

<b>Name of Document</b>	<b>Dental Foundation Training Review of Competence Progression (RCP) - Reviews and Appeal</b>
<b>Category</b>	Standard Operating Procedure (SOP) – Foundation Dentist Reviews and Appeals Management (including the Dental Foundation Training element of trainees in two-year programmes)
<b>Purpose</b>	<p>This document is one of a suite of Standard Operating Procedures to support the management of dentists in training across England. This SOP is aligned to the principles of 'A Reference Guide for Dental Foundation Training in England, Wales and Northern Ireland' (The Blue Guide). This SOP does not apply to Dental Core and Specialty trainees who are managed under separate Guides ('A Reference Guide for Postgraduate Dental Core Training in the UK' (The Silver Guide) and 'A Guide to Postgraduate Dental Specialty Training in the UK' (The Gold Guide')).</p> <p>Within the SOP, whenever reference is made to the Postgraduate Dental Dean, it refers to the Postgraduate Dental Dean or their nominated representative who will be responsible for managing the process on their behalf.</p> <p>This SOP is intended to be a guide to encourage consistency of practice across England. Due to the complex nature of Postgraduate Dental Training, there will be occasions where local Postgraduate Dental Deans will apply their discretion in enacting this SOP to take account of individual circumstances and varying local structures (e.g. Lead Employer).</p> <p>This suite of SOPs will be screened against relevant Equality and Diversity documentation.</p>
<b>Authorised by</b>	Approved by Health Education England Dental Deans (HEEDDs)
<b>Date Authorised</b>	11 <sup>th</sup> October 2020
<b>Next Review Date</b>	SOP to be reviewed in line with any future Blue Guide revisions, or every 12 months, whichever comes first
<b>Document Author</b>	HEEDDs

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Notes Reason for Change, what has changed, etc</b>
1	11/10/2020	Peter Briggs and Malcolm Smith	Version 1 - not applicable
2	31/12/2020	Peter Briggs	Inclusion of Outcome 2C at IRCP
3	23/02/2021	Victoria Rowlands	Update of 2c terminology to 10.1

#### **Related Documents**

A Reference Guide for Dental Foundation Training in England, Wales and Northern Ireland' (The Blue Guide) and associated Supplements 1 -5.

## 1. Introduction

This SOP applies to Foundation Dentists and Joint Dental Foundation Core Trainees requesting review / appeal of outcomes issued at DFT IRCP or FRCP. Health Education England Postgraduate Dental Deans (HEEDDs) endeavour to achieve consistency of decision-making in order that the outcomes of reviews and appeals panels are as consistent as possible on a like for like basis. This document contains the Standard Operating Procedure (SOP) that all HEE Postgraduate Dental Deans (PGDDs) should follow.

The SOP outlines how the management and administration of RCP Appeals should be approached for all dentists in Dental Foundation Training. The SOP is aligned to the principles outlined within the 'A Reference Guide for Dental Foundation Training in England, Wales and Northern Ireland' (The Blue Guide) and the associated appendices, including Appendix 5 (Final RCP Guidance (2020 only)).

All requests for appeals and reviews should be made on the standard request form (Appendix A). Dentists in training can withdraw their appeal at any stage during the process.

Any reference to 'working day' in the SOP means any normal day of work, excluding Saturdays, Sundays and bank holidays.

## 2. Review of Outcome 2 and Outcome 10.1

- a. As per the RCP SOP, the dentist in training will have had the opportunity to discuss their Outcome 2 or Outcome 10.1 with the Associate Dean or the Training Programme Director and to see all the documents on which the decision about the outcome was based.
- b. If the dentist in training disagrees with the decision, they have a right to request for it to be reviewed.
- c. A review is a process where the panel who originally made the decision, return to it to reconsider whether it was appropriate.
- d. Requests for review usually would be made in writing by the dentist in training within 5 (five) working days following issue of Outcome 2 or Outcome 10.1. During Covid-19 restrictions email requests are also appropriate.
- e. The request for review should be accompanied by completed pro-forma (Appendix A) which describes, from the dentist in training's perspective, clearly what their grounds for review are, along with any new evidence they wish to present to the review panel relevant to the original panel's decision. Additional evidence should normally be submitted as part of the request for the review so that the panel is able to consider it in detail.
- f. The original RCP panel will review its decision usually within 10 (ten) working days of receipt of the request from the dentist in training.
- g. The Review panel will focus solely on responding to the grounds raised.
- h. Dentists in training do not attend the review in person.
- i. It is likely that the panel will be undertaken virtually.
- j. There are two possible outcomes:
  - i. The original Outcome 2 or Outcome 10.1 is upheld,
  - ii. It is decided that an Outcome 2 or 10.1 is not justified: a new outcome form will be issued indicating the agreed position following the review (i.e., to Outcome 1 or Outcome 10.1).
- k. The decision of the review of an Outcome 2 or Outcome 10.1 is final and there is no further appeal process.
- l. After the review, within 10 (ten) working days, the Chair of the panel will ensure that the dentist in training receives the decision in writing. If considered appropriate, a member of the panel may meet with the dentist in training to convey the decision.
- m. Copies of all documents should normally be retained (electronically wherever possible) within the dentist in training's trainee file.

### **3. Appeal against Outcomes 3, 4 and 6C**

- a. When a dentist in training is awarded a RCP Outcome 3, 4 (or 6C), they have the right to appeal the process that led to this decision.
- b. Appeal requests should normally be made in writing to the Postgraduate Dental Dean within 5 (five) working days of the dentist in training being notified of the decision (using Appendix A) and must specifically state the grounds for appeal.
- c. The dentist in training will have had the opportunity to discuss their Outcome with the Associate Dean or the Training Programme Director and to see all the documents on which the decision about the outcome was based.
- d. An appeal is a procedure whereby the decision is considered by a new panel who have not reviewed the evidence before.

#### **3.1. Stage 1 of Appeal - Review of Original Decision**

- a. A review of the outcome will have been undertaken before the trainee moves on to the appeal process.
- b. The Postgraduate Dental Dean will arrange for a review of the original decision to take place as the first part of an appeal process (following the process described for a review of an Outcome 2 or 10.1) to determine whether the outcome should be altered.
- c. Where the review panel has modified the decision to an Outcome 6, this completes the appeal process.
- d. Where the review panel does not alter the decision, or the panel modify the original recommendation from an Outcome 4 to an Outcome 3 (or Outcome 6C to Outcome 6), the Postgraduate Dental Dean will confirm with the dentist in training in writing whether or not they wish to proceed to an appeal hearing.
- e. If a decision is made not to undertake a review, the reason for this should be recorded.
- f. The Postgraduate Dental Dean can determine that a case proceeds directly to an appeal hearing (i.e. without the review stage).

#### **3.2. Appeal (following conclusion of the Review)**

- a. The formal appeal hearing should normally take place within a maximum timeframe of 10 (ten) working days of the completion of the review.
- b. Appeal requests must specifically state the grounds for appeal.
- c. If the grounds for appeal have previously been submitted for review by the original panel, clarification should be submitted in writing to confirm any changes or additional evidence that the dentist in training may wish to be heard at the appeal hearing. This should normally be submitted by the dentist in training within 6 (six) working days before the scheduled appeal hearing date.
- d. Where the appeal is being made against a decision to terminate Dental Foundation Training (Outcome 4), the Postgraduate Dental Dean will review the decision in the light of the information contained within the dentist in training's appeal request. If the Postgraduate Dental Dean determines that there is insufficient reason to reverse the decision, the Postgraduate Dental Dean will confirm with the dentist in training that they wish to proceed to an appeal hearing and this will then be arranged.

### **4. Pre-Appeal**

#### **4.1. Appeal Panel Membership**

- a. The Postgraduate Dental Dean will convene an Appeal Panel to consider the evidence and to form a judgement. The Appeal Panel will consider representations and evidence from both the dentist in training and from those who are closely involved in their training.
- b. No members of the original RCP or Review panel should be present on the appeal panel. Panel members should not have been involved in any of the dentist in training's past assessments.

- c. The appeal panel should consist of no fewer than 4 individuals, and should comprise of the following:
  - the Postgraduate Dental Dean or a nominated representative as Chair
  - a Postgraduate Dental Dean or nominated representative from an adjacent area,
  - a Associate Dean from an adjacent area,
  - a Lay and / or another external representative.
- d. Where the local Postgraduate Dental Dean has been part of an Interim and/or Final Review Panel, an appeal panel should be chaired by a Postgraduate Dental Dean from another Deanery/HEE Local Office area and the local Postgraduate Dental Dean should not take part in the appeal panel process.
- e. The trainee will normally submit information for consideration by the appeal panel by 5 (five) days before date of appeal hearing
- f. Appeal Panel members and Chairs must have met the requirements for training for these roles as required by the HEE Local Office.
- g. Additional panel observers may be invited so that shadowing opportunities are available as a useful part of training for future Appeal panel members/chairs. In such scenarios, the dentist in training must be informed in advance.
- h. Access to HR advice should be available. Administrative support will be available to make a written record of the proceedings of the appeal. The Postgraduate Dental Dean reserves the right to engage legal representation in connection with an appeal and to seek or provide legal expertise at an appeal hearing.

#### **4.2. Representation for Dentists in Training**

- a. Dentists in training have a right to be supported at an appeal hearing.
- b. A dentist in training should submit at the earliest opportunity the details of any reasonable adjustments they would wish to be actioned to facilitate their attendance in person at their appeal. The dentist in training will receive an acknowledgement of any such request, confirming appropriate details for the appeal hearing.
- c. Dentists in training should supply the Postgraduate Dental Dean with the name, contact details and the professional capacity (if applicable) of any representative who will be attending the appeals panel with them.
- d. The dentist in training may choose to be supported for example, by a friend, colleague or a representative of their professional body.
- e. If a trainee wishes to be accompanied by a lawyer, then legal representatives should be reminded by the Appeal Panel Chair that appeal hearings are not courts of law and the panel governs its own procedure including the questioning to be allowed of others by the legal representative.
- f. In addition, the trainee may also wish to bring a friend or family member who can arrive with them and provide support on the day including after the appeal hearing.
- g. The panel chair will be consulted on and agree to any request from the trainee to be supported by another individual during the appeal hearing. Approval will be at the discretion of the panel chair.

#### **4.3. Conflicts of interest**

- a. In advance of the appeal hearing, the Postgraduate Dental Dean will ask all proposed panel members to make a declaration about any possible conflicts of interest.
- b. The dentist in training will also be provided the opportunity to raise any concern regarding conflicts of interest with the panel members.
- c. In the event of a potential conflict of interest arising, the panel Chair or Postgraduate Dental Dean will determine whether the individual should hear the appeal.

#### **4.4. Setting the Appeal Panel Date**

- a. It takes a significant amount of planning in order to confirm an appeal panel, due to the number and mix of panel member roles.
- b. In setting the date for a formal appeal hearing, where possible, the dentist in training and their representative will be consulted on their availability before a final date is secured. Delay to the appeal hearing may need to be considered on the grounds of religious reasons/events.
- c. Postgraduate School/Directorate representative availability will be sought as part of this process.
- d. As soon as practicable after a date has been set, all relevant parties will be informed (including the dentist in training's employer).

#### **4.5. Postponements**

- a. If the dentist in training cannot attend the date, this should be discussed with the Panel Chair as soon as possible.
- b. The dentist in training or the Postgraduate School/Directorate representative may apply for a postponement of proceedings. In doing so, the reasons for requesting the postponement should be submitted in writing to the Chair of the panel.
- c. The appeal panel Chair may postpone a hearing:
  - i. If appropriate documentation has not been circulated to the panel and / or dentist in training within the stated timescales
  - ii. to consider additional evidence not previously made available to the panel
  - iii. to request additional evidence / material crucial to the grounds for the dentist in training's appeal
  - iv. In cases of sickness or other unforeseen absence of the dentist in training
- d. Where a postponement is justified, the panel Chair will write to the dentist in training to explain the reasons and to confirm that an alternative date will be arranged, allowing time for the panel and dentist in training to consider any additional evidence in detail.
- e. Where a dentist in training or their representative are unavailable to attend, the appeal hearing will normally only be rearranged on one further occasion.
- f. If the dentist in training or their representative is not able to attend the re-arranged appeal hearing, it may proceed in their absence. The dentist in training will be entitled to make representations in writing for the appeal panel to consider in their absence.
- g. Where a dentist in training confirms their attendance and subsequently fails to attend on the day, reasonable efforts should be made to contact the dentist in training to ascertain the reasons. The panel Chair will determine whether the hearing should proceed in the dentist in training's absence relying on the written evidence submitted.

#### **4.6. Evidence and documentation**

- a. The full documentation that relates to the appeal must be made available to the panel, dentist in training (and their representative) and the Postgraduate School/Directorate representative(s) at least 5 (five) working days prior to the hearing. The evidence within the 'bundle/information pack' does not need to be limited to the final period of training.
- b. All information relating to the appeal should be retained as per the relevant Records Management Policy.
- c. The dentist in training and a School/Directorate administrative representative will be responsible for ensuring paperwork is submitted.

##### **4.6.1. Evidence submitted from the dentist in training:**

- a. The dentist in training may support their appeal with further written evidence relevant to the original RCP panel consideration, but this must be received at no later, and ideally sooner, than 10 (ten) working days before the Appeal Panel meets.

- b. This should be submitted in electronic format wherever possible.
- c. This is the dentist in training's opportunity to present reasons for the appeal, along with any evidence or clarification they wish to provide.
- d. This should cover the basis of the appeal and build on the dentist in training's original request for an appeal.
- e. Where relevant, mitigating factors such as ill health, reasonable adjustments, domestic circumstances or mitigation linked to the training environment such as changing circumstances or the supervision available should be evidenced to substantiate facts.
- f. Submissions that reference mitigation or events that are not supported by written evidence will be considered by the panel but will not usually be considered as verified. Examples of evidence to support mitigation referring to health may include a GP or hospital consultant letter.
- g. A copy of the dentist in training's evidence submitted will be shared with the panel as well as the Postgraduate School/Directorate.
- h. Any documentation submitted after the official deadline will only be considered at the discretion of the Chair of the appeal panel (see 'Role of Chair' below).

#### **4.6.2. Evidence submitted from Postgraduate School/Directorate:**

- i. A nominated School/Directorate representative will be required to provide a written summary of why the original RCP outcome was given, which is relevant to the period of training that is under review to respond to the grounds for appeal.
- j. Where relevant, reasonable adjustments put in place for the dentist in training and the impact of these in supporting the individual in meeting the required competency level should be included.
- k. This should normally be submitted by 7 (seven) working days before the appeal panel hearing.
- l. A copy of this will be shared with the dentist in training in addition to the Appeal Panel members.
- m. Any documentation submitted after the official deadline will only be considered at the discretion of the Chair of the appeal panel (see 'Role of Chair' below).

#### **4.7. Procedure at the formal appeal hearing**

- a. Appendix B describes a suggested outline agenda for an RCP Appeal Hearing. Appendix C describes a suggested RCP Appeal Hearing Check list.
- b. The room will normally be set out formally in board room style with name plates.
- c. Access to an electronic portfolio, where necessary, will be arranged.

In addition to the formal outcome of the appeal, an appropriate summary of proceedings will be made available to all parties no later than 5 (five) working days after the appeal panel.

#### **4.8. Role of the Chair at the formal appeal hearing**

- a. The role of the Chair is to ensure that a fair and consistent approach has been delivered, a clear decision has been reached by the panel after considering the information that has been received/presented and that an appropriate record of the event and decision is made. General examples of this include:
  - b. Ensuring the submitted papers are correct
  - c. Dealing with timings and keeping the hearing on track
  - d. Agreeing issues to be decided
  - e. Regulating the behaviour of attendees
  - f. Coordinating questions
  - g. Ensuring the process is understood
  - h. Leading panel decision making process



- i. Drafting the recommendation to the Postgraduate Dental Dean
- j. At the beginning of the appeal hearing, the Chair should do the following:
- k. Ensure that all panel members introduce themselves and confirm their role in the appeal hearing
- l. Explain the process to be undertaken during the hearing
- m. Ensure that the documentation was received by all relevant parties and they have had an opportunity to consider the evidence in detail
- n. Additional evidence submitted outside of the agreed timescales may be considered at the discretion of the Chair.

#### **4.9. Conducting the formal appeal hearing**

##### **Suggested process:**

(Note: Appendices C and D provide, in addition, a suggested agenda and checklist)

1. Led by the Chair, all parties will each introduce themselves before the panel begins.
2. Pre-meeting – the panel convenes to confirm the appeals panel process.
  - In this pre-meeting the panel discuss the process requirements. The dentist in training and School/Directorate representative(s) will not be present for this part of the agenda.
3. Dentist in training enters the panel room with representative [if declared]. School/Directorate representative(s) enters at the same time.
  - The dentist in training (and their representative) will be shown to their seats. Once settled, the panel Chair will provide a brief introduction to the day (including format), and panel members will be asked to introduce themselves. School/Directorate representative and the dentist in training (and any representative) will also introduce themselves at this stage. If anyone is unclear about any aspect of the agenda, they can seek clarification.

The panel then continues with the following format:

1. Dentist in training (or his/her representative) presents case.
  - This is the dentist in training's opportunity to present their case to the panel, covering which aspect of the educational process and subsequent RCP outcome they are appealing against, along with any supporting evidence they would like to highlight or talk through, including any mitigation. There is no specific template or guidance for this stage, it is an opportunity for the dentist in training to summarise their case. It is important for the dentist in training to remember that the panel has evidence that has already been submitted as part of the case and the panel will have read the submissions. Indeed, the case presented by the dentist in training should be referenced to the written submissions provided in advance to the appeal panel. There is no time limit for this part of the process, however as a guide, dentist in training statements, on average, last between 10 and 30 minutes.
2. Opportunity for panel members to ask questions of Dentist in training.
  - The panel can clarify with the dentist in training anything relating to the appeal, training, statements and evidence. This is the panel's opportunity to ask questions of the dentist in training and (if applicable) of any persons called to speak on their behalf. This questioning may address any perceived inconsistencies in the evidence, points of clarity or could challenge any assertions made in the evidence.
3. Opportunity for School/Directorate representative to ask questions of Dentist in training.
  - The School/Directorate can clarify anything relating to the dentist in training's appeal, training, statements and evidence. The dentist in training should answer these questions, rather than their representative.
4. Present case for award of original RCP outcome.

- This is the School's/Directorate's presentation of the case, responding to the grounds of the appeal. This may cover key aspects about the training including (but not limited to) a summary of progress, competences, exam progress, support, reasons for the latest RCP outcome for which the dentist in training is appealing, mitigation and areas of satisfactory progress. The School/Directorate representative will summarise the key points of the case relating to the training programme. It is important for the School/Directorate representative to remember that the panel has evidence that has already been submitted as part of the case and the panel will have read the submissions. Indeed, the case presented by the School should be referenced to the written submissions provided in advance to the appeal panel.
5. Opportunity for panel members to ask questions of the School/Directorate representative.
    - The panel can clarify anything relating to the School/Directorate summary. The School/Directorate representative will answer these questions. The panel may request clarification from the programme or School/Directorate in relation to any central key points that are raised either when considering the appeal paperwork prior to the hearing or during the panel itself. This questioning may address any perceived inconsistencies in the evidence, points of clarity or challenge any assertions made in the evidence. During the appeal, if additional clarification is required on points of fact that the designated School/Directorate representative cannot provide, it may be necessary to halt the hearing, potentially to a later date.
  6. Opportunity for dentist in training to ask questions of Postgraduate School/Directorate.
    - The dentist in training can clarify anything relating to the School/Directorate's presentation.
  7. The dentist in training, dentist in training's representative, and School/Directorate representatives leave the room (at the same time).
    - Both parties will be invited to make any final comments or clarifications before the panel retires to consider its decision. The Chair should ask the note taker whether any part of the proceedings so far need clarification in the interests of an accurate record being produced. There will be designated rooms or areas where individuals can wait.
  8. The Panel members discuss the case and reach a majority decision. The Chair will have the final decision.
    - The dentist in training, their representative (if applicable) and the School/Directorate representative will not be in the room during panel discussions. The time it takes for the panel to discuss the appeal and reach a decision does vary, however this would not usually be longer than 1-2 hours. The Panel shall record their recommendation. This does not have to be a unanimous decision.
  9. The dentist in training, their representative (if applicable) and School/Directorate representative are invited to either join the video call (where process virtual) or the room (where F2F) be informed of the outcome.
    - The panel Chair will briefly summarise the outcome and any reasoning or recommendations (where applicable) that the panel have made. Once the panel Chair has delivered the outcome, this concludes the proceedings of the day.
  10. Following the RCP appeal hearing, the dentist in training will receive a letter within five working days, summarising the conclusion of the appeal and actions to take.
    - Human Resources/the dentist in training's employer will be kept updated regarding the progress of the appeal.

The panel should always give consideration as to the dentist in training's 'Fitness to Practise' and any concerns should be raised with the Postgraduate Dental Dean.

## **5. Recommendations - Possible outcomes of an appeal**

- a. The panel will normally make a decision on the day of the hearing. If this is not possible the panel will reserve their decision for a later date to be notified to the parties.



- b. The panel may normally make one of the following decisions:
  - i. Reaffirmation of the original decision. This means that the original RCP outcome (decision) remains.

OR

- ii. Substitute the previous decision with a different outcome, either:
  - RCP 3 or 4 changed to RCP 6 if dentist in training has completed their training) or
  - RCP 4 changed to RCP 3 (accompanied with an action plan and any other requirements made clear) or
  - RCP 6C to RCP 6 if the dentist in training has met the Outcome 6C requirements
- c. An appeal panel is not at liberty to further impose additional sanctions, i.e. changing an Outcome 3 to an Outcome 4.
- d. Where possible, the trainee will be informed of the decision of the appeal panel by the chair. This will be for information only.

The panel chair may choose to adjourn an appeal panel hearing to a later date, where further information or reports are needed by the appeal panel, or where all parties may not have had the opportunity to consider all the information presented to the appeal panel.

## **6. Following the appeal process**

- a. Where possible, the panel will feed back to the dentist in training directly after the appeal panel. The dentist in training will be notified in writing within 5 (five) working days of the outcome of the appeal hearing.
- b. Following the RCP appeal hearing decision there is no further internal avenue of appeal. The decision is final.
- c. If the appeal hearing overturns the original RCP outcome, all relevant parties must be made aware of the new outcome and any new recommended actions now required.
- d. Where an Outcome 4 is upheld, the panel Chair will send a written recommendation to the Postgraduate Dental Dean that the dentist in training should be removed from the training programme, including the reasons why, within 5 (five) working days of the appeal hearing.
- e. Employers need to be made aware of the outcome 4, and trainees should be encouraged to discuss the implications with their employer.
- f. Consideration should be given to ensuring any support mechanisms are in place to help the dentist in training through career decisions.

## **7. National and Regional RCP Appeals Panels Process**

- a. Depending on the number of appeals received, appeal panels may be combined to carry out appeals for more than one HEE Local Office. In this eventuality, the principle of a minimum of four Panel members, as described above, should be maintained.
- b. The process becomes the responsibility of the host Postgraduate Dental Dean and will be considered as already described.
- c. The financial responsibility also remains with the Postgraduate Dental Dean who is responsible for the dentist in training.

Appendix A  
Foundation Dentist in Training Grounds for RCP Review / Appeal

<b>Name</b>		
<b>GDC no.</b>		
<b>Training Programme</b>		
<b>Current month of training</b>		
<b>How far through the training programme are you (to the nearest month, whole time equivalent)?</b>		
<b>RCP panel date</b>		
<b>Outcome received</b>		
<p><b>What are your grounds for review/appeal?</b>  <i>Please summarise this concisely. Foundation Dentist in training may provide additional evidence at this stage (e.g. evidence of mitigating circumstances or other evidence relevant to the original panel's decision) and this must be received as part of the request for the review so that the panel is able to consider it in detail. Please note that this statement, by the Foundation dentist in training, will cover the area(s) to considered by the appeal panel.</i></p>		
<p><b>What are you hoping as an outcome to the review/appeal?</b>  <i>Please summarise this concisely. Clarity at this stage may help identify action that can be taken to obviate the need for a full appeal process.</i></p>		

**Appendix B - Suggested RCP Appeal Hearing Agenda**

<b>Date / Time</b>	
<b>To be held at</b>	
<b>Chair</b>	
<b>PGDD or nominated representative from an adjacent area</b>	
<b>Associate Dean from an adjacent area,</b>	
<b>Lay Representative</b>	
<b>HR</b>	
<b>Note taker</b>	
<b>Observer</b>	
<b>Management Case representative(s) from Postgraduate School/Directorate</b>	
<b>Dentist in Training</b>	
<b>Dentist in Training Representative</b>	

The timetable runs as follows:

- Pre-meeting (30 minutes)– the panel convenes to confirm the appeals panel process.
- Dentist in training enters the panel room with representative [if declared]. (Management case representative(s) enter at same time).

*The panel then continues with the following format.*

Section 1:

- Dentist in training (or his/her representative) presents case.
- Opportunity for panel members to ask questions of Dentist in training.
- Opportunity for School/Directorate to ask questions of Dentist in training.

Section 2:

- Management case presented by School/Directorate.
- Opportunity for panel members to ask questions of the School/Directorate.
- Opportunity for dentist in training to ask questions of School/Directorate.

Section 3:

- The Dentist in training, dentist in training representative, and School/Directorate representative(s) leave the room.
- The Panel members discuss the case and reach a majority decision.
- The dentist in training, his/her representative and School/Directorate representative(s) are invited into the room to be informed of the outcome.

**Appendix C: SUGGESTED RCP APPEAL PANEL CHECKLIST**

To support fairness and consistency, and facilitated by the panel chair, the following steps will be considered at all appeal panels as panel members consider their decision.

**Initial discussions with the panel members**

Invite panel members for initial comments, covering what the proceedings / evidence tells the panel.

**Coming to a decision: Likely options available to the panel**

Have you eliminated any outcomes that are not applicable to the case? This may help the panel focus on the options available.

- Reaffirmation of the original decision
- Substitute the outcome with one of the following (and, if appropriate; outline an action plan and any other requirements)

Unsatisfactory Progress	3. Inadequate progress by the dentist in training - additional training time required (maximum training time – 2 years)
	4. Released from training programme with or without specified competences
Recommendation for completion of training	6. Has gained all of the required competences for the completion of training (clinical / academic)

**Building on initial discussion and reasoning for the decision**

Considering the options above, invite panel members to summarise their thoughts and recommended outcomes. The checklist below can be used to support discussions and the recording of the outcome and any actions.

**Final Checklist**

Does your decision balance the need to protect patients/maintain public confidence in the profession whilst giving due weight to the relevant information available? • The competency of the dentist in training (which competencies have or have not been met?) • The fairness of the process / original decision • Evidence presented and what that tells us	
Have you considered all the information available to the panel, including written evidence and oral presentations of the case from both the school and the dentist in training? • The dentist in training’s reason(s) for the appeal • The levels of support offered / provided to the dentist in training • The fairness of the process / original decision • Evidence presented	
Have you used guidance/policy documents to support your decision making? (examples: Blue Guide, RCP/Appeals Policy, DFT Curriculum)	
Have you balanced your decision to take into account the impact of any decision on the dentist in training? Any mitigation declared and the impact that has had / is likely to have	
Have you considered the principle of proportionality (that the outcome and recommendations are proportionate to the case) in reaching your decision?	
Are you able to give clear reasons for the decision and any actions? If you are considering supporting an original outcome have you considered if any changes are required to the reasons and/or competences which need to be developed / recommended actions. Have you considered if any remediable or reasonable supporting measures could be put into place alongside the outcome to support the dentist in training?	
Are all conditions that you have recommended workable, appropriate, reasonable and measurable?	
Have you enabled each panel member to discuss and put forward their thoughts and recommended outcomes?	