

Witness support

Information guide for witnesses
at fitness to practise hearings



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Section 1 Introduction

Your role as a witness at a fitness to practise hearing is vital. It gives the practice committee (referred to as ‘the committee’ throughout this guide) a first-hand account of what has happened so that they can make a decision about the case.

We understand that giving evidence at a hearing can be intimidating, so we have developed this guide to tell you what support is available to you before, during and after you have given evidence.

You can get this information in different formats (for example, in large print and other languages if necessary). We can also arrange for an interpreter if English is not your first language. We give further details of this later on in this guide.

This guide explains:

- who will be available to help and support you throughout the different stages of the process if you are a witness for us or the dental professional (known during the hearing as ‘the registrant’ or ‘the respondent’);
- what happens before the hearing;
- what will happen on the day of the hearing;
- who will be at the hearing and how the room will be set up;
- how to give evidence; and
- what happens after the hearing.

GDC Witness Support Officer

We have a Witness Support Officer who is responsible for making sure all witnesses are properly informed and supported throughout the process. The Witness Support Officer will provide help and support to all witnesses. We give further details about how the Witness Support Officer can help you later on in this guide.



The Witness Support Officer’s contact details are as follows:

Witness Support Officer

37 Wimpole Street
London
W1G 8DQ

Phone: 020 7887 3865

Email: wso@gdc-uk.org

We hope you find the information in this guide useful.

About us

We are the General Dental Council (GDC). We regulate dental professionals in the UK in order to protect dental patients. We were set up by Parliament but are independent of the Government and the NHS. We:

- register qualified dental professionals;
- set high standards of dental practice and behaviour;
- check the quality of dental education;
- make sure dental professionals keep their skills and knowledge up to date; and
- take action if a dental professional's ability, behaviour or health makes him or her unfit to practise (in other words, not suitable to continue to work as a dentist or dental care professional).

Who is registered with us?

By law, the following dental professionals must be registered with us to work in the UK.

- Clinical dental technicians
- Dental hygienists
- Dental nurses
- Dental technicians
- Dental therapists
- Dentists
- Orthodontic therapists

When an allegation is made about a dental professional, we have to decide whether the case should be considered at a hearing (a fitness to practise hearing).

Our guide '[How to report a dental professional to us](#)' explains in more detail how we investigate complaints.

In summary, a dental professional may be considered to be unfit to practise because of their:

- misconduct;
- poor professional performance; or
- their physical or mental health.

We can also take action if:

- another regulator elsewhere in the world has found that a dental professional is not fit to practise; or
- a dental professional has been cautioned for or convicted of a criminal offence.

There is more information about our role on our website at www.gdc-uk.org

Can you award compensation or help me recover money from a dental professional?

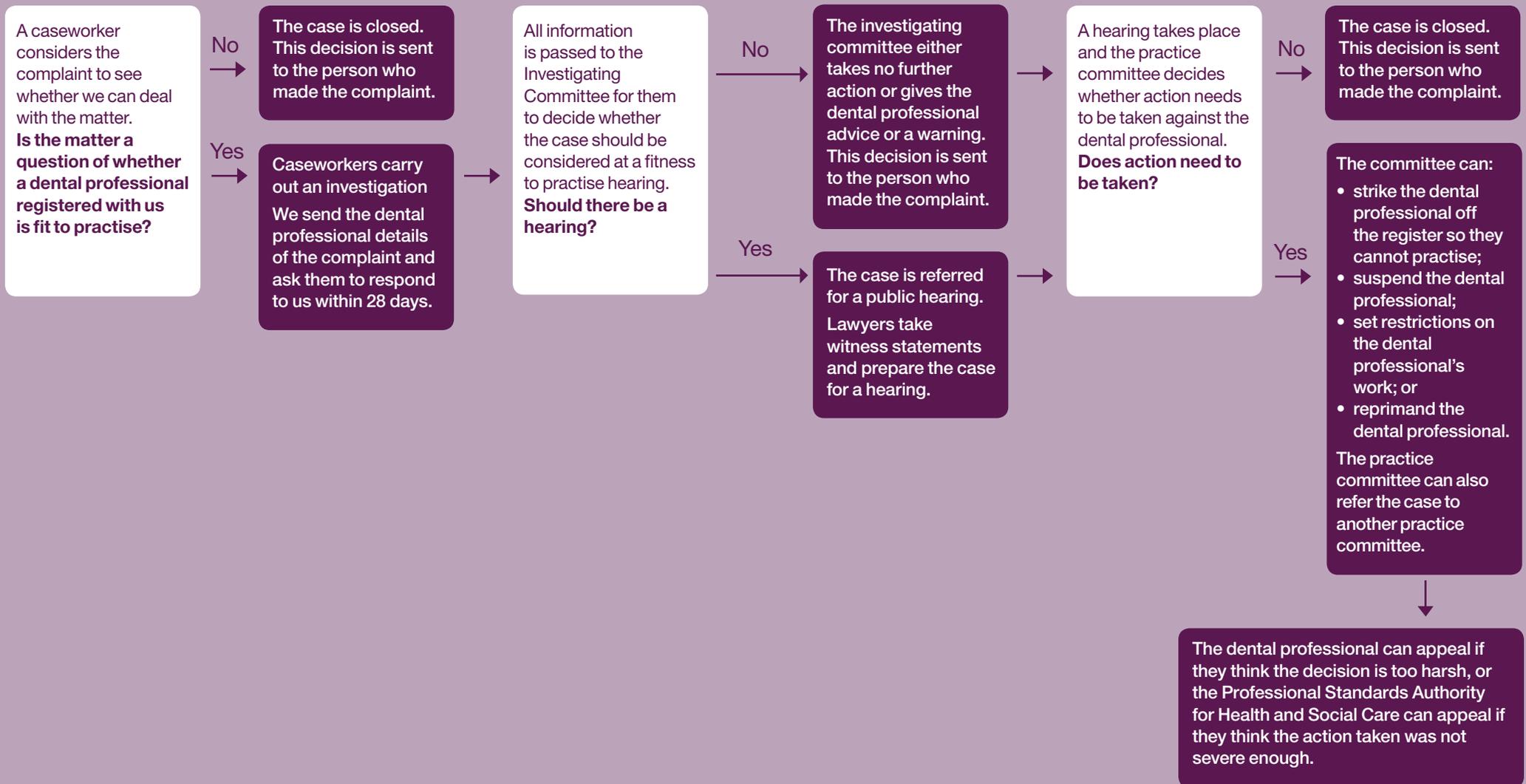
We do not have the power to award compensation or recover money for you. For this you would need to take legal action against the dental professional. If you would like more information you should speak to your own lawyer or Citizens Advice. (Our legal teams act for us, so they cannot give you legal advice.)

You could also do the following.

- If you received NHS treatment, you can contact your local Primary Care Trust or health board. They will have a complaints procedure that you can go through.
- If you received private dental treatment, you can contact the Dental Complaints Service. This is an organisation set up to help private dental patients and dental professionals to settle complaints about private dental services. There is more information about the Dental Complaints Service on their website at www.dentalcomplaints.org.uk.

Fitness to practise process

The flow chart below shows the process to determine if a dental professional has the ability to continue working.



Section 2

Before a hearing

Why have you sent me this guide?

We have sent you this guide because you may be called as a witness in a case concerning a dental professional.

To prove the allegations against the dental professional, we must gather evidence to support the case. This may include getting documents, dental records, reports, correspondence such as emails and letters, and written witness statements (formal documents recording the witnesses' evidence) from all witnesses. These documents will be passed to the dental professional and their lawyer (if they have one) so they can prepare their defence.

The dental professional may also use witnesses to support their case. They will also gather documents relating to the case, and these will be given to our legal team.

A wide range of people, including the following, could be witnesses at a hearing.

- Those making an allegation (referred to as informants or complainants);
- Any other person involved in the allegation about a dental professional's fitness to practise (for example, NHS staff, patients or colleagues);
- Professional experts;
- Medical examiners or professional assessors;
- GDC staff.

The purpose of this guide is to explain what happens if we ask you to be a witness at a hearing.

If a dental professional has asked you to be a witness, some of the information in this guidance may not be relevant to you. If you have any questions you should contact the dental professional or their lawyer. Our Witness Support Officer may also be able to help you.

What happens before the hearing?

When an allegation is made about a dental professional, our Investigating Committee will decide whether the case should be heard by a practice committee at a fitness to practise hearing for a full inquiry.

If the Investigating Committee does not refer a specific allegation to a committee, they cannot consider it at a hearing. The practice committee can only consider allegations which have been referred to them by the Investigating Committee.

When a case is referred to a practice committee, a legal team will investigate and prepare the case on our behalf. Two people on the legal team usually work on the case. One will be a solicitor and the other will be an assistant (possibly referred to as a paralegal, legal assistant or investigator). You will be able to ask the solicitor or assistant any questions you have about the case and the process.

You should remember that the solicitor and the assistant are your main contacts here, and they will be able to help you throughout the process if you have any concerns about being a witness. You can also contact the Witness Support Officer whose contact details are provided at the front of this guide.

Once the legal team have collected all the evidence, the case will be considered by a practice committee at a hearing known as a 'fitness to practise hearing'.

The aim of the hearing is to decide whether the allegations are true, based on the evidence put forward. If the practice committee decides that the allegations are true, they will consider whether the matter affects the dental professional's ability to work as a dental professional (that is, whether they are 'fit to practise').



Will I have to be involved?

Once the legal team have looked at the facts of the case, they will decide what evidence they need to prove it. They will contact you if they think that what you have to say will be helpful and relevant.

If the legal team decide that you need to be a witness, they will organise a time to either visit you or phone you so you can tell them what happened or what involvement you have in the case.

Either the solicitor or the assistant will turn your statement into a formal document called a witness statement. They will then ask you to check that the statement is an accurate account of what happened. Once you are happy with the statement, you will be asked to sign it. It will then be sent to the dental professional, so the dental professional can start preparing their defence.

Once you have signed your statement the contents cannot be changed. However, if you do need to alter or add anything at a later date, you can make a further statement.

Why am I providing a witness statement if the practice committee are not going to read it?

The purpose of your witness statement is to set out your evidence as part of our investigation. This allows the legal teams to assess the evidence and make decisions about how the case should be handled. Also, by law we must give details of the case, including the witness statements, to the dental professional before the hearing. This is so the dental professional knows what they are being accused of and what evidence is being relied upon to support the allegations.

Witness statements will not be given to the practice committee (the committee) before the hearing unless both legal teams agree, as it is important for the committee to hear your evidence first hand. And giving your evidence in person allows the opposing side to cross-examine you on your evidence. The committee can also ask questions to check your evidence.

Will I have to go to the hearing if I am a witness?

If you have made a witness statement, you will probably have to go to the hearing. Occasionally, certain witnesses may not have to go to the hearing, or might give evidence from elsewhere (for example, by video link, Skype or phone). However, this is not common, because both sides and the committee need to be able to ask you questions during the hearing.

If both legal teams agree with the content of your witness statement you may not need to give evidence in person at the hearing. In this case, your witness statement will be given to the committee to read and it will form part of the evidence they have considered.

Can I have my witness statement in front of me when I give evidence?

You may not be able to refer to the statement while giving evidence. However, you will be given a copy of your signed statement before the hearing and it is important that you re-read this before giving evidence. There will be a bundle of relevant documents put before the committee. This usually includes any documents which were attached to your witness statement.

Can I have copies of the other documents to be put before the committee (for example, an expert witness's report about my treatment)?

We will not generally give you other documents before you give evidence. After the hearing you can ask for copies of documents that were presented at the hearing. We will consider your request in line with our duties and obligations under the Freedom of Information Act and the Data Protection Act.

What if I don't want to be a witness?

We will only ask you to appear as a witness if it is vital.

We have a duty to protect the health and well-being of anyone who comes into contact with a dental professional. Because of the nature of dental work, it often involves unsupervised contact with vulnerable people such as children, the elderly, adults with learning disabilities and people whose ill-health has made them vulnerable. We need your help to make sure that all dental professionals are competent and safe to carry out their professional duties.

Because witnesses play a vital role in our hearings, we can send you a formal summons for you to appear at a hearing. If you do not attend, you may have to pay costs.

There may be many factors that would make giving evidence particularly difficult (for example, if you have a disability or you experience difficulty in social situations). The way you give evidence may also be affected if the allegations are of a sexual nature and you are the alleged victim, or you feel intimidated due to your age, sex, race, ethnic background or sexuality.

We, or the Witness Support Officer, will consider your circumstances and let you know whether adjustments (which we call 'special measures') can be made to help you give evidence. For example, screens can be placed around you so the dental professional and members of the public cannot see you when you give evidence, or a video link can be put in place so you can give evidence from another venue. We can also make sure that your name and address are not given out in public.

If you have any concerns about giving evidence, please discuss these with us or the Witness Support Officer as soon as possible, so we can see how we can help you. We need to understand your concerns in order to help you.



Can I talk to someone about being a witness?

Being a witness can be a stressful experience for some people. If you feel that you would like support, you might want to speak to the Witness Support Officer.

As previously explained, the Witness Support Officer is responsible for making sure that all witnesses are properly informed and supported throughout the process.

You can get support from the Witness Support Officer at any time before, during or after attending a hearing. The Witness Support Officer can:

- provide support over the phone;
- help you to understand what happens during an investigation into a complaint about a dental professional;
- arrange for you to visit the hearing room on the day of the hearing, before you are due to give evidence;
- support you on the day of the hearing and be in the room while you give evidence, if you want them to be there;
- make sure we and the committee know about any arrangements needed for you to be able to attend the hearing (for example, if you need wheelchair access or an induction loop for your hearing aid);
- help you fill in your expense forms; and
- tell you about other organisations which can provide further support.

The Witness Support Officer's service is free and independent.

The Witness Support Officer can provide support and practical help, but is not qualified to provide professional counselling or legal advice. The Witness Support Officer is also not allowed to discuss the evidence with you.

If you need extra support, at the back of this guide there is a list of independent organisations which may be helpful.

Will the dental professional be at the hearing?

The dental professional will usually be at the hearing and may be represented by a solicitor. However, there may be times when the dental professional decides not to attend or be represented at the hearing.

If the dental professional does not show up at the hearing, the committee will need to decide whether the hearing can still go ahead. To do this they will first make sure that the dental professional was told the date of the hearing.

If the committee decides to go ahead with the hearing in the dental professional's absence, we will still have to prove our case against the dental professional and will need to call witnesses to give evidence.

Will I have to meet the dental professional I am giving evidence against at the hearing?

If you are particularly concerned about seeing the dental professional (or anyone else involved in the case) at the venue of the hearing, someone may be able to meet you and take you to a waiting area or a room away from other witnesses. Unfortunately, we cannot guarantee that you will not meet other people involved in the case.

If this is of concern to you or you have any other concerns about attending a hearing, speak to us and the Witness Support Officer before the day of the hearing. We will see how best to help you and make the necessary arrangements.

How soon will the hearing be held?

We try to have cases heard within nine months of the Investigating Committee deciding that the matter needs to be considered at a fitness to practise hearing. However, this is not always possible, especially if the case is complicated or involves a lot of witnesses.

Before the date of the hearing is set we will find out when you are available to appear as a witness. We will send you a calendar for you to mark up to show any dates when you will not be available.

We will try to arrange the hearing for when you are available, but this may not be possible as there are a number of other factors that will affect the date, as well as many other people needing to attend.

You must let us or the Witness Support Officer know if you have any specific travel or accommodation needs so we can make sure appropriate arrangements are in place for you (for example, if you use a wheelchair or are partially sighted).

We will let you know the date of the hearing as soon as it is confirmed. We will arrange any overnight accommodation you need and book travel tickets if appropriate.

Once the date of the hearing has been set, we try to avoid changing it as that could inconvenience everyone involved, including you. Please help us with this by:

- not making appointments on a date that you have said you would be available; and
- telling us as soon as possible about any unavoidable changes to the dates you would be available on.

If you are ill, please send us a medical certificate or a note from your doctor to confirm your condition and tell us when you are likely to be well enough to attend a hearing.

If the date of the hearing has to be changed for any reason, we will let you know and explain why the date has changed.

Once the date for the hearing has been confirmed, do not plan any travel that would prevent you from attending. However, if you cannot make the hearing because you need to travel, please send us proof of this. We need to see this proof because the person presenting the case on our behalf may need to apply for the hearing to be adjourned. If they do this, they will need to show evidence of why you cannot attend the hearing.

Where will the hearing be held?

Hearings are normally held in a small number of venues in central London.

You will be told the exact date, time and location of the hearing at least 28 days beforehand. There are details of all the venues we use on [page 24](#) of this guide and on our website at www.gdc-uk.org. We will send you a map and directions to the venue.

As most of our hearings are held in central London, it may be difficult for you to find parking, so we do not recommend driving into London unless it is absolutely necessary. There are more details about how to get to our venues on [page 24](#) of this guide and on our website.

If it is not physically possible for you to attend the hearing, it may be possible for us to arrange for the witness to give evidence by video link, Skype or, in exceptional circumstances, phone. There must be special reasons why you cannot attend the hearing in person. This could be because you live abroad or are medically unfit to travel.

You will only be able to give evidence in this way if our legal team and the dental professional agree or the committee decides this is the best way to receive your evidence.

Do I have to attend the hearing every day?

You may be needed at any time while the hearing is taking place, so unless we tell you otherwise, you should make yourself available at all times during the hearing. Where possible, we will let you know the first day that you can expect to be called to give evidence (for example, day two of a five-day hearing).

What should I wear to the hearing?

You should wear smart and comfortable clothing. It would be inappropriate to attend wearing, for example, shorts, a t-shirt and flip-flops.

Can I bring someone with me to the hearing?

You can bring someone with you, and they can wait with you in the waiting area. However, your companion will not be allowed to go into the hearing room until after you have given your evidence. This is because they might tell you what has happened in the hearing room before you give your evidence. This will be inappropriate as it might influence the evidence you give.

We will not normally pay your companion's expenses for attending the hearing unless there are exceptional circumstances (for example, if you need a carer to attend the hearing to help you). We will discuss this with you in more detail if it is relevant to your case.

Will you cover any of my expenses?

We will refund reasonable travel and food costs. If you do not live within a reasonable travelling distance, we can also arrange and pay for you to stay in a hotel. We would book the hotel (with breakfast) for you.

If necessary, we can arrange and pay for rail or air travel (as appropriate) to and from the hearing. You will normally be responsible for paying for other travel costs (for example, tube or taxi fares) and food costs upfront. We will refund this money when we receive a satisfactory expenses form and receipts from you.

If you cannot pay your travel costs upfront, we can arrange and pay for your travel costs in advance if you agree this with us.

We are funded by fees paid by dental professionals on the register, so we try to keep costs down wherever we can. For this reason you should use public transport instead of your own car and taxis wherever possible. If you feel you need to use your own car or a taxi, you should discuss this with us before travelling to the hearing. We may agree to this in exceptional circumstances (for example, if you have mobility difficulties which make it difficult for you to travel by public transport).

Can I claim for my lost earnings?

We do not usually pay lost earnings. If it would be a problem taking time off work to attend the hearing, please let us know as we may be able to help you (for example, by writing to your employer to confirm the dates of the hearing and explain that you need to attend as a witness, or by sending you a formal summons).

Will I get told if I don't need to attend a hearing?

During the investigation process our legal team may find that there is not enough evidence to go ahead with the case against the dental professional. In this situation, the Investigating Committee may decide that the case should no longer be referred to a hearing. We will let you know if this happens.

Will I be told who else will be giving evidence?

We cannot give you information about the other witnesses in the case, or details of our case against the dental professional. This is to make sure that your evidence is not influenced by anything anyone else has said and to make sure that the proceedings against the dental professional are fair. It is very important that you do not talk to anyone else about your evidence. Once the committee have made their decision after the hearing we will give you a copy of their findings.

Section 3

Attending the hearing

What happens at the hearing?

You should aim to arrive at the hearing venue in good time. Please make sure you take account of any possible delays and aim to arrive at least half an hour beforehand.

If you arrive late, you may not have a chance to speak to our lawyer (who is normally a barrister) or see the hearing room before you have to give evidence. If you arrive on time, our lawyer will introduce themselves to you.

When you arrive at the hearing venue, go to the reception desk. A member of our staff will take you to the witness waiting room or a separate meeting room.

We provide tea, coffee, water and biscuits at all our venues. We do not provide any other food or drinks for witnesses, so you should make sure that you bring along money to buy any food and refreshments you need during the day.

There is no restaurant at our main office so you will have to buy your food and refreshments from local shops. You may have to do this at our other venues as well. In the witness waiting room there will usually be information about nearby shops or cafes.

If you have difficulty going to buy food or refreshments on the day of the hearing (for example, because of a disability), please tell us or the Witness Support Officer so we can help you to make alternative arrangements.

What do I do while I wait to give evidence?

You will be asked to wait in the witness waiting room, along with other witnesses, until you are called to give evidence. No witness (except expert witnesses) is allowed to be present during the hearing before giving evidence.

While you are waiting, you should not discuss the case or your evidence with anyone else. This important rule is to make sure that evidence given by each witness is their own version of what happened. If you discuss the case with another witness, this might affect the proceedings.

Where possible, we will tell all witnesses the likely running order at the start of the day, and will keep witnesses updated as to when they are likely to be called to give their evidence.

As you may have to wait a long time, we recommend that you bring something to read. There is usually WiFi at the venues, if you want to bring a laptop or mobile device.

What if I need support at the hearing because I have a disability or extra needs?

All the venues we use have wheelchair access and induction loops for people who wear hearing aids. If you have a disability, communication difficulties or other specific needs, please tell us and the Witness Support Officer before the hearing so we can make the necessary arrangements for the hearing.

Arrangements could include providing an interpreter or providing information in Braille. If you have a medical condition which means you need to take frequent comfort breaks, we can arrange for this.

Can I bring my children to the hearing?

Please do not bring children to the hearing if you can avoid doing so. If you really have no option other than to bring children with you, please bear in mind that there may not be any suitable facilities at the venue. You should bring along some toys or other items to keep the children occupied.

If you bring children with you, they must be accompanied by an adult at all times. This means you will need to bring another adult to look after the children while you are giving evidence. We will only agree to pay the adult's reasonable expenses in exceptional circumstances (for example, if you need to bring your baby with you because you are breastfeeding). Our expenses policy provides more information about this. You can find a copy of our expenses policy on our website at www.gdc-uk.org.

Due to health and safety reasons, our staff cannot take responsibility for children, even for short periods.

Key things for you to remember before the hearing!

- Make sure you know exactly where and when the hearing is.
- Bring appropriate ID with you.
- Read over your witness statement before the hearing or while you are waiting to give evidence, to refresh your memory.
- Bring your witness statement and all the papers relating to the case, if appropriate.
- Bring your reading glasses if you wear them.
- Aim to arrive at the venue in plenty of time.
- Speak to us or the Witness Support Officer if you have any concerns or questions about the hearing.
- Turn your mobile phone off while you are in the venue.
- Do not discuss the case with anyone before you give your evidence.
- If you see 'in camera' signs on the hearing room doors, this means you are not allowed into the hearing room as the committee is considering a matter in private.



Section 4

Giving evidence

What happens in the hearing room?

At the beginning of the case, our lawyer will let the committee know the order in which witnesses will be called to give evidence. This order may need to be changed to reflect any unexpected issues that arise during the course of the hearing.

All cases are dealt with as quickly as possible, but sometimes hearings can run over and witnesses may need to wait some time before being able to give their evidence. If you cannot give evidence on the scheduled day because of the delay or changing circumstances, you will be asked to return on another day.

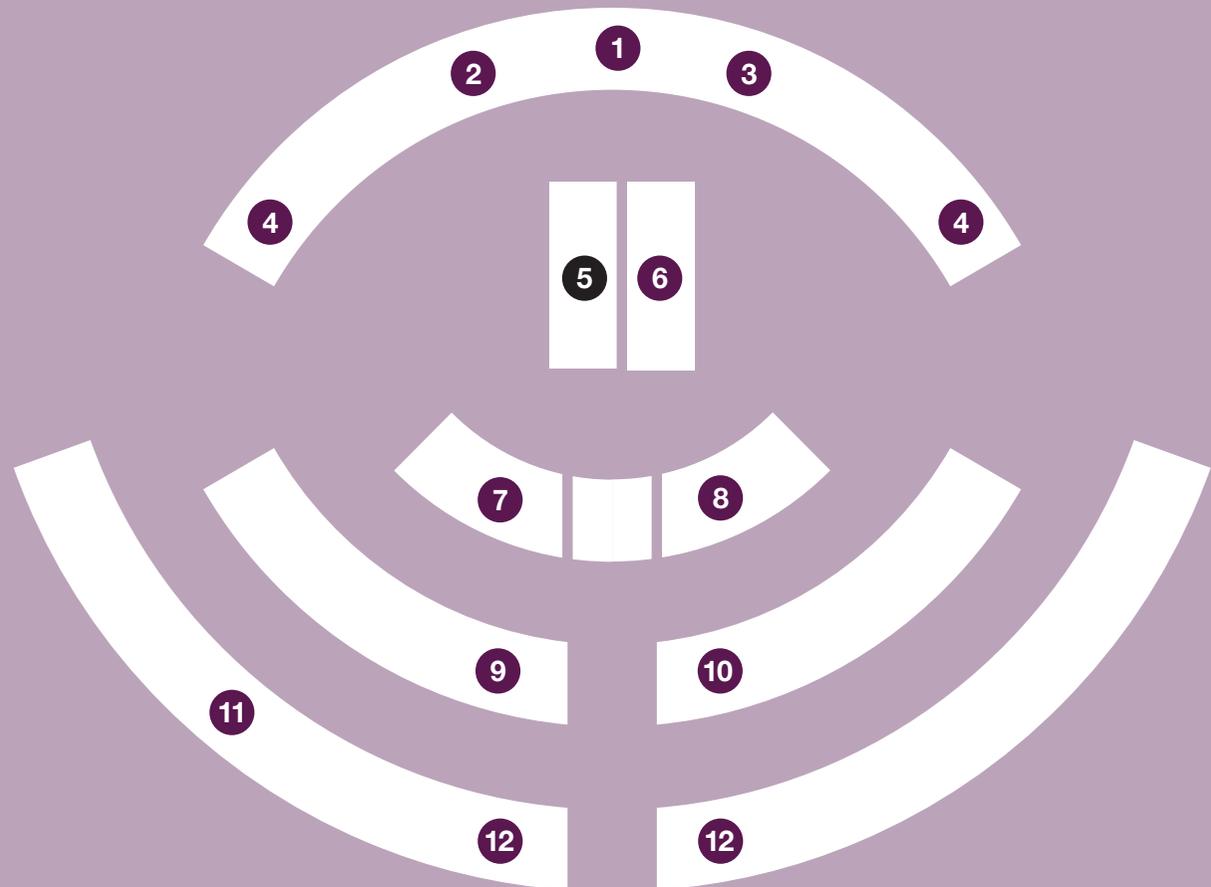
If the dental professional or the dental professional's lawyer has asked you to give evidence, they should keep you updated about the hearing timetable on the day.

Our usher will come and collect you when it is time for you to give your evidence. The usher is there to help you if you have any concerns and need any help during the day.

What does the hearing room look like?

The layout is similar to a court room, but it is less formal. Typically this is the layout of the hearing room.

- 1 Chair
- 2 Legal adviser
- 3 Committee secretary
- 4 Panel members
- 5 Witness
- 6 Shorthand writer
- 7 Dental professional and their lawyer
- 8 Our lawyer
- 9 Dental professional's legal team
- 10 Our legal team
- 11 Usher
- 12 Public gallery



People in the hearing room

1 Chair

The chair will be an experienced panel member who runs the proceedings to make sure the hearing is fair.

2 Legal adviser

The legal adviser will be an experienced barrister or solicitor who advises the committee. The legal adviser does not play any role in the committee's decision-making.

3 Committee secretary

The committee secretary will be responsible for making sure that the hearing runs appropriately. They may become involved in helping the committee settle witness-related issues during the course of the hearing. The committee secretary does not play any role in the committee's decision-making.

4 Panel members

The panel members are all independent of the GDC and completely impartial. They will include at least one dental professional and one person who is not a dental professional.

5 Witness

This is where you will sit when you are called to give evidence.

6 Shorthand writer

The shorthand writer makes a note of the whole hearing so that there is a full record of what has been said.

7 Dental professional and their lawyer

The dental professional's lawyer is usually a barrister or solicitor and is sometimes referred to as 'defence counsel'. This lawyer asks the witnesses questions. Sometimes a dental professional will not have a lawyer and will ask questions themselves.

8 Our lawyer

Our lawyer will be a barrister or solicitor, and is sometimes referred to as 'prosecuting counsel'. This lawyer asks the witnesses questions.

9 Dental professional's legal team

10 Our legal team

The legal teams are responsible for preparing the case for us and the dental professional's defence.

11 Usher

The usher tells you when it is your turn to give evidence. While you are waiting, you can ask the usher for help if you need anything. If you leave the waiting area for any reason, let the usher know.

12 Public gallery

If the hearing is open to the public, members of the public and the press sit here. If you have brought someone with you, they can sit here once you have given your evidence. The Witness Support Officer may sit here if they are needed at the hearing.

What happens when I give my evidence?

When you are called to give evidence, the usher will take you to the hearing room and show you to the witness table. Before you sit down to give your evidence the usher will ask you how you want to take an oath to tell the truth. If you are religious, you can take an oath on a holy book of your choosing. The following texts are available.

- Jewish (on the old Testament)
- Christian (on the new Testament)
- Muslim (on the Quran)
- Hindu (on a Gita)
- Sikh (on the Gutka)

If you are of a different faith, let us or the Witness Support Officer know before the date of the hearing so that the appropriate text can be available.

If you do not want to take a religious oath you can read out an 'affirmation' to confirm that the evidence you are about to give will be the truth and nothing but the truth. If you have any difficulties reading the oath or affirmation, the usher will help you.

Once you have taken the oath or affirmation you will be asked to sit down. The chair of the committee will then introduce themselves and the rest of the committee to you and the legal representatives.

You will be asked to confirm your name and details to the committee. The usher will have written your name and address on a piece of paper, which will be shown to the lawyers and the committee before you start giving your evidence. These details will not be made public and you might be called, for example, 'Person A', 'Patient B' or similar.

Please remember, when answering questions you should speak clearly and slowly into the microphone so everyone can hear your evidence and the shorthand writer can record what you have said.



How will the questions be asked?

The first person who will ask you questions will be our lawyer. The questions will be based on your witness statement, the lawyer may need to ask questions about other matters (this is called examination in chief).

Our lawyer may also refer you to documents provided to support your witness statement. These documents will either be handed to you by the usher and you will be asked to identify them, or the lawyer will refer you to a bundle of documents placed on the witness table to look at. Our lawyer will then ask the committee for permission to make these documents 'exhibits' to the hearing. If the committee agrees, copies can then be distributed to the committee and referred to throughout the hearing.

If the dental professional is present, they or their lawyer (if they have one) will ask you questions. Their questions will most likely focus on parts of your evidence that they want you to clarify or they do not accept (this is called cross-examination).

Cross-examination is an essential part of a fair hearing as the dental professional or their lawyer will want to test the evidence you have provided to make sure it is accurate, or they may want to put another version of events to you, for your comment. If the dental professional is representing themselves, they can question you, except in certain cases (for example, if you are the alleged victim of a sexual assault).

As soon as the dental professional or their lawyer has finished questioning you, our lawyer will have an opportunity to ask you further questions.

The committee will ask you a final set of questions. The committee's questions will be designed to clarify the issue and better understand the evidence you have already given.

If the dental professional or their lawyer asked you to give evidence, the process will be the same except that the first person to ask you questions will be the dental professional or their lawyer.

The dental professional or their lawyer will be able to ask you further questions arising out of the committee's questions. Our lawyer will also be able to do the same.

The chair (helped by the legal adviser) will make sure that the hearing is managed fairly and the questioning is not unreasonable or hostile. Nobody will be allowed to shout at you while you are giving your evidence, but the questions may come across as challenging and you may feel under pressure. Nobody will be able to ask you questions which are unfair, offensive or distressing.

Please remember, you can take your time to answer the questions, and if necessary you can ask for a break.



What happens if I am asked to leave the hearing room midway through my evidence?

If, at any point while you are giving evidence, the committee needs to consider any matter in private, the usher will take you to wait in a separate room (if one is available) or the witness waiting room. It is very important that you do not discuss your evidence, or the case itself, with anyone else (whether they are involved in the case or not) while you are waiting to go back and continue giving evidence.

What is an adjournment?

An adjournment is a break in the hearing. The hearing may have to adjourn from time to time (for example, for lunch, for refreshment breaks, or at the end of each day if the hearing is due to last for more than a day).

The committee may also adjourn for a longer period to gather extra evidence, if anyone involved in the proceedings is ill, or because it has overrun the days set aside for it. If you have not finished giving your evidence by the date the hearing is scheduled to end, we will ask you to attend again on new dates. We will make sure that you can make the new dates before we confirm them.

As explained previously, it is extremely important to remember that you must not talk to anyone about the case or about your evidence during any adjournment. This includes anyone who is involved with the case, as well as friends or family. If you break this rule, it could seriously affect the outcome of the case.

You will be able to talk about the case, once the hearing has finished and the committee have made their decision.

Important things to remember when giving your evidence!

- Listen carefully to the questions and make sure you understand them before giving your answer.
- If you don't understand the question, say 'I don't understand. Can you ask me that again in a different way?'
- If someone asks you the same question again and you still don't understand it, it is alright to say 'I am sorry, but I still don't understand'.
- If someone asks you two or three questions together, you can ask them to repeat the questions one at a time.
- Don't try to answer a question if you don't know the answer or you cannot remember.
- If you are asked the same question again, this does not mean your first answer was wrong. Just answer the question again.
- Answer the questions as slowly and clearly as you can, so everyone can understand and the shorthand writer can make a record of what you have said.
- Give all your answers to the committee, even if the questions are being asked by the lawyers or the dental professional.
- If you need to take a break while giving evidence, don't be afraid to ask for one.
- If the committee have to adjourn for a break or at the end of the day and you have not finished giving your evidence, you must not speak to anyone about your evidence or the case.
- If you have any particular needs or times you need to leave by, let us or the Witness Support Officer know, before the hearing, so this information can be passed on to the chair and the committee secretary.



Section 5

After the hearing

What happens after I have given my evidence?

When you have finished giving your evidence, our lawyer will ask the committee to confirm whether you can be released from your duty as a witness. If there is any chance you may be needed later, perhaps to give further evidence (such as details about the dental professional's employment history when the committee is deciding on the action to take), you will not be released until you have given that evidence, which means you may need to come back on another day.

The same principle will apply if you are the dental professional's witness.

When you have been released, you can either leave or stay to listen to the rest of the case. If you want to stay, you will be shown where you can sit. If you choose to stay, we probably won't refund any extra costs arising as a result of this (for example, if by staying you miss your booked train home).

If you choose to leave after giving your evidence, the usher will show you out of the room. Your contact here will come to see you before you leave the building.

When the hearing has finished, we will tell you the outcome. When we contact you will depend on how long the hearing goes on for, but we aim to contact you as quickly as possible.

We will publish the committee's decision on our website. Whatever the outcome of the hearing, we will send you a letter to explain the decision and thank you for your help.

In a few cases you may have to attend a hearing again (for example, if we or the dental professional appeals against the decision). We will let you know if this happens.

What kinds of action can the committee take?

The committee cannot award compensation. It can do any of the following.

Reprimand

This is where the committee decides to give a reprimand (a statement of their disapproval), but the dental professional is still fit to practise with no restrictions on their work, so no other action needs to be taken.

Conditions

This is where conditions are applied to the dental professional's work for a set period of time. The conditions may include that the dental professional must undertake further training and give evidence to prove that they are taking steps to improve. Conditions usually have to be reviewed within a certain time.

Suspension

This is where the committee suspends the dental professional's registration. This means that the dental professional cannot work as a dental professional for a set period of time.

Erasure

This is the most serious course of action as it removes the dental professional from the register. This means they are 'struck off' and can no longer work in dentistry in the UK.

How should I claim my expenses?

Your contact here will be responsible for dealing with your claim. They will send you details of how to claim back your out-of-pocket expenses (for example, rail, tube or taxi fares and food costs) for the period of time during which you need to attend a hearing. You should return your filled-in expense claim form with supporting documents (for example, tickets and receipts).

If you choose to attend the hearing on days you are not giving evidence, this will be at your own expense.

You can download a copy of our expenses policy and a claim form from our website at www.gdc-uk.org.

How can I give you feedback?

We are very grateful for your help and involvement in the hearing. Without your help, we would not be able to carry out our legal duty to protect the health and well-being of the public.

We would welcome:

- your feedback on how we can improve the process and the service we provide to support witnesses; and
- any comments you might have about your experience as a witness.

Please let us know what you think by contacting the Witness Support Officer. **The contact details are at the front of this guide.**



Section 6

Useful information

Meanings of words

Some terms that you are not familiar with may be used at the hearing and in documents relating to it. Here is a list of some of those words and what they mean.

Adjourn	A hearing is adjourned when it stops for a break. The break is known as an 'adjournment'. The hearing will adjourn for lunch or short breaks and at the end of each day (if the case lasts for more than a day). The hearing may also be adjourned for a set time while extra evidence is gathered, if any of the people involved in the hearing are ill and cannot attend, or if the hearing has overrun.
Allegation	The accusation made against the dental professional.
Caseworker	The person responsible for organising and managing the case.
Charge	The list of allegations against the dental professional
Chair	The person who is the head of the committee and is responsible for making sure the hearing is run properly.
Committee	A group (panel) of people who make decisions about the dental professional's fitness to practise. All our committees include at least one dental professional and one lay person (someone not involved in the legal profession).
Committee secretary	A GDC employee who advises the chair on the procedure for the hearing.
Complainant	A person who makes a complaint about a dental professional to the GDC. A complainant may also be called an informant.

Conditions	A measure where the committee sets conditions on the dental professional to require them to do or not do certain things. For example, the dental professional could be prevented from providing certain treatments for a set period of time or have to undertake further training.
Cross-examination	This is where a person is questioned by lawyers and the committee while giving evidence.
Defence counsel	A barrister or solicitor who represents the dental professional at the hearing.
Determination	The committee's decision at the end of the case.
Dental care professional (DCP)	A person who works in dentistry. This includes dentists, dental nurses, dental technicians, clinical dental technicians, orthodontic therapists, dental therapists, and dental hygienists.
Dentists Register and Register of DCPs	The registers of dental professionals who are allowed to work in the UK.
Erasure	A measure where the committee removes the dental professional's name from the List of Registered Dental Professionals, meaning that they cannot work as a dental professional. This is commonly known as being 'struck off'.
Evidence	What a witness (including the dental professional and the complainant) says at the hearing as well as documentary evidence (photographs, dental records and so on) that is presented at the hearing.
Expert witness	A witness who can give opinions on any matter within a field that they are an expert in.

Findings of facts	This is where the committee decides, after it has heard all the evidence, whether each allegation has been proved.
Finding of impairment	This is when the committee has made a finding of facts and they then consider whether the dental professional's fitness to practise is 'impaired' (that is, whether they are fit to practise).
Fitness to practise	The dental professional's ability to carry out their duties.
Informant	A person who raises concerns about a dental professional to the GDC. An informant may also be called a complainant.
Interim order	A measure where the committee places conditions or suspends a dental professional's work on a temporary basis.
Lay member	A member of the committee who is not a dental professional.
Legal adviser	An experienced barrister or solicitor who advises the committee.
Mitigation	The reasons the dental professional gives for his or her actions.
Practice committee	The committee which makes decisions on allegations. We have three practice committees relating to professional conduct, health and performance.
Prosecution counsel	A barrister or solicitor who represents us at the hearing.
Registrant	A person whose name appears on the register and so can work as a dental professional.

Reprimand	A measure where the committee makes a statement disapproving of the dental professional's actions or failures, but the dental professional is still fit to practise with no restrictions on their work, so no other action needs to be taken.
Respondent	The dental professional a complaint has been made against.
Sanction	The action the committee takes against the dental professional. The action could be: <ul style="list-style-type: none"> • a reprimand, where the committee states their disapproval but the dental professional is still fit to practise with no restrictions on their work; • conditions, where conditions are set on the dental professional's work for a set period; • suspension, where the dental professional cannot work for a period of time; or • erasure, where the dental professional is struck off our register.
Shorthand writer	A person who takes a precise note of everything said during the hearing. They are also known as stenographers.
Suspension	A measure that removes the dental professional's right to practise for a set period of time.
Usher	A GDC employee who provides administrative support to the committee. They welcome all people taking part in the hearing and direct them to the appropriate waiting rooms. The usher is available throughout the day to answer any questions.
Witness Support Officer	A GDC employee who provides help and support to all witnesses attending hearings.

Useful contacts

There are a number of organisations that can help and support witnesses. This is a selection of useful contacts. Many cover the whole of the UK but, where appropriate, we have listed details for the equivalent organisation in Scotland, Wales and Northern Ireland.

Action against Medical Accidents (AvMA)

This is an independent charity which provides free specialist advice on complaints about public and private healthcare if it is suspected that harm has been caused or there is a threat to the safety of patients. Trained experts can offer guidance on the right to different kinds of investigations, processes (for example, inquests), legal action and procedures relating to health and care professionals' fitness to practise. They can also explain medical or legal jargon. Where necessary, AvMA can refer you to specialist lawyers or other sources of support.

Phone: 0845 123 2352

Website: www.avma.org.uk

The Clinic for Boundaries Studies

This is the only organisation in the UK working around all aspects of professional boundaries (limitations) and the preventing people from breaking those boundaries.

Phone: 020 3468 4194

Website: www.professionalboundaries.org.uk

Victim Support

This is a national charity giving free and confidential help to victims of crime, witnesses, their family and friends, and anyone else affected across England and Wales. Victim Support is not a government agency or part of the police, and you don't have to report a crime to the police to get their help. You can get help from them any time after the crime has happened, even if it was several years ago. They have offices throughout England and Wales and they run the Witness Service in every criminal court.

Phone: 0845 3030 900

Website: www.victimsupport.org.uk

Samaritans

A registered charity which provides emotional support to anyone in emotional distress.

Phone: 08457 90 90 90

Website: www.samaritans.org

Citizens Advice

Citizens Advice helps people with their legal, money and other problems by providing free, independent and confidential advice.

Phone: 020 7833 2181

(to find out where your local office is)

Website: www.citizensadvice.org.uk

Independent Complaints Advocacy Service (ICAS)

This is a national service that supports people who want to make a complaint about NHS care or treatment.

Phone: 020 7210 4850

(to find out where your local ICAS office is)

Website: www.dh.gov.uk

Information Commissioner's Office

The Information Commissioner's Office can give you advice on seeing your personal medical records.

Phone: 0303 123 1113

Website: www.ico.gov.uk

Scottish Information Commissioner

Phone: 01334 464 610

Website: www.itspublicknowledge.info

Parliamentary and Health Service Ombudsman

This organisation carries out independent investigations into complaints made about the NHS in England and UK government departments and their agencies.

Phone: 0345 015 4033

Website: www.ombudsman.org.uk

Scottish Public Services Ombudsman (SPSO)

Phone: 0800 377 7330

Website: www.spsso.org.uk

Public Services Ombudsman for Wales

Phone: 0845 601 0987

Website: www.ombudsman-wales.org.uk

Northern Ireland Ombudsman

Phone: 02890 233 821

Website: www.ni-ombudsman.org.uk

Patient Advice and Liaison Service (PALS) in England

PALS officers provide information on, and explain, NHS complaints procedures and how you can get in touch with someone who can help. You can contact them by phoning your local hospital, clinic, GP surgery or health centre and asking for details of the PALS office, or by phoning NHS Direct on the number below.

Phone: 0845 155 8121

Website: www.pals.nhs.uk

Patient Advice and Support Service (PASS) in Scotland

Website: www.cas.org.uk/patientadvice

Community Health Councils (CHCs) in Wales

Phone: 0845 644 7814

Website: www.wales.nhs.uk

How to find us

General Dental Council

37 Wimpole Street
London
W1G 8DQ

Closest mainline stations: Euston, King's Cross, Paddington, Marylebone, St Pancras International.

By tube: Bond Street, Regents Park, Oxford Circus, Baker Street.

Bus routes: C2, 6, 7, 10, 13, 15, 23, 30, 55, 73, 88, 94, 98, 113, 137, 139, 159, 175, 189, 274 and 390 are all within walking distance.

Parking: There are car parks in Cavendish Square and Marylebone Lane, both a five-minute walk away.

Our offices are within the congestion-charge zone. For more information on the congestion charge, visit www.cclondon.com.

Wimpole Street is a one-way street.

Other venues for hearings

Etc.venues

Bonhill House
1-3 Bonhill Street
London
EC2A 4BX

Closest mainline stations: Liverpool Street

By tube: Moorgate and Old Street

For a detailed map and transport instructions, visit

www.etcvenues.co.uk/files/download/bonhill-directions/31

The International Dispute Resolution Centre

70 Fleet Street
London
EC4Y 1EU

Closest mainline station: City Thameslink

By tube: Blackfriars (Circle and District Lines), Holborn (Piccadilly Line), Chancery Lane (Central Line)

For a detailed map and transport instructions, visit www.idrc.co.uk/location.aspx

Aldersgate House

135-137 Aldersgate Street
London
EC1A 4JA

Closest mainline station: City Thameslink Mainline, Farringdon

By tube: Barbican, St Paul's and Moorgate

For a detailed map and transport instructions, visit www.cctvenues.co.uk/venues/barbican/how-to-find-us

Two East Poultry Avenue

Smithfield
London
EC1A 9PT

Closest mainline station: Farringdon

By tube: Farringdon

For a detailed map and transport instructions, visit:

www.cctvenues.co.uk/venues/smithfield/how-to-find-us

Check your dental professional is registered:
www.gdc-uk.org

We want to make sure that everyone has access to our services.

If you would like a copy of this leaflet in a different format (for example, in large print), as an audio version or in a language other than English, please contact us.

GENERAL DENTAL COUNCIL

37 Wimpole Street
London
W1G 8DQ

Phone: 0845 222 4141

Fax: 020 7224 3294

Textphone (by RNID Typetalk): 18001 0845 222 4141

Email: information@gdc-uk.org

Website: www.gdc-uk.org

