



**Dental
Council**
of NSW

Dental Council of NSW

Annual Report 2018-19

JOINT ANNUAL REPORTS OF THE 15 NEW SOUTH WALES HEALTH PROFESSIONAL COUNCILS
ABORIGINAL AND TORRES STRAIT ISLANDER HEALTH PRACTICE COUNCIL [CHINESE MEDICINE COUNCIL](#)
[CHIROPRACTIC COUNCIL](#) [DENTAL COUNCIL](#) MEDICAL COUNCIL [MEDICAL RADIATION PRACTICE COUNCIL](#) NURSING
AND MIDWIFERY COUNCIL [OCCUPATIONAL THERAPY COUNCIL](#) OPTOMETRY COUNCIL [OSTEOPATHY COUNCIL](#)
[PARAMEDICINE COUNCIL](#) PHARMACY COUNCIL [PHYSIOTHERAPY COUNCIL](#) [PODIATRY COUNCIL](#) [PSYCHOLOGY COUNCIL](#)

President's Message



On behalf of the Dental Council of NSW (the Council), I present the 2018/2019 Annual Report.

The Council continues to fulfil its statutory obligation of protecting the public by ensuring that dental practitioners in NSW are practising safely and continuing to comply with standards and guidelines.

There has been a continued increase in complaints being made about dental practitioners and the majority of these relate to treatment and performance. A number of complaints also relate to a practitioner's conduct, with a smaller number pertaining to health.

Following receipt of a complaint in mid-2018, serious infection control breaches and non-compliance with approved guidelines were identified. This resulted in a public health notice being issued advising patients to be tested for blood-borne viruses.

As a result of this, a key focus of the Council's work this year has been on infection control. The Council has reminded dental practitioners of their obligations relating to safe practice and the need to ensure they comply with approved infection control guidelines. The Council also introduced two initiatives to assess and monitor compliance with these guidelines.

A remote desktop infection control audit occurred for each new complaint being managed by the Council during the period August 2018 to February 2019. This process required dental practitioners to provide documentation demonstrating their compliance with the guidelines.

In November 2018, the Council also introduced a 12-month random inspections program to confirm compliance with the guidelines. This program involves a random selection of dental practitioners having their practices inspected by Authorised Persons approved by Council.

It is pleasing to report that, at this time, and based on the data and information arising from these initiatives, the vast majority of practitioners are complying with infection control guidelines. The Council will continue to assess the information gained as a result of these initiatives to determine whether further interactions with dental practitioners is required.

As part of the Council's Action Plan, another focus is stakeholder engagement. The Council has developed an engagement framework with the Dental Board of Australia (DBA) and met face to face with the Board in March 2019 to continue this engagement and to discuss issues of relevance to practitioners practising in NSW. The Council is also committed to continued dialogue with the professional associations and other stakeholders throughout the year.

A number of committed individuals are involved in the Council's work and it would be remiss of me not to acknowledge their contributions. I would like to thank my fellow Council members, our Professional Officers and Authorised Persons, the members of the Assessment Committee, and our numerous panel and hearing members. I would also like to acknowledge the contribution Dr Penny Burns has made to the work of the Council. Penny has served as both a member and Deputy President on the Council with her term ending on 30 June 2019. Penny has now been appointed to the Dental Board of Australia and we wish her all the best for the future.

It is with pleasure that on behalf of the Council I welcome our new Dental Practitioner member Dr Colyn Pavey whose term commences on 1 July 2019.

Finally, my thanks are extended to the staff of the Health Professional Councils Authority, and in particular the Dental Council team, for its ongoing support of the Council, its committees and panels.

Conjoint Associate Professor F. Shane Fryer OAM
President
Dental Council of NSW

2018-19 Summary

DENTAL PRACTITIONERS



7,100

Registered dental practitioners in NSW

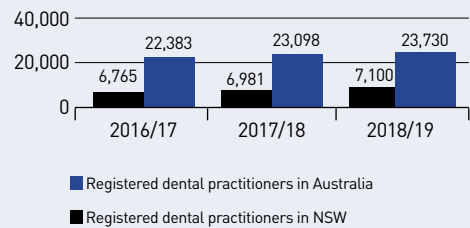
30%

of Australian dental practitioners practise in NSW

5%

of NSW dental practitioners had complaints made about them

3 year trend in number of registered dental practitioners

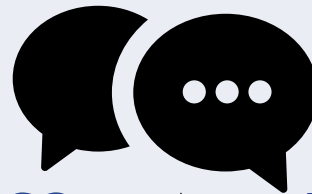


COMPLAINTS ABOUT DENTAL PRACTITIONERS



281

cases were open at the beginning of the year



462

complaints were received about 335 dental practitioners in 2018/19

37

of the complaints received were mandatory notifications about 14 practitioners



464

cases were closed during the year

Complaints were mainly from: Patients - **59%**

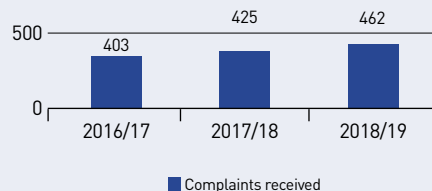
Complaints were mainly about: Clinical care - **62%**



279

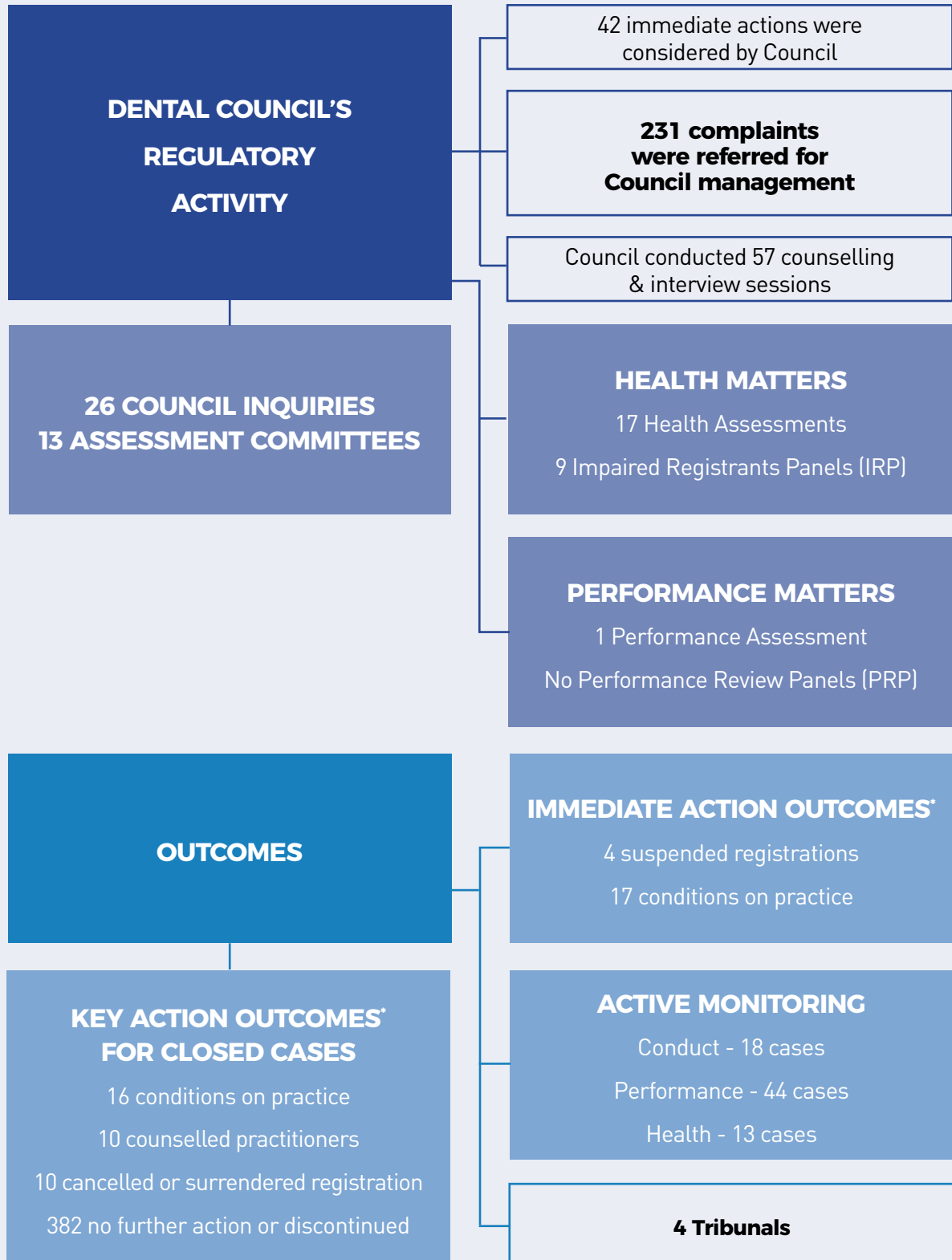
cases were open at the end of the year

3 year trend in number of complaints about dental practitioners



2018-19 Summary

DENTAL COUNCIL'S REGULATORY ACTIVITY - MATTERS CONCLUDED



*Not all outcomes are included and a complaint may have more than one outcome

Council Members

Twelve members sit on the Dental Council as set out in the National Law.

Council members are nominated by the Minister for Health and appointed by the Governor.

Registered dental practitioner members:

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

Legal member:

- Ms Rosemary MacDougal Dip Law (LPAB)

Community members:

- Mr David Owen MBA BSc
- Ms Jebby Phillips BA (Hons)

The Governor appointed Conjoint Associate Professor Fryer OAM as President of the Dental Council.

The Governor appointed Dr Lobo as Deputy President of the Dental Council.

Executive Officer

Mr Colin Borg is the Executive Officer for the Dental Council.

The Executive Officer leads a team of eight who work directly with the Council.

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 12 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	Date first appointed	Current Term of Office*
President Conjoint Associate Professor Frederic (Shane) Fryer OAM	12	12	1 May 2014	1 May 2017 - 30 June 2019
Deputy President Dr Kavita Lobo	10	12	1 July 2015	1 July 2018 - 30 June 2021
Dr Christine Biscoe	9	12	1 July 2015	1 July 2018 - 30 June 2021
Dr Anthony Burges	9	12	1 July 2012	28 March 2018 - 30 June 2020
Dr Penny Burns	8	12	1 July 2010	1 July 2018 - 30 June 2019
Mr Christiaan Claassens	11	12	1 July 2018	1 July 2018 - 30 June 2021
Ms Rosemary MacDougal	11	12	17 July 2013	1 July 2016 - 30 June 2019
Conjoint Associate Professor William O'Reilly AM	11	12	1 July 2012	1 July 2018 - 30 June 2021
Mr David Owen	9	12	1 July 2012	28 March 2018 - 30 June 2020
Dr John Pearman	6	12	1 July 2015	28 March 2018 - 30 June 2020
Ms Jebby Phillips	9	12	28 March 2018	28 March 2018 - 30 June 2020
Associate Professor Janet Wallace	8	12	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 assist the Council to undertake its regulatory activities.

Regulatory committees and panels include:

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

The Dental Council appointed the following regulatory committees and panels:

Regulatory Committees and Panels	Number of Regulatory Committee and Panels
Impaired Registrants Panels	13
Performance Review Panels	Nil
Assessment Committees	1

Table ii: Regulatory Committees and Panel Membership

Impaired Registrants Panel	Assessment Committee
Chair N/A	Chair Dr Mark Sinclair
Council Members Nil	Council Members Nil
Non Council Members Dr Karen Arnold Dr Robert Smith Dr Angie Lang Professor F. A. Clive Wright Professor Ronald Grunstein	Non Council Members Mr Martin Dunn Ms Kay Franks Dr Edward Peel Dr Megan Phillips Ms Frances Taylor Dr David Wheatley

Council Committees

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

The Dental Council appointed/reappointed three Council committees this year.

Table iii: Council Committees and Membership

Complaints and Notifications Committee	Education and Research Committee	Health Committee
Chair Dr Anthony Burges	Chair Associate Professor Janet Wallace	Chair N/A
Council Members Dr Penny Burns Mr Christiaan Claassens Dr Kavita Lobo Mr David Owen Dr John Pearman	Council Members Dr Anthony Burges Conjoint Associate Professor F. Shane Fryer OAM Mr David Owen	Council Members Dr Christine Biscoe Dr Penny Burns Conjoint Associate Professor William O'Reilly AM Associate Professor Janet Wallace
Non Council Members Nil	Non Council Members Nil	Non Council Members Nil

Meetings and Events

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

Table iv: Dental Council representation at meetings and events

Name of Meeting / Event	Attended By
Presentation to final year dental students at the Australian Dental Association NSW	Conjoint Associate Professor F. Shane Fryer – President
Ministry of Health Regulators Forum and/or Workshop	Conjoint Associate Professor F. Shane Fryer – President Conjoint Associate Professor William O’Reilly – Council Member
Meeting between Council Presidents, Health Professional Councils Authority and AHPRA	Conjoint Associate Professor F. Shane Fryer – President
Australian Dental Association NSW CPD Day	Mr Christiaan Claassens – Council Member
NRAS 2019 Combined Meeting and Research Summit	Conjoint Associate Professor F. Shane Fryer – President
State Oral Health Executive Meeting	Conjoint Associate Professor F. Shane Fryer – President
Doctors’ Health Advisory Service: Join the conversation	Dr Kavita Lobo – Deputy President
Joint Dental Board of Australia and Dental Council Meeting	Conjoint Associate Professor F. Shane Fryer - President Dr Kavita Lobo - Deputy President Dr Christine Biscoe – Council Member Mr Christiaan Claassens – Council Member Ms Rosemary MacDougal – Council Member Conjoint Associate Professor William O’Reilly – Council Member Mr David Owen – Council Member Dr John Pearman – Council Member Ms Jebby Phillips – Council Member

Council Communications and Stakeholder Engagement

The Dental Council website provides easy access to information about the Council and its work, publications, the complaints process and an online complaint form.

The Dental Council also distributes electronic newsletters to dental practitioners working in NSW. One newsletter was distributed this year. Two additional email communications were distributed to dental practitioners relating to the Council’s desktop audit for infection control compliance and random infection control inspections program.

As part of the engagement plan for the Dental Council and the National Board, a face-to-face meeting was held in March 2019. The Council is represented on relevant National Board working groups and also provides submissions to a number of the National Board’s consultation papers.

Other stakeholder engagement activities included a meeting between the Chair of the Doctors’ Health Advisory Service (DHAS) and the Council to discuss the important work and ongoing support of the DHAS by the Council. At this meeting, the Council also reiterated the importance of the DHAS extending its support, not only to dentists, but to all dental practitioners.

A number of other presentations were delivered by the Executive Officer throughout the year, including at the Australian Dental Association NSW’s convention in Canberra and to final year dental students at Charles Sturt University in Orange.

Overseas Travel

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

Remuneration

Remuneration for Council members aligns with the Public Service Commission Remuneration Framework for NSW Government Boards and Committees. Council members receive additional payment for interviews, counselling sessions, immediate action inquiries, Council Inquiries and panels. No additional payments are made for other regulatory work such as official visits, committee meetings, training, conferences or preparation for meetings.

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

Dental Council member remuneration rates are as follows.

President	\$20,000 per annum
Deputy President	\$11,143 per annum
Council Members	\$9,690 per annum

Education and Research Account

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

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 2018/19	\$
Revenue	2,813,735
Operating expenditure	3,344,829
Gain / (loss) on disposal	(48)
Net result	(531,142)
Net cash reserves* (cash and cash equivalents minus current liabilities)	1,932,935

* Included in the cash reserves is an Education and Research bank account balance of \$437,200.

The Dental Council's budget for the period 1 July 2019 to 30 June 2020 is as follows.

Budget 2019/20	\$
Revenue	3,446,751
Operating expenditure	3,994,406
Net result	(547,655)

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