

**BEFORE THE FITNESS TO PRACTISE COMMITTEE
OF THE GENERAL OPTICAL COUNCIL**

GENERAL OPTICAL COUNCIL

IO(10)05

AND

ANTHONY PLIMMER (01-9062)

**DETERMINATION OF A 3rd REVIEW OF AN INTERIM ORDER
7 OCTOBER 2011**

Determination

The Fitness to Practise Committee reviewed an Interim Order for the imposition of econditional registration of Anthony Plimmer for a period of 18 months made on 30 June 2010. An early review hearing on 26 October 2010 was requested by the Council due to the non-compliance of the terms of the original order; the conditions were amended to cater for the changed circumstances of the registrant. A second review hearing was held on 15 April 2011; the Committee, on that occasion, was satisfied that the conditions as imposed in October 2010 should continue.

The Committee accepted the advice of the legal adviser.

The Committee notes that the interim order is due to expire at the end of December 2011 and thus makes no mention of a further review before the expiry date.

The Committee views with real concern the time that it is taking to bring this matter to a substantive hearing and the financial and professional hardship that this is causing to a registrant against whom allegations have yet to be proved. The Committee urges the Council to make every effort to ensure that this matter is now dealt with expeditiously, with a view to ensuring that there is no need for a further review hearing.

The Council was represented by Mr Whalley and the registrant by himself. Mr Whalley invited the Committee to maintain the current interim conditions order. The registrant objected to any order on the grounds that the current order prevents him from effectively obtaining employment under these conditions.

Since the last hearing, a preliminary report has been received from Professor Stephen Parrish dated 18 August, 2011 which in the main supports the Council's

case. However, the Committee is alive to the fact that the registrant vigorously disputes the allegations made against him, but it is not within the remit of this committee to test evidence.

The nature of the allegations are serious and relate to:

- Failing to identify or record customers history and symptoms
- Issuing incorrect prescriptions
- Failing to record recommendations outlined to customers
- Failing to detect potential glaucoma cases
- A lack of notes relating to customers whose visual acuity fell beneath the required legal standard for driving.

The Committee is satisfied that it is necessary for the protection of the public for an interim order to remain in place. Further, the Committee is satisfied that an interim conditional registration practice order is sufficient to provide the necessary degree of public protection.

The Registrant's registration will continue to be subject to conditions save that condition 3 will be varied to read that "the supervisor must "work regularly" at your place of work" rather than "be based predominantly" at your place of work. It is hoped that this might assist the Registrant in obtaining future employment.

Chairman of the Committee: Margaret Hallendorff

Signed _____

Date 7 October 2011

LIST OF CONDITIONS

1. You must advise the Registrar of the details of any employment you obtain as an optometrist.
2. You must make contact with the Registrar within three months of this order and at three monthly intervals to inform the Registrar of your employment status.
3. If you obtain employment as an optometrist you must place yourself and remain under the supervision of a specified supervisor approved by the Registrar. The supervisor must work regularly at your place of work, regularly oversee your professional performance and record keeping and take responsibility for the care of your patients. The supervisor is to provide reports to the Registrar every three months providing details of any progression or regression in the following areas of your practise:
 - Record keeping;

- Glaucoma / visual fields assessment;
- Patient communication.

You must advise the Registrar of the nominated supervisor's contact details and of any change to the specified workplace supervisor.

4. You must not undertake any locum work in any form unless advised to do so by your supervisor and with prior agreement of the Registrar.
5. The GOC will enter these conditions against your name in the register.. You must allow the Registrar to share any information, including confidential information, with any employer, supervisor, professional colleague or any organisation for which you provide ophthalmic services for the duration of your conditional registration. You must also allow the Registrar to share this information with other regulatory bodies and the Department of Health.
6. You must notify the Registrar within 14 days of commencement of any professional appointment you accept whilst you are subject to these conditions (this includes any teaching posts) and provide contact details of your employer and if providing ophthalmic services under a NHS contract, the PCT on whose ophthalmic practitioners list you will be included (this includes any equivalent employer in the EC).
7. You must inform the Registrar within 14 days of any criminal convictions, police cautions or formal disciplinary proceedings taken against you from the date of this determination.
8. You must inform the Registrar:
 - a. If having obtained employment you cease working;
 - b. If your work takes you out of the UK for a significant period of time; or
 - c. Of any employment you apply for outside of the UK (and in which countries)

as conditions of registration only apply to practice undertaken in the UK (you must consider whether your time out of work or out of the UK will allow you to fulfil the conditions during the period of conditional registration). The Registrar may inform the relevant competent authorities in that country of your current conditions of UK registration.

9. You must continue to fulfil the CET requirements under the GOC CET scheme to secure appropriate points for continued inclusion on the GOC register.
10. You must inform the following parties that your registration is subject to conditional registration:
 - a. Any organisation or person employing or contracting with you to undertake ophthalmic services (to include any locum agency);
 - b. Any prospective employer (whether within the UK or EC);

- c. Chairman of the Local Optometric Committee;
 - d. The PCT in whose ophthalmic practitioners list you are included or seeking inclusion.
11. You must ensure that your GOC registration is renewed by 15 March annually while you are subject to the GOC FTP conditional registration procedures. Should you fail to renew your registration a review hearing will be arranged immediately.