

Dental Council - 2017 Annual Report

Report of Proceedings

This report is prepared in accordance with Section 57 of the Dentists Act, 1985 and sets out a report of the Dental Council's activity during 2017.

1. Consideration of Fitness to Practise Reports

The reports of inquiries held by the council's Fitness to Practise Committee must be submitted to the council who have the authority to apply a sanction if it is deemed appropriate. The council considered one report and decided to:

- Attach conditions to the retention of the name of Dr Bashir Harateh (registration number 12808) in the Register of Dentists.

The council upheld the decision that there was no prima facie evidence in four applications for inquiry into the fitness to practise of registered dentists. The council also completed monitoring undertakings given to it relating to a dentist with addiction issues.

The Fitness to Practise Committee prepared a 'Guide for Expert Witnesses in Fitness to Practise Matters' to assist expert witnesses retained by the Dental Council to prepare reports for the fitness to practise inquiries held under the Dentists Act, 1985.

2. Education and Training

The Dental Council completed its five yearly accreditation of undergraduate dental programmes in the University College Cork (in Cork University Dental School and Hospital) and University of Dublin (in Dublin Dental University Hospital) in October 2017.

3. Irish Committee for Specialist Training in Dentistry

The Dental Council executive continued to support the work of the Irish Committee for Specialist Training in Dentistry (ICSTD) and its advisory committees. Under Section 34(c) of the Dentists Act, 1985, the Dental Council has a duty to satisfy itself as to the adequacy and suitability of postgraduate education and training provided by bodies recognised for the purpose of providing dental specialist training. To meet this obligation, the Dental Council relies to a significant extent on the assurance provided by the ICSTD regarding the ongoing suitability of specialist training programmes and the quality of the training.

As at end of 2017, the following training programmes continue to be approved by the Dental Council:

- D.Ch.Dent. in Oral Surgery – University of Dublin (Trinity College Dublin)
- D.Ch.Dent. in Orthodontics – University of Dublin (Trinity College Dublin)
- D.Ch.Dent. in Periodontics – University of Dublin (Trinity College Dublin)
- D.Ch.Dent. in Paediatric Dentistry - University of Dublin (Trinity College Dublin)
- D.Ch.Dent. in Prosthodontics - University of Dublin (Trinity College Dublin)
- D.Ch.Dent. in Special Care Dentistry – University of Dublin (Trinity College Dublin)

- Higher Clinical Training in Oral Medicine – University of Dublin (Trinity College Dublin)
- Higher Clinical Training in Oral Maxillo-Facial Pathology – University of Dublin (Trinity College Dublin)
- D.Clin.Dent in Oral Surgery - National University of Ireland, Cork
- D.Clin.Dent in Orthodontics - National University of Ireland, Cork

4. Auxiliary Dental Workers

The council deferred its planned accreditation of the clinical dental technology programme in Dublin Dental University Hospital until the hospital next runs the programme.

5. Other matters

Mr Declan Carey and Ms Marie Henson resigned from the Dental Council during 2017. The Medical Council and the Minister for Health respectively nominated Ms Marie Kehoe O'Sullivan and Mr Mark Kane as their replacements as members of council.

Members of the Dental Council and its committees are not paid member fees. They are entitled to claim travel and subsistence to attend meetings and this is paid at the established Civil Service rate. The Dental Council is appreciative of the commitment members give to their duties and it notes that some members incur a loss of income when attending to council business.

The registrar, Mr David O'Flynn was elected President of FEDCAR, the European Federation of Dental Competent Authorities and Regulators for 2018. The 2018 summer meeting will take place in Dublin in April 2018.

The Dental Council would like to thank the staff of the Dental Council for its support and their dedication to its work. The Council is appreciative of their commitment to their role in regulating the profession and protecting the public.



Dr Gerry McCarthy
President

Statement on Internal Control

Scope of Responsibility

The Dental Council acknowledges its responsibility for ensuring that an effective system of internal control is maintained and operated. This responsibility takes account of the requirements of the Code of Practice for the Governance of State Bodies (2016). Internal control and risk management are presently being overseen by the Dental Council's Finance and General Purposes Committee. The Dental Council ultimately aims to establish an Audit and Risk Committee oversee internal control and risk.

Purpose of the System of Internal Control

The system of internal control is designed to manage risk to a tolerable level rather than to eliminate it. The system can therefore only provide reasonable and not absolute assurance that assets are safeguarded, transactions authorised and properly recorded and that material errors or irregularities are either prevented or detected in a timely way. The system of internal control is overseen by the Dental Council's Finance and General Practise Committee. It has been in place in Dental Council for the year ended 31 December 2017 and up to the date of approval of the financial statements.

Capacity to Handle Risk

Responsibility for control and risk rests with the Dental Council's Finance and General Purposes Committee. As the council is a small organisation this has heretofore, in the council's opinion, been the most effective way of managing these functions. This committee met eight times in 2017. The council policy is to manage identified risks conservatively and to build an internal resilience, including a financial resilience, to allow it deal with unexpected risk. The risk management processes in place details the roles and responsibilities in relation to risk.

Risk and Control Framework

Dental Council has implemented a risk management system which identifies and reports key risks and the management actions being taken to address and, to the extent possible, to mitigate those risks. A risk register is in place which identifies the key risks facing the Dental Council, and these have been identified, evaluated and graded according to their significance. The register is reviewed and updated by the Finance and General Purposes Committee eight times annually. The Risk Register is a standing item on the Finance and General Purposes Committee and Dental Council meeting agendas. The outcome of these assessments is used to plan and allocate resources to ensure risks are managed to an acceptable level. The risk register details the controls and actions needed to mitigate risks and responsibility for operation of controls assigned to specific staff.

I confirm that a control environment containing the following elements is in place:

- procedures for all key business processes have been documented
- financial responsibilities have been assigned with corresponding accountability
- there is an appropriate budgeting system with an annual budget which is kept under review
- there are systems aimed at ensuring the security of the information and communication technology systems
- there are systems in place to safeguard the assets and

- There is no grant funding to outside agencies.

Ongoing Monitoring and Review

The Finance and General Purposes Committee monitors control processes and control deficiencies are communicated to those responsible for taking corrective action.

I confirm that the following on going monitoring systems are in place:

- key risks and related controls have been identified and processes have been put in place to monitor the operation of those key controls and report any identified deficiencies.
- reporting arrangements have been established where responsibility for financial management has been assigned, and
- there are regular reviews of periodic and annual performance and financial reports which indicate performance against budgets/forecasts

Procurement

I confirm that the Dental Council has procedures in place to ensure compliance with current procurement rules and guidelines and that during 2017. Dental Council complied with those procedures.

Review of Effectiveness

I confirm that the Dental Council has procedures to monitor the effectiveness of its risk management and control procedures. Dental Council's monitoring and review of the effectiveness of the system of internal financial control is informed by the work of the external auditors and the Finance and General Purposes Committee, and the senior management within Dental Council responsible for the development and maintenance of the internal financial control framework.

I confirm that the Board conducted an annual review of the effectiveness of the internal controls for 2017. No weaknesses in internal control were identified in relation to 2017 that require disclosure in the financial statements.



Dr Gerry McCarthy
President

Governance Statement and Board Members' Report

Governance

The Dental Council State was established under the Dentists Act, 1985. The Dental Council is accountable to the Minister for Health and is responsible for ensuring good governance and performs this task by setting strategic objectives and targets and taking strategic decisions on all key business issues. The regular day-to-day management, control and direction of the Dental Council are the responsibility of the registrar and the senior management team. They must follow the broad strategic direction set by the Council and must ensure that all members have a clear understanding of the key activities and decisions related to the entity, and of any significant risks likely to arise. The registrar acts as a direct liaison between the Council and executive of the Council.

Board Responsibilities

The work and responsibilities of the Dental Council are set out 'Statement of Governance of the Dental Council' document which also contain the matters specifically reserved for the council's decision. Standing items considered by the council include:

- declaration of interests
- reports from committees
- financial reports/management accounts
- performance reports, and
- reserved matters

Section 21 of the Dentists Act, 1985 requires the Dental Council to keep all proper accounts of all income and expenditure and to keep proper accounts of the property, assets and liabilities of the Council. In preparing these financial statements, the Dental Council:

- selects suitable accounting policies and apply them consistently
- makes judgements and estimates that are reasonable and prudent
- prepares the financial statements on the going concern basis

The Council is responsible for keeping adequate accounting records which disclose, with reasonable accuracy at any time, its financial position and enables it to ensure that the financial statements comply with Section 21 of the Dentists Act, 1985.

The maintenance and integrity of the corporate and financial information on the Dental Council's website is the responsibility of the Dental Council. The Council is responsible for approving the annual plan and budget. An evaluation of the performance of by reference to the annual plan and budget was carried in December 2017. The Council is also responsible for safeguarding its assets and hence for taking reasonable steps for the prevention and detection of fraud and other irregularities. The Dental Council considers that the financial statements of give a true and fair view of its financial performance and the financial position as of 31 December 2017.

Board Structure

The Dental Council consists of nineteen members who are appointed under the provisions of Section 9 of the Dentists Act, 1985. The president and the vice-president are elected by the council. Below details the appointment period for current members:

Council Member	Role (elected/nominated)	Date Appointed
Dr Gerry McCarthy	President, elected	12 Nov 2015
Prof Leo Stassen	Vice-President, elected	12 Nov 2015
Dr Danielle Colbert	Elected	12 Nov 2015
Dr Rory Fleming	Elected	12 Nov 2015
Dr Liam Lynch	Elected	12 Nov 2015
Dr Ray McCarthy	Elected	12 Nov 2015
Dr Bernard Murphy	Elected	12 Nov 2015
Dr Gerry Cleary	Nominated, RCSI	12 Nov 2015
Dr Claire Healy	Nominated, Trinity College	12 Nov 2015
Prof Brian O'Connell	Nominated, Trinity College	12 Nov 2015
Dr Frank Burke	Nominated, UCC	12 Nov 2015
Prof Martin Kinirons	Nominated, UCC	12 Nov 2015
Dr John Barragry	Nominated, Medical Council	12 Nov 2015
Dr Marie Kehoe-O'Sullivan	Nominated, Medical Council	24 May 2017
Dr Bryan Maguire	Nominated, Minister for Education	12 Nov 2015
Mr James Doorley	Nominated, Minister for Health	12 Nov 2015
Dr Eleanor O'Higgins	Nominated, Minister for Health	12 Nov 2015
Ms Muireann O'Neill	Nominated, Minister for Health	12 Nov 2015
Vacant	Nomination by Minister for Health	

Key Personnel Changes

Two members of the council resigned during 2017. The Medical Council appointed Ms Marie Kehoe-O'Sullivan to the Dental Council to replace Mr Declan Carey. The Minister for Health has yet to appoint a replacement for Ms Marie Henson whose resignation took effect at the December meeting of Dental Council.

Dental Council Committees

The Dentists Act, 1985 established three statutory committees: the Education and Training Committee, the Auxiliary Dental Workers Committee and the Fitness to Practise Committee. As well as these, the Dental Council has also established a Finance and General Purposes Committee and a Specialist Training and Registration Committee, which reports to the Education and Training Committee.

The Education and Training Committee is responsible for all matters relating to dental education and training, including post-graduate and specialist training set out under Part IV of the Dentists Act, 1985. The membership of this committee at 31 December 2017 is set out below.

- Dr Frank Burke, Chair
- Dr Gerry Cleary
- Dr Danielle Colbert
- Dr Rory Fleming
- Dr Claire Healy

- Prof Martin Kinirons
- Dr Liam Lynch
- Dr Bryan Maguire
- Dr Gerry McCarthy
- Dr Bernard Murphy
- Prof Brian O’Connell
- Ms Muireann O’Neill
- Dr Michael O’Sullivan, as Chair of ICSTD
- Dr Ionnais Polyzois, nominated by ICSTD
- Prof Leo Stassen

The Fitness to Practise Committee is responsible for all matters relating to the council’s fitness to practise functions set out under Part V of the Dentists Act, 1985. The membership of this committee 31 December 2017 is set out below.

- Dr Bernard Murphy, Chair
- Dr Danielle Colbert
- Mr James Doorley
- Dr Rory Fleming
- Prof Martin Kinirons
- Dr Liam Lynch
- Dr Ray McCarthy
- Dr Eleanor O’Higgins
- 1 position vacant

The Auxiliary Dental Workers Committee is responsible for all matters relating the auxiliary dental workers professions set out in Part IV of the Dentists Act, 1985. This committee includes a member elected by each class of auxiliary dental worker. The membership of this committee at 31 December 2017 is set out below.

- Dr Rory Fleming, Chair
- Dr Frank Burke
- Dr Gerry Cleary
- Dr Danielle Colbert
- Ms Annemarie Connolly, elected by registered orthodontic therapists
- Ms Yvonne Howell, elected by registered dental hygienists
- Dr Bryan Maguire
- Dr Gerry McCarthy
- Dr Ray McCarthy
- Glenn McEvoy, nominated as Dental Technician
- Dr Bernard Murphy
- Mr Colum Sower, elected by registered clinical dental technicians
- Ms Michelle Spearman-Geraghty, elected by registered dental nurses
- Prof Leo Stassen

The Finance and General Purposes is responsible for all matters concerning the Dental Council's financial control, corporate governance and routine administrative matters. The membership is set out below.

- Dr Gerry McCarthy, President
- Prof Leo Stassen, Vice-President
- Dr Frank Burke, as Chair of Education and Training Committee
- Dr Rory Fleming, as Chair of Auxiliary Dental Workers Committee
- Dr Bernard Murphy, as Chair of Fitness to Practise
- Dr Gerry Cleary, member at large

Schedule of Attendance

A schedule of attendance at the council and committee meetings for 2017 is set out below.

Name	Elected/Nominated by	Coun	F&GP	FTP	Ed&T	Aux	STAR
Dr Gerard McCarthy (President)	Elected	4/4	7/7		4/4	4/4	
Prof Leo Stassen (Vice President)	Elected	4/4	4/7		4/4	4/4	3/3
Dr Francis Burke (Chair Education)	UCC	4/4	7/7		4/4	4/4	3/3
Dr Bernard Murphy (Chair FTP)	Elected	4/4	5/7	4/4	4/4	4/4	
Dr Rory Fleming (Chair Auxiliary)	Elected	4/4	7/7	4/4	4/4	4/4	
Dr Liam Lynch	Elected	4/4		4/4			
Dr Ray McCarthy	Elected	3/4		4/4		2/4	
Dr Danielle Colbert	Elected	4/4		4/4	3/4	3/4	
Prof Brian O'Connell	Trinity College	3/4			1/4		
Dr Claire Healy	Trinity College	4/4			3/4		3/3
Prof Martin Kinirons	UCC	4/4		0/0	4/4		2/3
Dr Gerry Cleary	RCSI	4/4	6/7		3/4	3/4	2/3
Dr John Barragry	Medical Council	4/4					
Mr Declan Carey	Medical Council (resigned Feb 17)	0/1		0/1			
Dr Eleanor O'Higgins	Minister for Health	4/4		3/4			
Ms Muireann O'Neill	Minister for Health	4/4					
Ms Marie Henson	Minister for Health (resigned Dec 17)	2/3		2/4			
Mr James Doorley	Minister for Health	3/4		3/4			
Mr Bryan Maguire	Minister for Education	4/4			3/4	3/4	
Ms Marie Kehoe-O'Sullivan	Medical Council (replace Mr Carey)	0/3					
Dr Thérèse Garvey	Co-opted						3/3
Dr Michael O'Sullivan	Chair of ICSTD				3/4		
Dr Ioannis Polyzois	Other nominee of ICSTD				3/4		
Dr Gary Leonard	Chair Oral Surgery AC						1/2
Dr Ebrahim Al-Awadhi	Chair Orthodontist AC						2/3
Ms Michelle Spearman-Geraghty	DN Rep - Elected					4/4	
Ms Yvonne Howell	DH Rep - Elected					3/4	
Ms Annemarie Connolly	Orth Therap - Elected					4/4	
Mr Colum Sower	CDT Rep - Elected					3/4	
Mr Glenn McEvoy	DT Rep - nominated by Dental Council					2/2	

The attendance figures above show the numbers of meetings attended and number of meetings which the member was entitled to attend.

Notes

Coun - Dental Council

F&GP - Finance and General Purposes Committee

FTP – Fitness to Practise Committee

Ed&T - Education and Training Committee

Aux - Auxiliary Dental Workers Committee

STAR - Specialist Training and Registration Committee

Disclosures Required by Code of Practice for the Governance of State Bodies

The Board is responsible for ensuring that the Dental Council has complied with the requirements of the Code of Practice for the Governance of State Bodies, as published by the Department of Public Expenditure and Reform in August 2016. The following disclosures are required by the code:

Schedule of Expenses paid in 2017

Members of Dental Council or its committees are not paid fees. A schedule of the expenses received by each member is set out below.

	€
Rory Fleming	7,021
Gerry McCarthy	5,412
Liam Lynch	3,277
Francis Burke	2,096
Bernard Murphy	2,350
Martin Kinrons	2,059
Michelle Spearman-Geraghty	1,504
Muireann O'Neill	1,192
Anne-Marie Connolly	793
Colum Sowyer	395
Eleanor O'Higgins	234
Ray McCarthy	200

Employee Short-Term Benefits Breakdown

Employees' short-term benefits in excess of €60,000 are categorised into the following bands:

Range From-To	Number of Employees	
	2017	2016
€60,000-€69,999	1	-
€70,000-€79,999	-	-
€80,000-€89,999	-	-
€90,000-€99,999	-	1
€100,000-€109,999	1	-

Note: For the purposes of this disclosure, short-term employee benefits in relation to services rendered during the reporting period include salary, overtime allowances and other payments made on behalf of the employee, but exclude employer's PRSI

Remuneration of Employees

Remuneration (€)	2017	2016
Short-term benefits	361,506	268,694
Contract staff	78,836	76,330
Employers Contribution to social welfare	29,891	21,655
Total	470,233	366,680

Registrar's Salary and Benefits

Salary and Benefits (€)	2017	2016
Basic Pay	100,333	97,200
Benefits	-	-
Total	100,333	97,200

The registrar is a member of the Dental Council's pension scheme, and his entitlements in that regard do not extend beyond the terms of the model public service pension scheme. The value of retirement benefits earned in the period is not included above.

Consultancy Costs

Consultancy costs include the cost of external advice to management and exclude outsourced 'business-as-usual' functions.

Consultancy Costs (€)	2017	2016
Human Resources	3,126	13,826
Legal	3,075	-
Total	6,201	13,826

Legal Costs and Settlements

The table below provides a breakdown of amounts recognised as expenditure in the reporting period in relation to legal costs, settlements and conciliation and arbitration proceedings relating to contracts with third parties. This does not include expenditure incurred in relation to general legal advice received by Dental Council which is disclosed in Consultancy costs

Legal fees (€)	2017	2016
Fitness to Practise	80,581	100,319

Travel and Subsistence Expenditure

Travel and subsistence expenditure claimed by individuals is categorised as follows:

Travel and Subsistence Expenditure (€)	2017	2016
Domestic		
– Council	26,613	26,516
– Employee	1,517	459
International		
– Council	-	-
– Employee	3,744	3,132

In 2017, the Dental Council reimbursed council members vouched accommodation costs. From 2018 the Dental Council will procure accommodation directly.

Protected Disclosures

The Dental Council and/or registrar received the following protected disclosures:

	2017	2016
Protected Disclosures received	-	-

Statement of Compliance

The council has adopted the Code of Practice for the Governance of State Bodies (2016). Dental Council has complied with the requirements of the Code of Practice for the Governance of State Bodies, as published by the Department of Public Expenditure and Reform in August 2016, with the exception of establishing a Risk and Audit Committee, which the Dental Council plans to establish in due course.