

Name: Mr Richard Sheen

Via email: request-501982-b2d327f6@whatdotheyknow.com and request-511195-de4961ea@whatdotheyknow.com

10 August 2018

Dear Mr Sheen,

I refer to your email of 27 July 2018 requesting 'the transcript of the PCC meeting on the 27/6/18 granting Mr Hussain (GDC No. 71810) restoration to the dental register'.

Your request has been considered under the Freedom of Information Act 2000 (the FOI Act), and I confirm the GDC holds the requested transcript.

Before explaining the position regarding requests for transcripts (i.e. verbatim records of our fitness to practise ('FTP') proceedings), I wanted to ensure you are aware that the GDC routinely publishes reasonably full details of the evidence and reasons for the decisions of its Fitness to Practise Committees, known as 'determinations', on the Hearings page of its website <https://olr.gdc-uk.org/hearings>. In addition, while any sanction or conditions apply to a registrant, the determination is published as part of the registrant's entry in our online register. The determination in Mr Hussain's restoration case, which runs to 8 pages, can be found at <https://olr.gdcuk.org/SearchRegister/SearchResult?RegistrationNumber=71810>.

Details of how to request transcripts is set out in the GDC's FOI publication scheme, which is available on our website. As a member of the public, you can obtain a transcript (or request that an audio recording of a hearing be transcribed, as we no longer routinely produce a transcript of every hearing, as part of a range of cost-saving measures introduced in the last two years), if you pay the costs associated with producing a public version.

For ease of reference, below is an extract from the publication scheme regarding requests for transcripts:

The GDC does not produce publicly available versions of hearings transcripts as a matter of routine. If you wish to obtain a transcript of an FTP panel hearing, Registration Appeal hearing or Specialist List Appeal hearing, we reserve the right to charge the full cost to the GDC of producing a public version. These costs are variable and will include the cost of our quality assurance processes to ensure that information we regard as confidential – for example, information about a registrant's health, and the names and contact details of patients or vulnerable witnesses - are removed prior to publication.

Under the exemption in section 21 of the FOI Act, where information is available in accordance with a public authority's (e.g. GDC's) publication scheme, including where it is available at a charge, the authority can refuse the request under the FOI Act and, instead, fulfil it under its publication scheme i.e. in return for payment. The GDC is applying the section 21 exemption in this case. Section 21 is an absolute exemption, so not subject to a public interest test.

For electronic and paper transcripts we already hold when a request is received (which is the position in this case), we charge £2.25 + VAT per page to produce a public version of the transcript. This cost includes quality checking and redacting any confidential or sensitive personal information about a registrant or other individual referred to (such as regarding health) and/or the names and contact details of certain witnesses. It also includes archive retrieval and photocopying or scanning older transcripts that are only held in hard copy. We also charge the cost price of postage and packaging, if a transcript is requested in hard copy.

The transcript for Mr Hussain's case runs to 145 pages, so the cost +VAT of producing a public version of the transcript for this case is £391.50 (£326.25 + VAT of £65.25). Should you wish to receive a copy of the transcript, the GDC's policy is to require payment in advance of undertaking the work to produce it.

Payment can be made to:

Sort Code: 12 11 03

Account Number: 06191677

Account Name: General Dental Council

Please include your surname and information request reference of CSR-21024464 as reference for the payment, and inform us that you have made payment, so that we can process your request accordingly.

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 is 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,

Grace Perry
Information Officer
Information Governance Team
Phone: +44 (0)20 7167 6000
Email: Foirequests@gdc-uk.org
Web: www.gdc-uk.org