

SCHEDULE 2

PART IB

INFORMATION, DECLARATIONS, CERTIFICATE, APPLICATIONS, UNDERTAKINGS AND, CONSENTS TO BE INCLUDED IN AN APPLICATION FOR INCLUSION IN SUB- PART B ONLY OF THE FIRST PART OF THE DENTAL LIST

1. An application shall contain the following information:—
 - (a) (i) in the case of a dentist, the applicant's full name, sex, date of birth and private address; telephone number and e-mail address and the applicant's National Insurance number, if the applicant has one;
 - (ii) in the case of a body corporate the body corporate's name, registered office and registered number, telephone number and e-mail address and a list of the full names, dates of birth, private addresses and (if they have one) the national insurance numbers, of all the directors and the company secretary;
 - (b) in the case of a dentist, the date of first registration and any subsequent registration as a dental practitioner in the register of dentists and registration number, dental qualifications registerable under the Dentists Act 1984 and when obtained;
 - (c) the address of the proposed Health Board premises where emergency dental services will be undertaken;
 - (d) (except where the applicant is a body corporate) chronological details of the applicant's professional experience (including the starting and finishing dates of each appointment together with explanation of any gaps between appointments) with any additional supporting particulars, and an explanation of why the applicant was dismissed from any post;
 - (e) details of any list or equivalent list from which the applicant has ever been disqualified, conditionally disqualified, removed, suspended, contingently removed or suspended or to which admission was refused or conditionally granted together with reasons for such disqualification, conditional disqualification, removal, suspension or refusal;
 - (f) (except where the applicant is a body corporate) name and addresses of two referees who are willing to provide clinical references relating to two recent posts as a dentist each of which lasted at least 3 months without a significant break and which may include a current post, or, where this is not possible a full explanation and name and address of an alternative referee or referees;
 - (g) (except where the applicant is a body corporate) if the applicant is a national of an EEA state, evidence that the applicant has a knowledge of English which, in the interests of the applicant and of patients who may receive emergency dental services from the applicant, is necessary for providing general dental services;
 - (h) (except where the applicant is a body corporate) whether any limitations have been imposed by any government organisation which restrict the applicant's ability to work in any specified capacity in Scotland and, if so, the details of these;
 - (i) if the applicant is, or has been where the outcome was adverse, the subject of any investigation by the Agency or any other body in relation to fraud.
2. An application shall contain the following declarations as to whether or not the applicant, and where the applicant is a body corporate any director of the applicant—

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- (a) has been convicted of a criminal offence in the British Islands or has been convicted elsewhere of an offence which would constitute a criminal offence if committed in the British Islands;
- (b) is currently the subject of any proceedings anywhere in the world which might lead to a conviction specified in sub-paragraph (a);
- (c) has in summary proceedings in respect of an offence, been the subject of an order discharging the applicant absolutely (without proceeding to conviction);
- (d) has accepted and agreed to pay either a fixed penalty under section 302 of the Criminal Procedure (Scotland) Act 1995 or a penalty under section 115A of the Social Security Administration Act 1992;
- (e) has accepted a compensation offer under section 302A of the Criminal Procedure (Scotland) Act 1995;
- (f) has accepted a combined fixed penalty and compensation offer under section 302B of the Criminal Procedure (Scotland) Act 1995;
- (g) has accepted a work order under section 303ZA of the Criminal Procedure (Scotland) Act 1995;
- (h) has accepted a police caution in the British Islands;
- (i) has been bound over following a criminal conviction in the British Islands;
- (j) has been subject to any investigation into the applicant's or such director's professional conduct by any licensing, regulatory or other body anywhere in the world where the outcome was adverse;
- (k) is currently subject to any investigation into the applicant's or such director's professional conduct by any licensing, regulatory or other body anywhere in the world;
- (l) is the subject of any investigation, proceedings or referral by another Health Board or equivalent body or the Tribunal which might result in the applicant, or where the applicant is a body corporate, any director of the applicant being disqualified, conditionally disqualified, refused entry, granted entry subject to conditions, removed, contingently removed or suspended from a list, or equivalent list;
- (m) is, or has been, where the outcome was adverse, the subject of any investigation into the applicant's or such director's professional conduct in respect of any previous or current employment;
- (n) is, or has in the preceding 6 months been, or was at the time of the events that gave rise to conviction, proceedings, investigation or referral, a director of a body corporate, or a member of a partnership (including a limited liability partnership) which—
 - (i) has been convicted of a criminal offence in the British Islands;
 - (ii) has been convicted elsewhere of an offence which would constitute a criminal offence if committed in the British Islands;
 - (iii) is currently the subject of any proceeding anywhere in the world which might lead to such a conviction;
 - (iv) has been subject to any investigation into its provision of professional services by any licensing, regulatory or other body anywhere in the world; or
 - (v) is, to the applicant's knowledge, or has been, where the outcome was adverse, the subject of any investigation by the Agency or any other body in relation to fraud;
- (o) has had sequestration of the applicant's or such director's estate awarded or been adjudged bankrupt;

- (p) has been made the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986;
 - (q) has made a composition or arrangement with, or granted a trust deed for, the applicant's or such director's creditors;
 - (r) if a body corporate—
 - (i) has had an administrator, administrative receiver or receiver appointed in respect of it;
 - (ii) has had an administration order made in respect of it under Schedule B1 to the Insolvency Act 1986; or
 - (iii) has been wound up under Part IV of the Insolvency Act 1986;
 - (s) is subject to a disqualification order under the Company Directors Disqualification Act 1986, the Companies (Northern Ireland) Order 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986.
3. An applicant must include either—
- (a) an enhanced criminal record certificate in relation to the applicant or where the applicant is a body corporate, in relation to each director, dated not earlier than 28 days before the date of the application; or
 - (b) an application for each such certificate duly completed and signed by the applicant and, where the applicant is a body corporate, each director of that body corporate.
4. An application shall include the following undertakings:—
- (a) that applicant will be bound by the terms of service applicable to the applicant;
 - (b) that the applicant will undertake to provide emergency dental services under general dental services;
 - (c) that the applicant will notify the Board in writing within 7 days of its occurrence if the applicant, or where the applicant is a body corporate any director of the applicant—
 - (i) is charged in the British Islands with a criminal offence, the sentence for which could be a term of imprisonment or is charged elsewhere with an offence which, if committed in the British Islands would constitute such a criminal offence;
 - (ii) is convicted of a criminal offence in the British Islands or is convicted elsewhere of an offence which would constitute a criminal offence if committed in the British Islands;
 - (iii) has, in summary proceedings, in respect of an offence, been the subject of an order discharging him or her absolutely (without proceeding to conviction);
 - (iv) has accepted and agreed to pay either a fixed penalty under section 302 of the Criminal Procedure (Scotland) Act 1995 or a penalty under section 115A of the Social Security Administration Act 1992;
 - (v) has accepted a compensation offer under section 302A of the Criminal Procedure (Scotland) Act 1995;
 - (vi) has accepted a combined fixed penalty and compensation offer under section 302B of the Criminal Procedure (Scotland) Act 1995;
 - (vii) has accepted a work order under section 303ZA of the Criminal Procedure (Scotland) Act 1995;
 - (viii) has accepted a police caution in the British Islands;
 - (ix) is bound over following a criminal conviction in the British Islands;

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- (x) becomes the subject of any investigation into the applicant's or such director's professional conduct by any licensing, regulatory or other body anywhere in the world;
- (xi) is informed by any licensing, regulatory or other body anywhere in the world of the outcome of any investigation into the applicant's or such director's professional conduct, and there is a finding against the applicant or such director;
- (xii) becomes, to the applicant's knowledge, the subject of any investigation by the Agency or any other body in relation to fraud, or is informed of the outcome of any such investigation, where it is adverse;
- (xiii) becomes the subject of any investigation, proceedings or referral by another Health Board or equivalent body or the Tribunal, which might result in the applicant or such director being disqualified, conditionally disqualified, refused entry, allowed entry subject to conditions, removed, contingently removed or suspended from a list, or equivalent list;
- (xiv) is disqualified, conditionally disqualified, refused entry, allowed entry subject to conditions, removed or suspended from or refused admission or contingently removed from to any list or equivalent list;
- (xv) is, was in the preceding 6 months, or was at the time of the events that gave rise to the charge, conviction, investigation or referral, a director of a body corporate and that body corporate—
 - (aa) is charged in the British Islands with a criminal offence, or is charged elsewhere with an offence which, if committed in the British Islands would constitute a criminal offence;
 - (bb) is convicted of a criminal offence in the British Islands;
 - (cc) is convicted elsewhere of an offence which, if committed in the British Islands would constitute a criminal offence;
 - (dd) becomes the subject of any investigation into its provision of professional services by any licensing, regulatory or other body anywhere in the world;
 - (ee) is informed by any licensing, regulatory or other body anywhere in the world of the outcome of any investigation into its provision of professional services, and there is a finding against it; or
 - (ff) becomes, to the applicant's knowledge, the subject of any investigation by the Agency or any other body in relation to fraud, or is informed of the outcome of any such investigation, if adverse,together with details of the occurrence, including approximate dates, and where any investigation or proceedings were or are to be brought, the nature of that investigation or proceedings, and any outcome;
- (xvi) has sequestration of the applicant's or such director's estate awarded or is adjudged bankrupt;
- (xvii) is made the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order under Schedule 4A to the Insolvency Act 1986;
- (xviii) makes a composition or arrangement with, or grants a trust deed for, the applicant's or such director's creditors;
- (xix) if a body corporate—
 - (aa) has an administrator, administrative receiver or receiver appointed in respect of it;

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- (bb) has an administration order made in respect of it under Schedule B1 to the Insolvency Act 1986; or
- (cc) is wound up under Part IV of the Insolvency Act 1986;
- (xx) is made subject to a disqualification order under the Company Directors Disqualification Act 1986, the Companies (Northern Ireland) Order 1986 or to an order made under section 429(2)(b) of the Insolvency Act 1986 (failure to pay under county court administration order);
- (d) that the applicant will only provide orthodontic treatment, (where the applicant has applied for inclusion in the list on that basis);
- (e) that the applicant and where the applicant is a body corporate, all directors of the body corporate, consents to a request being made by the Health Board to the Agency, any employer or former employer of the applicant or any such director, licensing, regulatory or other body in the United Kingdom or elsewhere, for information relating to a current investigation, or an investigation where the outcome was adverse, into the applicant or a body corporate referred to in this paragraph or any such director and, for the purposes of this sub-paragraph, “employer” includes any partnership of which the applicant is or was a member;
- (f) that the applicant consents to disclosure of information in terms of regulation 14.