

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

NOTICE OF DECISION

Name of Registered Establishment or Agency: Mountpottinger Dental Practice	NOD Ref: NOD/IHC-DT/11609/2016-17/01
Address of Registered Establishment or Agency: 94 Castlereagh Street, Belfast, BT5 4NJ	
Name of Registered Person: Mr Robert A McMitchell	Issue Date: 10 January 2017
<p>The Regulation and Quality Improvement Authority gives notice of a decision under Article 20 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, (the 2003 Order) to cancel your registration (Mr Robert A McMitchell) as responsible individual of Dental World Limited (Mountpottinger Dental Practice 11609) under the following legislative framework:</p> <p>The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003</p> <p>Article 15.–(1) The Regulation and Improvement Authority may at any time cancel the registration of a person in respect of an establishment or agency –</p> <p>(d) on any ground specified by regulations.</p> <p>The Independent Health Care Regulations (Northern Ireland) 2005</p> <p>Regulation 10.–(1) A person shall not carry on an establishment or agency unless he is fit to do so</p> <p>(2) A person is not fit to carry on an establishment or agency unless the person –</p> <p>(c) is an organisation and –</p> <p>(i) the organisation has given notice to the Regulation and Improvement Authority of the name, address and position in the organisation of an individual who is a director, manager, secretary or other officer of the organisation and is responsible for supervising the management of the establishment or agency; and</p> <p>(ii) that individual satisfies the requirements set out in paragraph (3).</p> <p>(3) The requirements are that –</p> <p>(c) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 2.</p>	

SCHEDULE 2

7. Where he is a health professional, details of his registration with the body (if any) responsible for regulation of members of the health care profession in question.

The reasons for serving this notice of decision are:

It was brought to the attention of RQIA on 17 October 2016 by the Health and Social Care Board that the General Dental Council (GDC) granted your application to voluntarily remove your name from the professional Register on 14 October 2016.

RQIA has considered the implications of a responsible individual, who is no longer a registrant of the GDC. Being a registrant of the GDC is a requirement of you as a responsible individual under the 2003 Order and associated regulations, therefore you no longer meet the requirements set out in Schedule 2 as described above. As a consequence RQIA intends to cancel your registration (Mr Robert A McMitchell) as responsible individual of Dental World Limited (Mountpottinger Dental Practice 11609).

Under Article 22 of the 2003 Order the registered person may, within 28 days of the service of this notice of decision, make an appeal to the Care Tribunal concerning any matter which the registered person wishes to dispute.

Signed.......... Chief Executive

This notice of decision is served under Article 20 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

It should be noted that failure to comply with some regulations is considered to be an offence and RQIA has the power under regulations to prosecute for specified offences.