

# Personal and corporate responsibility

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## Objectives

- Explain personal responsibility for raising concerns about your own and others health, behaviours or professional performance
- Understand the responsibility that dental practices have in compliance with legal and regulatory frameworks
- Understand your own competencies and when to refer for treatment

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- All dental professionals have an ethical duty to put patients' interests first, which must override personal and professional loyalties.
- The decision to raise a concern can be a difficult one to make on your own, especially if you feel it may be taken as a criticism of a senior colleague or employer.

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## When should I raise concerns?

- If you are anxious that patients might be at risk:
- because of the health, behaviour or professional performance of an employer or colleague
- because of any aspect of the clinical environment, such as infection control
- because you have been asked to do something you believe conflicts with your duty to put patients' interests first.

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## Is it enough to raise my concerns verbally?

- It's a good idea to put your concerns in writing and to request a written reply as confirmation.
- If colleagues are affected, consider sending a joint letter of concern, which may have more impact.
- Keep a record of your concerns and any steps you have taken to resolve them. Stick to the facts, and try not to be influenced by personal feelings.
- Your employer or practice owner should keep you informed of how they propose to deal with the matter and the time frame for their response.

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## What if my concerns are about my boss?

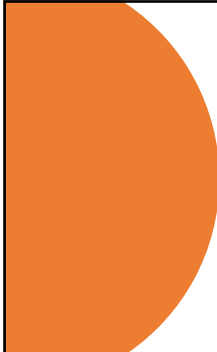
- [Principle 8](#) of the GDC's 'Standards for the Dental Team' states "Raise concerns if patients are at risk".
- GDC Standard 8.1.1 explains that "Your duty to raise concerns overrides any personal and professional loyalties or concerns you might have (for example, seeming disloyal or being treated differently by your colleagues or managers)."
- Your practice procedure may identify a neutral person you can raise your concerns with.

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- All dental professionals have a professional responsibility to report any treatment or behaviour which might pose a risk to patients or colleagues.
- A key part of this is ensuring that there is a culture of openness and honesty. Raising a concern should be input that is welcomed rather than tolerated.
- It is vital that staff raising a concern are listened to and that the information is acted upon. This type of environment benefits patients, colleagues and the wider health service.

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- Principle 8 of the [Standards for the dental team](#) covers raising a concern, providing information on:
  - How to approach this issue.
  - What to expect from employers in the sector.
  - [When to approach the GDC](#)

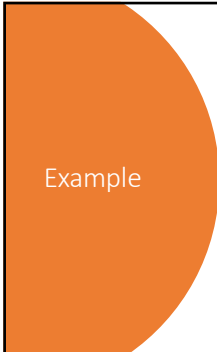
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**Independent National Whistleblowing Officer for Scotland (INWO)**

- The INWO sets standard procedures for handling concerns raised by staff and others working for NHS services in Scotland.

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**Example**

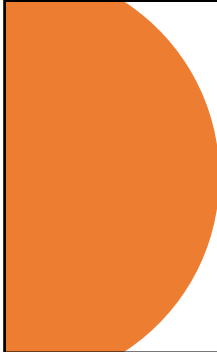
- Miss Smith is a dental nurse who worked for a Community Health Service.
- Several dentists working at the service were concerned about the competence of Miss Smith and particularly her failure to follow appropriate cross infection control procedures. They arranged to meet with Miss Smith to discuss their concerns and suggest a way forward, but Miss Smith refused to meet with them and became very defensive. The dentists decided to raise the concern with the service manager who arranged for her to be observed. The observer found a number of failings in Miss Smith's practice including:
  - leaving dirty instruments in a sink;
  - not operating a clear system of zoning;
  - not disinfecting the suction pump;
  - not washing hands appropriately;
  - no preparing appropriately for each treatment episode;
  - selecting the wrong instruments for the dentist; and
  - poor preparation of materials for the dentist.

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- The service manager wrote to the GDC and the case was considered by a fitness to practise caseworker.
- The fitness to practise caseworker considered Miss Smith may have breached a number of the standards and guidance in Standards for the Dental Team including (but not limited to):
  - 1.9 You must find out about laws and regulations that affect your work and follow them.
  - 7.1.1 You must find out about current evidence and best practice which affect your work, premises, equipment and business and follow them at all times.
  - 7.2 You must work within your knowledge, skills and professional competence and abilities.
  - 7.3 You must update and develop your professional knowledge and skills throughout your working life.
  - 7.3.2 You should take part in activities that maintain update or develop your knowledge and skills.

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- Your continuing professional development (CPD) activity should improve your practice.
- The Investigating Committee thought that Miss Smith posed a risk to patients and decided to refer her to the Professional Conduct Committee.
- When the Conduct Committee considered the case and thought that Miss Smith's failings represented fundamental failures to maintain appropriate standards of cross infection control. In its view, Miss Smith's did not demonstrate an acceptable level of competence in basic dental nursing skills and she should have maintained her competencies.
- The committee felt that Miss Smith had not demonstrated insight into her failings and imposed conditions on her registration for a period of two years. The conditions included a requirement to undertake training in cross infection control as well as developing her knowledge of clinical policies and guidelines.

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## Raising concerns

- As a registrant you have a responsibility to raise concerns if you think patients might be at risk due to the health, conduct or performance of a colleague.
- Your duty to raise concerns overrides any personal and professional loyalties you may have (8.1.1). Raising concerns about a colleague is a difficult thing to do, particularly as it's likely to affect your own work but your priority has to be to your patients.
- If you have a concern about a colleague, you need to act promptly.
- See if you can raise your concern with your employer or manager first, but if this is not practical raise it with your local health commissioner or the Care Quality Commission (England), Healthcare Inspectorate Wales, the Regulation and Quality Improvement Authority (Northern Ireland) or Healthcare Improvement Scotland.

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- You must refer your concern to the GDC if :
  - you think that the public and patients need to be protected from someone registered with us;
  - taking action at a local level is not practical;
  - action at a local level has failed;
  - the problem is so severe that the GDC needs to be involved;
  - there is a genuine fear of victimisation or deliberate concealment;
  - you believe a registrant may not be fit to practise because of their health, performance or conduct.

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## Compliance with legal and regulatory frameworks

- Compared with other sectors regulated by the CQC, dental services present a lower risk to patient safety and each year only 10% of practices are selected for a comprehensive inspection.
- The inspectors use an assessment framework that relates directly to the five key questions: is the service safe, effective, caring, responsive and well-led?

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## Safe

- Being safe means that people are protected from abuse and avoidable harm.
- 'Abuse' includes physical, sexual, mental or psychological, financial, neglect, institutional or discriminatory abuse. To make sure that your practice is safe, you should consider:
  - 1.1 Your systems, processes and practices to keep people safe and safeguard them from abuse
  - 1.2 How you assess risks to people and ensure their safety
  - 1.3 Providing staff with the information they need to deliver care safely
  - 1.4 How you ensure the proper and safe use of medicines
  - 1.5 Your track record on safety
  - 1.6 Learning lessons and making improvements when things go wrong.

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## Effective

- Being effective means that people's care, treatment and support achieves good outcomes, promotes a good quality of life and is based on the best available evidence. To make sure that your practice is effective, you should consider:
  - 2.1 The needs of your patients and delivering care to achieve effective outcomes
  - 2.2 Monitoring patient care and treatment outcomes
  - 2.3 Team skills, knowledge and experience to deliver effective care, support and treatment
  - 2.4 Working with your team to deliver effective care and treatment
  - 2.5 Supporting people to live healthier lives
  - 2.6 Seeking consent to care and treatment in line with legislation and guidance.

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## Caring

- Being caring means that you treat people with compassion, kindness, dignity and respect. Patients are supported and encouraged to be involved in their care. To make sure that your practice is caring, you should consider:
  - 3.1 How you ensure that patients are treated with kindness, respect and compassion and receive emotional support when needed
  - 3.2 How you support patients to express their views and be actively involved in making decisions about their care and treatment as far as possible
  - 3.3 Respecting and promoting the privacy and dignity of your patients.

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## Responsive

- Being responsive means that your services are tailored to meet the needs of individual patients and are delivered in a way to ensure flexibility, choice and continuity of care.
- To demonstrate compliance, you are likely to be asked questions about:
  - **4.1** How patients receive personal care that is responsive to their needs
  - **4.2** How you take account of the needs and choices of different patients
  - **4.3** How patients can access care and treatment in a timely way
  - **4.4** How you respond to concerns and complaints and use these to improve the quality of care.

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## Well-led

- Being well-led means that the leadership, management and governance of your practice assures the delivery of high-quality and patient-centred care, supports learning and innovation and promotes an open and fair culture.
- To demonstrate compliance, you are likely to be asked questions about:
  - **5.1** Leadership capacity and capability to deliver high-quality, sustainable care
  - **5.2** Your vision and strategy to deliver high-quality sustainable care to patients
  - **5.3** A culture of high-quality, sustainable care
  - **5.4** Clear responsibilities, roles and systems of accountability to support good governance and management
  - **5.5** Clear and effective processes for managing risks, issues and performance
  - **5.6** How you process, challenge and act on appropriate and accurate information
  - **5.7** How you engage with patients and others to support high-quality sustainable services
  - **5.8** Your systems and processes for learning, continuous improvement and innovation.

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## Maintaining competence

- A clinician may be perfectly competent and capable at one moment in their career, only to find their competence being challenged at some subsequent time.
- This may be due to illness or deterioration in physical health. It might follow a temporary (or extended) absence from clinical dentistry, or reflect psychological or emotional problems.
- In all these cases, it is a clinician's responsibility to ensure that at all times they are able to carry out dentistry safely, and to an acceptable standard.
- Where there is any doubt that this is the case, the clinician has an ethical duty to seek appropriate (eg. medical) advice, and to act upon it.

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## Referrals

- A professional should recognise their limitations.
- These may be based on the realisation that a particular patient's needs cannot be met; either because of the complexity of the treatment or the demands of the patient.
- It is neither a sign of weakness nor incompetence to seek the advice or assistance of a more experienced colleague in such cases.
- There is a balance between accepting a challenging case over which you have a high degree of control, even if the outcome may be less predictable, and foolishly taking on a case either for financial reward or because of undue pressures placed on you by the patient or other parties.

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- The paradox of postgraduate education is that the more you know, the less you do.
- When you know the risks of invasive treatments and understand the limitations of various options it becomes harder to justify some treatment modalities.
- It is this insight and honesty that makes you a professional whose advice patients seek out and trust.

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- Patients expect professional integrity when you offer choices and treatments and they expect that their best interests will be foremost in your mind.
- Part of making an appropriate referral is deciding what is in the patient's best interest.
- It may be that you find the patient difficult to deal with, or have a personality clash but that is no reason to offload them on to a colleague unless you genuinely feel that treatment outcomes will be significantly improved if you do so.

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- As a professional you are expected to deal with both easy and challenging situations and to accept patients from all backgrounds.
- It is important, however, to know who you are referring your patient to and to understand their limitations at the same time.

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## When things go wrong

- One important aspect of being a professional is having sufficient knowledge and expertise to recognise when things are not going according to plan.
- In some cases this will be quite obvious; an endodontic instrument separated in a canal, a root apex in the maxillary antrum.
- In some cases ; loss of anchorage control in orthodontics, over-preparation of a root canal leading to perforations, failure to respond to periodontal therapy.

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- All these situations require a response based on three elements;
- The knowledge, experience and training to know that something is not quite right.
- The integrity to discuss it openly and honestly with the patient.
- A willingness to acknowledge that you are getting out of your depth.
- Such a discussion is often the hardest part for anybody since nobody likes to admit to failure, getting things wrong or making avoidable mistakes.
- But that is all part of being a competent professional person and the patient is entitled to an honest appraisal of their situation.

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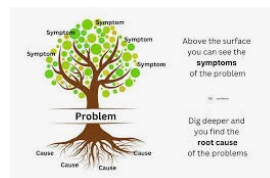
## Learning from mistakes

- An integral part of the educational process is learning from experience how to develop and improve your skills; we can all learn from our mistakes.
- A careful reflective analysis of how an error arose is the key to preventing its reoccurrence. In risk management this analysis is called root cause analysis.
- This is the process of finding and eliminating the fundamental cause which would prevent the problem from recurring; only when the root cause is identified and eliminated can the problem be solved.

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## Root Cause Analysis

- The purpose of root cause analysis is to ask;
- What happened?
- Why did it happen?
- What can be done to prevent it happening again?
- A formal approach to recording these incidents is known as significant event audit (SEA).



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Questions?

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