

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

**GENERAL OPTICAL COUNCIL**

**IO(12)02**

**AND**

**TANVIR KAHLON (01-21980)**

---

**DETERMINATION OF APPLICATION FOR AN INTERIM ORDER  
18 JANUARY 2012**

---

**Decision**

The Committee accepted the advice of its Legal Adviser.

The registrant is a registered optometrist. She was first registered with the GOC on 5 October 2005. She had no adverse fitness to practice history. The allegations now made concern eye examinations she carried out on 16 April 2010 and 15 April 2011. The allegation against the registrant is one of repeated, serious clinical failings which may have caused harm to a patient. It is alleged that on two occasions the registrant incorrectly diagnosed the patient's tumour as retinoschisis which led to a delay in the patient receiving treatment for the tumour. The patient's eye had to be removed. It is submitted that the failings of the registrant on not taking more action in 2010, not calling the patient back for a review before 12 months had elapsed, and in not referring the patient on to an ophthalmologist in 2011 is evidence that she fell below the standard that might reasonably be expected of a competent optometrist. This matter is currently before the Investigations Committee. On behalf of the registrant it is conceded that she did fail on these occasions: more should have been done by her in relation to both examinations.

The Council submission is that this is a case where it is necessary for the protection of members of the public that an interim order of suspension be made. On behalf of the registrant it is conceded that this is a case where an order is necessary for the protection of the public, but that the facts of the case can be met by conditions rather than an order for interim suspension. The Committee has considered all of the background facts giving rise to the allegations in this case, and to the guidance given in the case of Sheikh, referred to it by the Legal Adviser. The Committee is of the view that the underlying failings of the registrant in the two examinations in 2010 and 2011 and her failure to interpret the effect of what she had seen, are such as to satisfy it that an order is necessary for the protection of the public.

Having come to that conclusion, the Committee considered whether this case could be met by the imposition of conditions to her registration. On behalf of the registrant Mr Singh placed before the Committee some draft conditions for consideration by it. The registrant works as a sole optometrist at a franchise of Boots. The conditions proposed by Mr Singh are premised on a form of remote supervision. The Committee considered the option of remote supervision and was concerned that such supervision would not meet its concerns for the protection of the public, nor would those conditions provide a satisfactory level of service for members of the public visiting the practice. The Committee is of the view that this case can be dealt with by conditions, but in order to protect the public such conditions must provide for direct supervision.

The Committee is of the view that the conditions set out below are appropriate and proportionate.

The Committee ordered that the registrant's registration be subject to conditional registration for a period of 18 months from today. The order will be reviewed within 6 months from today unless all matters are resolved within that time, or earlier should new evidence be made available, or if the registrant, at any time after three months from today's date, requests an early review.

**Chairman of the Committee: Fran Jones**

Signed \_\_\_\_\_ Date 18 January 2012

**LIST OF CONDITIONS – MISS TANVIR KHLON**

1. You must place yourself and remain under the supervision of a specified registered optometrist workplace supervisor who is registered with, and has been approved, by the GOC. Your supervisor must be present at the practice where you are testing sight and be available for advice and assistance at any time.
2. Where you take a clinical decision that a retina shows a feature that is non-normal, an image must be taken of that feature.
3. You must meet with your supervisor on a weekly basis and provide them with all retinal images that you have taken in the previous week (including those set out in condition 2 (above)) and a random selection of patient records from the previous week, chosen by your supervisor, for review.
4. You must obtain from your supervisor a report on a monthly basis relating to your compliance with conditions 1-3 regarding any cases of concern that have been noted or confirming that there are no such cases. You must submit the report to the GOC within 3 days of receipt.

5. You must attend as an observer at least four sessions with a consultant ophthalmologist specialising in the management and treatment of ocular tumours and send notification to the GOC by 30 April 2012 that you have done so.
6. The GOC will enter these conditions against your name in the register save any conditions which relate to your health. 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.
7. You must also allow the Registrar to share this information with other regulatory bodies and the Department of Health.
8. 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).
9. 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.
10. You must inform the Registrar:
  - a. If 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.
11. You must continue to fulfil the CET requirements under the GOC CET scheme to secure appropriate points for continued inclusion on the GOC register.
12. 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.

13. You must ensure that your GOC registration is renewed by 15 March annually (for optometrists and dispensing opticians) 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.