

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

GENERAL OPTICAL COUNCIL

IO(11)02

AND

L (AN OPTOMETRIST)

**DETERMINATION OF APPLICATION FOR AN INTERIM ORDER
- 10 MAY 2011 -**

The Fitness to Practise Committee considered the Council's application for an Interim Order on 10 May 2011.

Decision

The Committee decided that it was not necessary at his time to impose an interim order. The Committee accepted the advice of the legal adviser.

The GOC has applied for an interim order against the registrant on the basis that it is necessary for the protection of members of the public. The background to the application is that concerns have been raised about the registrant's competence in performing eye examinations on children arising from a complaint by a parent on behalf of their son. The registrant has been suspended from carrying out such examinations by his employer, Asda, until he has completed a personal development programme arranged by Asda. The GOC's investigation is at a very early stage and it is not yet clear whether there is sufficient evidence to justify a substantive hearing.

The Committee has carefully considered the documents presented, most of which come out of the investigation and remedial programme arranged by Asda. The Committee also heard evidence from the registrant, although it has borne in mind that this is not a fact-finding hearing.

The Committee is very impressed by the framework put in place by Asda for bringing the registrant's skills up to the required standard. There is a comprehensive personal development programme in place and a mentor has been appointed. The Committee was impressed by the registrant's commitment to remaining with his employer and completing the programme. The Committee is satisfied that the registrant's progress is being carefully monitored by Clare Slade, a Professional Services Manager for Asda Opticians. Her email to the Association of Optometrists dated 9 May 2011 'I am

very pleased to report that, to date, [the registrant] has been proactively engaged in this process and his approach has been exemplary. He has willingly adopted the advice and guidance offered by both myself and the professionals working with him.”

The Committee is satisfied that so long as the registrant remains in his employment with Asda there is no risk to the public. The Committee is confident that the registrant intends to remain in his employment and complete his personal development programme. The Committee is reassured by the fact that Asda has committed itself to informing the GOC if the registrant were to leave its employment. In these circumstances the Committee is not satisfied that an interim order is necessary for the protection of members of the public.

Should the registrant's circumstances change significantly it will be open to the GOC to make a further application.

Chairman of the Committee: Sir Alistair Graham

Signed _____

Date 10 May 2011