

POLICY

JANUARY 2026

MALPRACTICE POLICY



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MALPRACTICE POLICY

INTRODUCTION TO THIS POLICY

POLICY STATEMENT

The General Dental Council ('GDC') sets out standards that necessitate all Dental Nurses "be honest and act with integrity". Accordingly, The Dental Nurse Academy takes all malpractice cases seriously. This policy details our approach to any malpractice, including but not limited to actions (or inactions) relating to:

- a. The end point assessment approach and/or delivery
- b. The integrity of a regulated or unregulated qualification
- c. The validity of a result or certificate including:
 - a. Personal and Professional information
 - b. The Record of Experience ('RoE')
 - c. Witness Statements relating to the RoE
 - d. Any and all NEBDN Exams
- d. The reputation and credibility of DNA, NEBDN; or,
- e. The 'perceptions' of regulated qualifications for stakeholders.

PURPOSE

The purpose of this policy is to ensure that:

1. Learners understand their obligations and take accountability for the accuracy and integrity of any and all information they provide, including the work they submit as part of their Record of Experience ('RoE).
2. Witnesses are fully aware of their commitments and responsibilities regarding witness statements within a learner's RoE.
3. Employers understand their role within a learner's training including need to provide valid witnesses
4. Any actions taken by the DNA are fair, consistent, transparent and proportionate
5. The DNA's approach to investigation is clearly defined and adhered to in the event that a suspicion should be raised.

It sets out the steps to follow when reporting alleged cases of malpractice/maladministration such as academic misconduct and NEBDN's responsibilities in dealing with such cases. It also sets out the procedural steps NEBDN will follow when reviewing the cases.

STAKEHOLDERS

This policy applies to all learners and related parties that come into contact with the DNA, including:

1. Learners (current and prospective)
 - a. Apprenticeship students
 - b. National Diploma students
2. Third Parties
 - a. Employers (Dental Practices) of our learners
 - b. Witnesses for Learners' RoE

DEFINITIONS

GENERAL DEFINITIONS

- (i) **DNA** means the Dental Nurse Academy.
- (ii) **Employers** means the employer (Dental Practice) of an Apprentice or National Diploma student who is registered with the Dental Nurse Academy.
- (iii) **Learners** means Apprentices and National Diploma students.
- (iv) **Staff** means The Board, Senior Managers, Employees, Self Employed, Agency Staff and Volunteers acting on behalf of the Dental Nurse Academy.
- (v) **Third Parties** means Employers, Sub-Contractors to the DNA and Suppliers to the DNA

DEFINITIONS SPECIFIC TO THIS POLICY

- (i) **Malpractice** means any activity or practice which contravenes DNA and/or NEBDN regulations and/or compromises the integrity of the assessment process and/or the validity of the award of certificates

RELATED POLICIES AND ARRANGEMENTS

All DNA policies and arrangements have a bearing on this topic. In particular

- POL-I-3 Safeguarding and Prevent Duty Policy
- POL-I-4 Complaint Policy
- POL-I-9 Whistle Blower Policy
- POL-I-15 Learner Behaviour Policy
- POL-I-16 Learner Identification Policy
- POL-I-20 Examination and Invigilation Policy
- POL-I-27 Student attendance Policy
- POL-I-30 Conflict of Interest Policy
- POL-I-41 Witness Verification Policy
- POL-I-42 Incident Policy

The DNA's policies will be reviewed regularly (on an annual basis) and any identified elements which breach or risk deviation from this policy shall be removed.

LEGAL FRAMEWORK

There is no legal framework associated with this policy. However the NEBDN's Malpractice & Maladministration Policy sits alongside the Dental Nurse Academy's policy and is also applicable to all related parties.

OUR COMMITMENT

The Dental Nurse Academy is committed to upholding standards in line with our own expectations as a training provider as well as those required by the NEBDN and GDC.

TYPES OF MALPRACTICE:

LEARNER MALPRACTICE

Malpractice by a Learner in internal or external assessment could occur in:

- portfolios of internal assessment evidence
- presentation of practical work
- preparation and authentication of RoE/RoC/Portfolio
- conduct during an internal assessment.
- conduct during an external assessment.

Examples of Learner malpractice could include:

- **Plagiarism** - failure to acknowledge sources properly and/or the submission of another person's work as if it were the Learner's own
- **Artificial Intelligence (AI)** - failure to acknowledge any use of artificial intelligence (such as ChatGPT) and/or submission of the AI-generated content as if it were the Learner's own
- **Collusion** with others when an assessment must be completed by individual Learners and/or evidence must relate to that individual Learner
- **Copying** from another Learner (including using technology to do so)
- **Impersonation** - assuming the identity of another Learner or a Learner asking another person to assume their identity during an assessment.
- **Inclusion of inappropriate, offensive, discriminatory, or obscene material** in assessment evidence. This includes vulgarity and swearing that is outside of the context of the assessment, or any material of a discriminatory nature (including racism, sexism, and homophobia)

- **Inappropriate behaviour** during an assessment. This includes shouting and/or aggressive behaviour or language when speaking to an examiner or assessor or breaching any of the NEBDN's online examination rules and requirements
- **Frivolous content** - producing content that is unrelated to the question in portfolios or examination assessments.
- **The procurement of evidence from a third party** which is submitted as the Learner's own work.

*Please note that this is not an exhaustive list. The DNA reserves the right to apply this policy in any situation where there is deemed to be a risk to the integrity of any related qualification.

Learners must be reminded that online assessments are subject to a range of continually evolving electronic and human checks to ensure that learner work is authentic and indicative of their own knowledge and experience; the GDC also requires appropriate ethical standards of dental professionals.

EMPLOYER MALPRACTICE

This means malpractice committed by a current (or former) Employer of a Learner. It can arise through, for example:

- A breach of confidentiality (e.g., failure to maintain confidentiality of assessment materials or personal data)
- Deception (e.g., manufacturing evidence of competence, fabricating employment records)

WITNESS MALPRACTICE

This means malpractice committed by any witness signing a Witness Statement. It can arise through, for example:

- Signing a Witness Statement for which the witness or Learner was not actually present
- Signing a Witness Statement relating to a procedure which was not conducted as described
- Providing inaccurate or biased comments in the Witness Statement

STAFF MALPRACTICE

This means malpractice committed by a current (or former) member of staff (or contractor) at the Dental Nurse Academy. It can arise through, for example:

- A breach of security (e.g., failure to keep material secure, tampering with coursework etc.)
- Excessive direction from assessors to Learners (e.g., prompting Learners in assessments by means of signs or verbal or written prompts)

- A breach of confidentiality (e.g., failure to maintain confidentiality of assessment materials or personal data)
- Deception (e.g., manufacturing evidence of competence, fabricating assessment, or internal verification records)
- The provision of improper assistance to Learners (e.g., permitting the use of a reasonable adjustment over and above the extent permitted by NEBDN policy)
- Provision of inaccurate or misleading information by Provider staff about NEBDN qualifications
- Failure to adhere to regulations/NEBDN requirements as stated in the Standards for Accreditation

*Please note that this is not an exhaustive list. The DNA reserves the right to apply this policy in any situation where there is deemed to be a risk to the integrity of any related qualification.

IMPLICATIONS FOR ANYONE BREACHING THIS POLICY

Learners, Witnesses or Employers engaged in any form of malpractice, including cheating, such as inappropriate communication or working with other Learners/individuals to benefit themselves could require disclosure to the GDC registration team, termination from the course, without refund, or result in a Fitness to Practice issue at GDC level.

Learners' images, video and other personal data is captured and used by NEBDN for identification and investigation of suspicious behaviour. In addition, any images, video, or data showing criminal activity, indecent images or raising safeguarding issues may also be passed to regulators and or Law Enforcement Agencies (e.g., Police) as required and following NEBDN's Issues and Incidents Management Policy.

PROMOTION AND COMMITMENT

PROMOTING THIS POLICY

All stakeholders (defined above) are required to engage with this policy and the procedures described.

This policy is promoted via the Staff Handbook, the Student Handbook and is readily available on the DNA website at www.dentalnurseacademy.com.

GAINING COMMITMENT TO THIS POLICY

Confirmation of engagement is required by all stakeholders. Our contracts and agreements require agreement to this Policy's acceptance:

- a. Employee Contract (employees)
- b. Employer Agreement (employers i.e. dental practices)
- c. Apprenticeship Commitment Statement (Apprenticeship learners)
- d. Student terms and conditions (National Diploma learners)
- e. Sub Contracting Agreement (suppliers)

Learners and employers are made aware of the Policy on joining and have to commit to accepting the policy as a condition of joining.

All members of staff are required to attest to their having read, understood and commit to this policy.

1. Upon joining the Dental Nurse Academy, new staff members complete policies and procedures training as part of their induction. Attestation is completed via the web form
2. Each year on an annual basis, all staff members must renew their attestation via the web form.

Web form for staff attestation: www.dentalnurseacademy.com/staff-attestation-form
(staff only)

TRAINING

INITIAL TRAINING

Training on this policy is included as part of the induction process when new starters join the Dental Nurse Academy.

REFRESHER TRAINING

Training regarding this policy is repeated annually.

Training is provided for managers on this policy and the associated arrangements.

MONITORING

In addition to the NEBDN's ongoing monitoring of Learners' RoE submissions and online assessments (exams), the Dental Nurse Academy provides its own technology-based analysis on RoE submissions, including spot checks using third party analysis tools to identify Plagiarism and use of Artificial Intelligence. Best practice is also shared and discussed among Assessors at the Dental Nurse Academy to ensure an ongoing human monitoring provision is in place for each submission.

MANAGING CONCERNS

RAISING CONCERNS

To raise a concern, contact the Senior Lead in the first instance. If that person is not available, please contact the Deputy Senior Lead. In the event of neither being available please escalate to the point of escalation. Full contact details are described below for each of these individuals.

All concerns should be raised formally by email to raisingconcerns@dentalnurseacademy.com

RECORDING CONCERNS

Concerns are recorded in the DNA's Policy Concerns Log, which is stored securely on our HR server. Access is restricted to this folder so that only relevant persons can access the log. It is the responsibility of the Senior Lead to record all concerns and action taken.

All log files are kept in accordance with UK law and best practice and will be deleted in the appropriate timeframe.

Once a concern is raised (using the email address above), the Senior Lead for Malpractice (see below for details) will report the suspicion immediately to the External Quality Manager. This should be followed with a full written account and any supporting evidence to the NEBDN within 5 working days.

INVESTIGATING CONCERNS

We aim to objectively assess every concern, evaluating its severity in the context of this policy. We aim to apply common sense and judgement, and commit to deal with allegations as quickly, fairly and consistently as is reasonably practicable. Our process will always involve two (2) senior management team members in any investigation, as well as a relevant Manager as appropriate.

1. Ensure the log is completed for this concern
2. Categorise the concern level of the allegation
3. Create an initial response to the allegation
4. Ensure the full facts are presented to the investigation team
5. Seek advice from regulatory/government body if appropriate
6. Reach decision

1. Where “no further action” is the outcome:
 1. The record log must be updated including the justification for the decision
 2. A response will be put in writing to the individual concerned
2. Where “further enquiry” is the outcome:
 1. A schedule for review will be created to determine frequency for updates
 2. An action plan for next steps will be created
 3. The record log will be updated accordingly

RESPONSIBILITY

Responsibility for ensuring the effective implementation and operation of this policy rests with the Chief Executive. Partners and Managers will ensure that they and their staff operate within this policy and arrangements, and that all reasonable and practical steps are taken to ensure continuity plans and contingencies are in place on an ongoing basis. Each partner will ensure that:

- All staff are aware of the processes and arrangements referenced in this policy;
- Proper records are maintained.

The person responsible for monitoring the operation of the policy, including periodic departmental audits, and with responsibility for considering and taking action if any instances breach this policy is detailed below (“Senior Lead”)

GETTING SUPPORT OR GUIDANCE

SUPPORT

Support with any requirements relating to this policy should be obtained from the Senior lead for Malpractice, detailed below.

GUIDANCE

Guidance can be obtained from the Clinical Team, Course Director, Senior Management or, for external guidance, the NEBDN.

IMPORTANT CONTACTS

SENIOR LEAD FOR MALPRACTICE

- Name: Elaine Mustoe
- Title: Course Director
- Email address: elainem@dentalnurseacademy.com
- Telephone number: 020 4591 2333

DEPUTY SENIOR LEAD FOR MALPRACTICE

- Name: Demelza Owen
- Title: Operations Director
- Email address: demelzao@dentalnurseacademy.com
- Telephone number: 020 4591 2333

POINT OF ESCALATION

- Name: Rob Mustoe
- Title: MD
- Email address: consultant@dentalnurseacademy.com
- Telephone number: 020 4591 2333

NEBDN (AWARDING BODY)

- Name: Customer support
- Email address: customersupport@nebdn.org
- Telephone number: 01772 429 917

GENERAL DENTAL COUNCIL (GDC)

- Email address (<https://www.gdc-uk.org/contact-us> - use contact form)
- Telephone number: 0207 167 6000

REVIEW

This policy is fully supported by senior management (The Board at the DNA).

The effectiveness of this policy and associated arrangements will be reviewed annually under the direct supervision of the Chief Executive/MD, to ensure alignment with current GDC guidelines and educational best practices.

LAST REVIEWED

January 2026

Reviewed by: Rob Mustoe, MD



NEXT REVIEW

January 2027