

Position statement on GDC registration requirements for oral and maxillofacial surgeons and other healthcare professionals regulated by statute

Introduction

1. This policy position explains when registration with both the General Dental Council (GDC) and General Medical Council (GMC) is required for oral and maxillofacial surgeons. It is also relevant to other professions regulated by statute where dual registration may be required. Its purpose is to ensure that the appropriate regulatory safeguards are in place to protect patient safety, support effective patient care, and reduce the risk of harm.
2. To lawfully undertake the practice of dentistry¹ in the UK, a person must be registered with the GDC or be exempted from the requirement under the circumstances set out at Section 37 of the Dentists Act 1984. Any person who is not registered or who is not legally exempt from registration is at risk of prosecution.
3. This policy position explains the legal framework around the “medical task” exemption, supported by practical examples to demonstrate how requirements may apply to a professional’s practice. It also covers registration requirements for professionals involved in dental training or supervision.

The legal framework around exemption from the requirement for GDC registration

4. The Dentists Act 1984 specifies that the practice of dentistry shall not include a “medical task” performed by qualified people who are registered with one of the eight other statutory healthcare professional regulators². Therefore, professionals who are qualified and registered can perform medical tasks without GDC registration that would otherwise be the practice of dentistry.
5. The Act does not define “medical task”. However, the Explanatory Memorandum to the legislation³ that inserted Section 37 (1A) into the Act does state the following:

“Restriction on the Practise [sic] of Dentistry: A medical task under new sub-section 1A of Section 37 means *a task carried out as part of the delivery of clinical care for example assisting in an operating theatre or making a prosthesis.*”

6. The GDC considers that a qualified person who is registered with one of the other statutory healthcare regulators should use their professional judgement to determine whether it is appropriate for them to practise dentistry using the medical task exemption when not registered with the GDC. This should involve assessment of whether the dentistry to be delivered is a necessary part of wider clinical care. The GDC’s expectation is that patient safety remains paramount.

¹ The practice of dentistry is defined in section 37 of the Dentists Act 1984 where it states: *“the practice of dentistry shall be deemed to include the performance of any such operation and the giving of any such treatment, advice or attendance as is usually performed or given by dentists; and any person who performs any operation or gives any treatment, advice or attendance on or to any person as preparatory to or for the purpose of or in connection with the fitting, insertion or fixing of dentures, artificial teeth or other dental appliances shall be deemed to have practised dentistry”.*

² The nine statutory health regulators are: General Dental Council, General Medical Council, Nursing and Midwifery Council, General Optical Council, General Pharmaceutical Council, General Osteopathic Council, General Chiropractic Council, Health and Care Professions Council, Pharmaceutical Society of Northern Ireland. Collectively they register many professions who may be involved in surgery and emergency care related to the mouth such as doctors, nurses, paramedics, and clinical scientists.

³ Dentists Act 1984 (Amendment) Order 2005 (SI 2005 No. 2011)

7. For clarity:

- the setting in which an activity is undertaken (e.g. hospital department, private clinic) **does not** matter when considering whether it is a medical task.
- the inclusion of an activity within a non-dental professional's curriculum or scope of practice **does not in itself** determine whether that activity is a medical task.

8. In any circumstance, by law, healthcare professionals must not represent themselves as registered dentists or registered dental care professionals, nor use certain protected titles⁴, unless they are appropriately registered with the GDC.

Application of the framework to oral and maxillofacial surgeons

9. The Medical Act 1983 has the effect that oral and maxillofacial surgeons must be registered with a licence to practise by the GMC before they can attend to patients' medical needs.

10. In order to register and achieve specialist status with the GMC, oral and maxillofacial surgeons must qualify as both a dentist and doctor and complete specialist training.

11. Oral and maxillofacial surgery (OMFS) is a complex and specialised branch of medicine and includes tasks that fall under the legal definition of dentistry. While OMFS contains aspects of oral surgery, oral medicine, orthodontics, and prosthodontics (amongst others), it is recognised as its own specific and uniquely constituted field, and not a specialised area within dentistry. Therefore, the GDC recognises that oral and maxillofacial surgeons may need to undertake tasks that would constitute the practice of dentistry. This raises the question of whether oral and maxillofacial surgeons need to be registered with the GDC before they can undertake certain aspects of their work.

12. Whilst an oral and maxillofacial surgeon may be able to rely on the medical task exemption for activities within their OMFS work, **the exemption does not apply to everything that an oral and maxillofacial surgeon may choose to do outside their medical practice**. Oral and maxillofacial surgeons are trained in a wide variety of dental techniques and may choose to practise certain dental techniques outside their role as an oral and maxillofacial surgeon. If that activity is not undertaken as part of a medical task, it is legally dentistry and GDC registration is required (see practical examples).

Application of the framework to other healthcare professionals

13. Although it is recognised that the medical task exemption is most relevant to oral and maxillofacial surgeons, it applies in the same way to any healthcare professional regulated by statute whose practice may comprise aspects of dentistry. For example, appropriately qualified clinical scientists (such as maxillofacial prosthetists or reconstructive scientists) who are registered with the Health and Care Professions Council (HCPC) (see practical examples).

⁴ Under section 39 of the Dentists Act 1984 it is an offence for an individual to use any of the following titles, either alone or in combination with any other word, unless they are registered with the GDC: dentist, dental surgeon, dental practitioner, clinical dental technician, dental hygienist, dental nurse, dental technician, dental therapist, orthodontic therapist.

Education and training of dental students

14. Healthcare professionals who are involved in the education and training of dental students (e.g. oral and maxillofacial surgeons) may need to have GDC registration. This is because unregistered dental students must be both recognised by a dental authority and supervised by a GDC registered dental professional if they are to lawfully perform dentistry as part of their training. Therefore, the requirement for a professional to be registered with the GDC will depend on their training role and the training activity the unregistered dental student is engaged in (see practical examples below).

Designated supervisor for dentists with temporary registration

15. Dentists with temporary registration will have a designated supervising consultant, who must be a GDC registrant, attached to their post. Therefore, any professional in this specific supervisory role will require GDC registration.

CPD and revalidation requirements

16. Professionals must meet the CPD and/or revalidation requirements of each regulator they are registered with. The GDC's CPD requirements do not vary for its registrants if they are also registered with another regulator.

Practical examples

The following examples are designed to support professionals consider how they may apply their judgement to determine whether they could rely on the medical task exemption. In practice this will always depend on the particular scenario and case specific circumstances.

Please note that because care settings are not relevant to the requirement for dual registration, they have not been specified. The examples apply in any care setting and for any type of care (e.g. NHS or private care).

- As part of a wider course of medical clinical care, an oral and maxillofacial surgeon carries out an extraction on a patient. They do not need GDC registration as the extraction has been undertaken as a medical task.
- Unexpected medical complications arise whilst a dentist is undertaking an extraction on a patient, so the dentist hands over care to an oral and maxillofacial surgeon mid-procedure. The oral and maxillofacial surgeon does not need GDC registration as the ongoing clinical care is delivered as a medical task.
- An oral and maxillofacial surgeon operates an implant clinic. Dual registration will be required if implant procedures are not undertaken as part of wider medical clinical care.
- A dentist refers a patient to an oral and maxillofacial surgeon when specialist OMFS practice is needed for their care. The oral and maxillofacial surgeon does not require dual registration to manage the referred patient.
- An oral and maxillofacial surgeon performs restorative dental procedures which are not part of wider medical clinical care. GDC registration is required.
- An unregistered dental student is observing an oral and maxillofacial surgeon as part of their training. The student does not need to be supervised in that setting by a registered dental professional, as they are not providing dental treatment to patients.

- An unregistered dental student is undertaking dental practice under the joint supervision of a GDC registered dental professional and a GMC registered oral and maxillofacial surgeon. The oral and maxillofacial surgeon does not need dual registration because the legal supervision requirement for the unregistered student has been met by the GDC registered supervisor.
- An appropriately qualified clinical scientist, who is registered with HCPC (such as some maxillofacial prosthetists or some reconstructive scientists), plans a surgical procedure, assists with a surgical device in theatre, and makes or fits a facial prosthesis or obturator that may include artificial teeth. They do not need GDC registration as these activities are delivered as medical tasks.
- An appropriately qualified clinical scientist, who is registered with HCPC (such as some maxillofacial prosthetists or some reconstructive scientists), makes dentures for a patient. If these dentures are not delivered as part of wider clinical care (e.g. as part of a multidisciplinary care plan), GDC registration will be required.
- An appropriately qualified clinical scientist, who is registered with HCPC (such as some maxillofacial prosthetists or some reconstructive scientists), is directed by an oral and maxillofacial surgeon to take an intra-oral impression for a maxillary obturator. They do not require GDC registration as the impression is delivered as part of wider medical clinical care.

When deciding if you can rely on the medical task exemption or if you require dual registration, consider:

- Am I registered with a statutory regulator?
- Am I appropriately qualified?
- Does the specific dental activity take place **as part of** the delivery of wider clinical care?