

**Professional Behaviour
and Dental Ethics**

THE DENTAL COUNCIL

57 Merrion Square

Dublin 2

PROFESSIONAL BEHAVIOUR AND DENTAL ETHICS

1. INTRODUCTION

Section 66 of the Dentists Act 1985 requires the Dental Council to give guidance to the dental profession generally on all matters relating to ethical conduct and behaviour.

2. GENERAL PRINCIPLE

The dentist should be motivated by the three-fold aim of safeguarding the health of patients, promoting the welfare of the community and maintaining the honour and integrity of the dental profession.

3. THE PATIENT

- 3.1 The primary duty of the dentist should be to safeguard the health of the patient without regard to his/her nationality, sex, race, creed opinions or social/economic status.**
- 3.2 Dentists have an obligation to provide treatment for medically compromised patients including those with communicable diseases.**
- 3.3 The dentist should ensure that all necessary treatment is made available to patients and to this end should, when the need arises, obtain the advice and/or assistance of colleagues.**
- 3.4 The dentist should act correctly, sympathetically and in a courteous manner towards patients at all times. Under no circumstances should unnecessary treatment or treatment that is contrary to the expressed wishes of the patient, or in the case of a dependent patient his/her parent or guardian, be carried out.**

Good communications with patients are essential and dentists should be prepared to answer patients' questions openly and honestly and in terms that the patient can understand.

- 3.5 A dentist must only undertake treatments which he/she is competent to complete to a satisfactory standard. If a recommended treatment is beyond the competence of a dentist the patient should be referred.**

- 3.6** A dentist who accepts a patient for treatment has a responsibility to complete the course of treatment necessary to render the patient dentally fit. If, for some reason, the professional relationship between a dentist and patient breaks down during the course of treatment the dentist should refer the patient to a colleague to have the course of treatment completed.
- 3.7** Patients are entitled to a second opinion and dentists, if requested, should facilitate same by arranging an appropriate referral.
- 3.8** In making a referral the dentist will normally refer to a colleague with whom he/she has established a professional relation. In the rare occasion where a patient asks to be referred to a specific person the patient's wishes should be accommodated unless there is some compelling reason on professional grounds not to refer to such person.
- 3.9** A dentist should not give guarantees or make unreasonable promises about the outcome of treatments.
- 3.10** A dentist has duty to explain to the patient and provide information so that the patient understands the treatment to be carried out. The informed consent of the patient or the parent or guardian in the case of a person under 16 years of age should be received before any procedure is commenced. It should be noted that persons under 16 years of age can validly withdraw consent given by a parent/guardian. Consent can be implied, oral or written. Written consent is recommended when extensive treatment is being undertaken and is essential when general anaesthesia or sedation is to be administered.
- 3.11** An estimate of the cost of treatment should be given and agreement reached before treatment commences. If, in the course of treatment, the estimate has to be revised a full explanation should be given at the first opportunity. In the event of complex and/or costly procedures a written treatment plan and estimate of cost is recommended.
- 3.12** A dentist should provide to patients a breakdown of treatment costs and furnish receipts if requested to do so.
- 3.13** A dentist who leaves a practice has an obligation to ensure that adequate arrangements are in place for the completion of any course of treatment commenced and for the ongoing care of his/her patients.
- 3.14** Professional confidentiality should be observed and this obligation extends to the dentist's staff. Disclosure of information relating to a patient's attendance or treatment may only be given with the patient's consent except in the following circumstances;
- (i)** when required by law;
 - (ii)** when directed by a Court law;
 - (iii)** when necessary to protect the interests of the patient or the welfare of society.

- 3.15 Dentists have a duty to maintain adequate and accurate records of all matters relating to their treatment of patients. These records should be kept in a secure location and retained for a reasonable period, not likely to be less than ten years, before being destroyed.**
- 3.16 A dentist has a duty to provide emergency treatment for his/her patients outside normal surgery hours and patients must be advised on how to contact the dentist should an emergency arise.**
- 3.17 The dentist must assume responsibility for any service or treatment delegated to his/her staff. This specifically includes responsibility for standards of hygiene, disinfection, sterilisation and cross-infection control undertaken by support staff. Any service or treatment must only be delegated to a person within whose competence such service or treatment resides and who is legally entitled to provide such service or treatment. Dentists should encourage member of the dental team to avail of relevant training and to obtain qualifications and should provide assistance towards achieving this objective.**
- 3.18 The dentist shall respect the special professional relationship that exists between dentist and patient and shall do nothing which abuses that relationship. Any act of indecency or dishonesty or other act involving abuse of the professional relationship with a patient is likely to render the dentist liable to proceedings for professional misconduct.**
- 3.19 When treating a patient it is strongly recommended that a dentist should have a third person present in the surgery throughout the procedure and, as appropriate, in the recovery room. Dentists who employ dental hygienists must ensure that a third person is present in the premises at all times while the dental hygienists is operating.**
- 3.20 The dentist has an obligation to patients to hold professional indemnity insurance against accidents and malpractice suits.**

4. THE COMMUNITY

- 4.1 The dentist should assume a responsible role in the community. He/she should endeavour to promote measures to improve the health and especially the dental health of the community. He/she should be prepared to engage in dental health education programmes but in so doing must not promote his/her own practice or canvass for patients.**
- 4.2 A dentist should ensure that his/her private life is in keeping with his/her status as a member of a caring profession. Conduct which might lower the esteem of the profession in the eyes of the public must be avoided. The abuse of alcohol and other drugs is not acceptable.**
- 4.3 A dentist should always be willing to respond in the case of a dental emergency even when this involves patients who are not patients of his/her practice.**

4.4 The dentist has an obligation to protect his/her patients, his/her staff and himself/herself from the risk of cross infection in the dental surgery. The dentist shall follow the guidelines on cross infection control issued by the Dental Council. Failure to provide and use adequate sterilisation facilities and to adopt proper cross infection control procedures is likely to render the dentist liable to proceedings for professional misconduct.

5. THE PROFESSION

5.1 The dentist shall maintain his/her professional knowledge and skill by continuing education and by keeping himself/herself informed of up to date developments in methods of treatment.

5.2 The dentist should support the advancement of the dental profession through membership of scientific and professional organisations.

5.3 The dentist shall maintain the honour, morality, dignity and integrity of the dental profession. Unprofessional conduct, improper statements or certificates and misleading announcements must be avoided.

5.4 The dentist shall not make gratuitous comments of a derogatory or disparaging nature on the services or treatment of other members of the profession or on the profession in general. There is a considerable scope in dentistry for genuine differences of clinical opinion and a dentist must not criticise the treatment of a colleague solely on the grounds that it was not the treatment he/she would have provided.

5.5 When a dentist comes across treatment which in his/her opinion is so unsatisfactory that it must be carried out again he/she has an obligation, both legal and ethical, to so inform the patient.

5.6 Overt advertising, canvassing, sponsoring, discounting or the payment of commission by a dentist for the purpose of obtaining patients is forbidden. Professional details relating to name plates, letter headings, entries in directories, press announcements etc must conform with the relevant guidelines issued by the Council.

5.7 Patients must not be canvassed from colleagues. Particular attention in this regard must be paid by those acting as locums, assistants or associates.

5.8 When patients are referred by a dentist to a colleague for special care they should be referred back when the treatment for which they were referred has been completed. If further special care is required it should be arranged by the original dentist.

5.9 A dentist must practise in the name under which he/she registered in the Register of Dentists and he/she may not falsely imply by any method that he/she possesses special skills or qualifications for the practice of dentistry. A dentist may display in his/her practise premises

certificates/diplomas relating to registered qualifications and to approved courses.

6. THE DENTAL COUNCIL

- 6.1 A dentist may not practise dentistry unless he/she is registered in the Register of Dentists.**
- 6.2 A dentist who employs locums or engages assistants has an obligation to ensure that they are registered in the Register of Dentists and remain registered for the duration of their employment.**
- 6.3 A dentist who employs a dental hygienist must ensure that he/she is registered in the Register of Dental Hygienists and remains registered for the duration of employment.**
- 6.4 Dentists who employ dental hygienists must ensure that the legal provisions relating to their duties and conditions under which such duties may be carried out are observed.**
- 6.5 A dentist who receives a communication from the Council or a statutory committee thereof which requires a reply must so reply with reasonable promptness.**

7. GENERAL

- 7.1 The dentist has an obligation to abide by the Guidelines on the Control of Cross Infection in Dentistry issued by the Council.**
- 7.2 The dentist must operate within the Guidelines on Public Relations and Communications issued by the Council.**
- 7.3 The dentist must operate within the Guidelines on the Administration of General Anaesthesia and Sedation issued by the Council.**
- 7.4 The dentist must abide by the terms of the Code of Practice for Radiological Protection in Dentistry issued by the Radiological Protection Institute of Ireland.**
- 7.5 The dentist must comply with the national regulations regarding the prescription of and the control and custody of drugs. Dentists have a right to prescribe drugs but this right must only be exercised in respect of patients of the practice and for dental purposes only.**