

Name: Mr Stephen Hudson
Via email: request-475548-0f958634@whatdotheyknow.com

10 May 2018

Dear Mr Hudson,

Thank you for your information request of 16 April 2018 in which you asked: 'In the year 2017, how many GDC expert witnesses who gave evidence before the PCC were criticised in the PCC determination' and clarified on the 20 April 2018 that you were asking for 'the number of cases where the PCC were critical of the GDC expert in their written determination' and that 'this would ideally include instances where the PCC rejected the GDC experts witness'.

We have considered your request under the Freedom of Information Act 2000 ("the FOI Act"). We searched our Customer Relationship Management system (CRM) and identified that details about whether expert witnesses are criticised is not captured electronically on our systems. We are able to tell you how many cases may have required expert witnesses. In 2017, 330 cases were considered which reached the Professional Conduct Committee (the PCC) stage, all of which related to clinical charges and may have required expert witnesses. There were 91 PCC cases considered where the expert field (which is not a mandatory field) was completed and where we can be sure therefore that an expert was used. We do not record though whether or experts in these cases received criticism during the hearing in any way. If held, that information would be in the determinations themselves.

However, we are unable to provide the information requested within the time and cost limit set out in section 12(1) of the FOI Act. Section 12(1) of the FOI Act allows a public authority to refuse to deal with a request where it estimates that it would exceed the appropriate limit to locate, extract, and/or retrieve the information requested. The appropriate limit for the GDC is 18 hours or £450. The estimate must be reasonable in the circumstances of the case. To produce the statistics requested would require us to read through each determination to identify whether there were any criticisms written about expert witnesses in the determination. Many of the determinations list more than one allegation. We estimate that it would take a conservative effort of twenty minutes to review each determination. At a total of 330 decisions to read through it would take a minimum of 110 hours to review one years' worth of determinations and would therefore exceed the appropriate limit of 18 hours under section 12 of the FOI Act.

If you can refine your request to, for example, 50 determinations where the expert field was completed on CRM, we may be able to help you.

Internal review and complaints procedure

I hope you have found the information provided helpful. However, if you are dissatisfied with our response or how your request has been handled you can ask that an internal review be carried out.

Requests for a review should be addressed to:

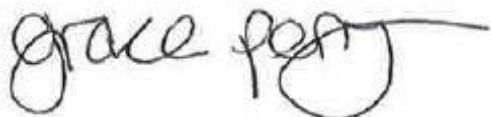
Principal Legal Adviser
General Dental Council
37 Wimpole Street
London
W1G 8DQ
Email: foirequests@gdc-uk.org

If, at the end of the review process, you are not satisfied with the response that you receive, you may write to the Information Commissioner, who is appointed to consider such complaints, at:

Information Commissioner's Office

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 0303 123 1113
Website: www.ico.org.uk

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Grace Perry', with a stylized flourish extending from the end.

Grace Perry
Information Officer
Freedom of Information Team
Phone: +44 (0)20 7167 6164
Email: foirequests@gdc-uk.org
Web: www.gdc-uk.org