the complaints component of the registration fee for NSW dental practitioners for 2016/17. The additional income ensures the Council is sufficiently resourced to regulate dental practitioners in NSW. Effective regulation ensures the protection of public health and safety, and confidence and trust in the profession.

The Council has recently dealt with a small number of cases where dental professionals have demonstrated unacceptable behaviour towards staff or colleagues, including to Council staff. This will not be tolerated. Practitioners are reminded of their obligations as health professionals to ensure compliance with relevant standards, codes, guidelines and declarations of the Dental Board of Australia (DBA) and Australian Health Practitioner Regulation Agency (AHPRA) in order to practise in a professional and ethical manner.

The Council and the Health Care Complaints Commission (HCCC) continue to work very effectively in a co-regulatory environment. The Dental Board of Australia, the New Zealand Dental Council, dental professional associations and higher education institutions have also been engaged with during the year to promote continuing education and good practice in the dental profession. All these agencies are recognised and thanked for the continuous commitment and work they undertake.

Lastly, the Council would like to acknowledge the assistance provided by the dedicated staff of the Health Professional Councils Authority (HPCA). On behalf of the whole Council, I would like to thank our Executive Officer, Ms Farina Bains and her staff for their ongoing commitment to providing Council support services to a high standard. I would also like to acknowledge the dedication, industry and endeavour of my fellow Council members in the discharge of their duties.



Conjoint Associate Professor William O'Reilly AM
President
Dental Council of New South Wales

Regulation of
Dental Practitioners
in 2016/17

Summary overview



6,765

Registered Dental Practitioners in NSW

2.8% more than the previous year
30.2% of Dental Practitioners in Australia
4.9% of Dental Practitioners in NSW had complaints made about them - 334 practitioners



Achievements

Infection Control Audit

During the previous reporting year, infection control in dentistry emerged as an issue with a large number of complaints dealt with by the Council. Twenty-three dental practitioners were either suspended or had conditions imposed on their registration as these practitioners posed a significant risk to the public through their lack of knowledge and adherence with required infection and prevention control standards in Australia.

As a result, wide consultation occurred with a range of stakeholders to identify underlying issues and work towards preventative strategies. One such strategy was the initiation of an audit in 2016 of infection control compliance by NSW dental practitioners in order to better understand the scope of a potential public health risk and possible extent of non-compliance in the state. The audit ran throughout the year with the results indicating a high degree of compliance.

The Council continues to assess compliance through the current targeted approach to inspections based on a complaint having been received.

Council Communications

The Dental Council website is the Council's primary communications tool to engage with dental practitioners and the wider community. The Council's website is being redeveloped and updated and is expected to provide a modern, more interactive and user-friendly platform for the public, practitioners and other visitors.

The website redevelopment involved stakeholder and community consultation that included workshops, focus groups and user testing. The new website will include easy access to the Council's new online complaint form, with detailed information about the complaint process and will make it easier for visitors to access information about the Council, including policies and publications.

The new website is expected to be launched in August 2017.

The Dental Council also distributes electronic newsletters to dental practitioners with a principal place of practice in NSW.

Council Members

Twelve members sit on the Dental Council as prescribed by section 41E of the National Law.

Registered dental practitioner members:

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

Legal member:

- Ms Rosemary MacDougal Dip Law (LPAB)

Community members:

- Mr Michael Miceli LL.M
- Mr David Owen MBA, BSc.

Conjoint Associate Professor William O'Reilly AM is appointed by the Governor as President of the Dental Council.

Dr Penny Burns is appointed by the Governor as Deputy President of the Dental Council.

Executive Officer

Ms Farina Bains is the Executive Officer for the Dental Council. The Executive Officer leads a team of seven who work directly with the Council. In addition, the Council is supported by three 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 11 times during the year.

Member attendance at Council meetings, eligibility to attend and length of office

Member	Meetings Attended	Meetings Eligible to Attend	Length of Office*
Conjoint Associate Professor William O'Reilly AM – President	10	11	1 July 2012 - 30 June 2018
Dr Penny Burns – Deputy President	11	11	1 July 2012 - 30 June 2018
Dr Christine Biscoe	11	11	1 July 2015 - 30 June 2018
Dr Anthony Burges	11	11	1 July 2012 - 31 December 2017
Conjoint Associate Professor Frederic Shane Fryer	10	11	1 May 2014 - 30 June 2019
Dr Kavita Lobo	11	11	1 July 2015 - 30 June 2018
Ms Rosemary MacDougal	9	11	17 July 2013 - 30 June 2019
Mr Stephen McGlynn	6	11	1 July 2012 - 30 June 2018
Mr Michael Miceli	11	11	1 July 2012 - 31 December 2017
Mr David Owen	9	11	1 July 2012 - 31 December 2017
Dr John Pearman	7	11	1 July 2015 - 31 December 2017
Dr Janet Wallace	7	11	1 July 2012 - 31 December 2017

* 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

Part 8 of the National Law prescribes the committees and panels that support the Council in undertaking its regulatory activities.

Regulatory committees and panels include:

- Assessment Committee
- Impaired Registrants Panel
- Performance Review Panel

The Dental Council appointed one regulatory Assessment Committee and one Impaired Registrants Panel during the year.

Assessment Committee

Council may refer matters to an Assessment Committee, but not complaints that are:

- Being investigated by the HCCC
- Referred to a Tribunal
- Related to a criminal offence or conviction
- Involve a practitioner who is not of good character

The Assessment Committee may obtain medical, legal, financial or other advice it thinks necessary to fulfil its function. The Assessment Committee may settle a complaint by consent of the parties. Otherwise recommendations are made to the Council on appropriate management of the complaint, for instance through Council Inquiry, counselling or dismissal of the complaint.

An Assessment Committee consists of four members who must not be Council members. Three members must be health practitioners registered in the same profession as the practitioner who is subject of the complaint and one must not be a health practitioner. Assessment Committee members are required to undergo probity checks.

Impaired Registrants Panel

The Impaired Registrants Panel (IRP) deals with matters where a registered health practitioner has a physical or mental impairment that affects, or is likely to affect their capacity to practise safely.

An IRP consists of two or three people who may or may not be Council members. At least one member must be registered in the same profession as the practitioner who is subject of the complaint and at least one panel member must be a medical practitioner. Panel members are selected from a pool of people who have undergone probity checks and are experienced in working with practitioners who have health problems.

Part 2: Reports from Health Professional Councils

Dental Council Regulatory Committees and Panels

Assessment Committee	Impaired Registrants Panel
Chair Dr Mark Sinclair	Chair Nil
Council Members Nil	Council Members Nil
Non Council Members Dr Martin Fine Dr David Wheatley Mrs Frances Taylor Dr Megan Phillips Ms Kay Franks Mr Martin Dunn	Non Council Members Dr Angie Marie Lang, Dental Practitioner Dr Beth Kotze, Medical Practitioner

Council Committees

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

The Dental Council appointed two committees during the year.

Complaints and Notifications Committee

The Complaints and Notifications Committee considers new complaints and recommends to Council the course of action for each matter.

Health Committee

The Health Committee acts under Council delegation to make decisions on the management of dental practitioners who are considered to be impaired and have been referred to the Council's health pathway. The committee does not meet face-to-face but consults outside scheduled Council meeting days.

Dental Council Committees and Membership

Complaints and Notifications Committee	Health Committee
Chair Dr Anthony Burges	Chair Conjoint Associate Professor William O'Reilly
Council Members Dr Penny Burns Dr John Pearman Mr Stephen McGlynn Mr David Owen Dr Kavita Lobo	Council Members Dr Penny Burns Mr Michael Miceli Dr Janet Wallace

Meetings and Events

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

Dental Council representation at meetings and events

Name of Meeting / Event	Attended By	Attendee Role
Dental Hygienists Association of Australia seminar presentation – Sydney 9 July 2016	Dr Janet Wallace	Presenter
Central Coast Local Health District presentation – 19 July 2016	Dr Janet Wallace	Presenter
University of Newcastle presentation to final year Bachelor Oral Health students – 25 July 2016	Dr Janet Wallace	Presenter
NRAS conference – Melbourne 26 August 2016	Conjoint Associate Professor William O'Reilly	Participant
	Ms Farina Bains (HPCA)	Participant
Dental Board of Australia monthly meeting presentation – Melbourne 26 August 2016	Ms Farina Bains (HPCA)	Presenter
University of Sydney graduate event hosted by Australian Dental Association NSW presentation – 5 October 2016	Conjoint Associate Professor William O'Reilly	Participant
	Ms Farina Bains (HPCA)	Presenter
	Ms Rebecca Greenwood (HPCA)	Participant
Australian Dental Association Federal Executive meeting presentation – 22 September 2016	Conjoint Associate Professor William O'Reilly	Presenter
	Ms Rebecca Greenwood (HPCA)	Presenter
Nepean Dental Study discussion on registration fee levy with peers – 11 October 2016	Conjoint Associate Professor Shane Fryer	Participant
Australian Dental Association NSW convention – Bathurst 17-19 November 2016	Dr Penny Burns	Participant
Australian Research Council (ARC) Linkage Project Research presentation – 25 January 2017	Conjoint Associate Shane Fryer	Participant
	Ms Farina Bains (HPCA)	Participant

Part 2: Reports from Health Professional Councils

Dental Council representation at meetings and events continued

Name of Meeting / Event	Attended By	Attendee Role
Joint meeting of Dental Board of Australia discussion on current priorities and developments – 30 April 2017	Conjoint Associate Professor William O'Reilly Dr Kavita Lobo Mr Michael Miceli Ms Rosemary MacDougal Mr David Owen Dr Christine Biscoe Dr John Pearman Ms Farina Bains (HPCA) Ms Rebecca Greenwood (HPCA) Ms Yasemin Gursen (HPCA)	Participant Participant Participant Participant Participant Participant Participant Participant Participant
Health Regulators Forum discussion on the Dental Council's infection control report	Conjoint Associate Professor William O'Reilly - President	Participant
Poche Centre for Indigenous Health program four day event on provision of dentures to patients in the local Indigenous community – April 2017	Mr Stephen McGlynn	Participant
Dental Hygienists Association of Australia Seminar Hunter Valley presentation on scope of practice, professional responsibilities and the regulators – 13 May 2017	Dr Janet Wallace	Presenter
Meeting with Minister for Health, the Hon. Brad Hazzard, MP regarding key topical or emerging issues for Councils – 7 June 2017	Conjoint Associate Professor Shane Fryer	Council representative
Ministry of Health Health Regulators Forum discussion on contemporary issues facing dentistry – June 2017	Conjoint Associate Professor William O'Reilly	Participant

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 of \$1,000 per day and \$500 per half day 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 to fund activities that assist better understanding of conduct, performance and health issues amongst practitioners and students and management of these issues.

There was no expenditure from the Education and Research account this year.

Financial Management

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

Accounts Performance 2016/17	\$
Revenue	3,067,878
Operating expenditure	2,230,873
Gain / (loss) on disposal	-
Net result	837,005
Net cash reserves* (cash and cash equivalents minus current liabilities)	2,064,068

* Included in the cash reserves is an Education and Research bank account balance of \$446,055.

The Dental Council's budget for the period 1 July 2017 to 30 June 2018 is as follows.

Budget 2017/18	\$
Revenue	2,977,037
Operating expenditure	3,073,935
Net result	-96,898

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