

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

GENERAL OPTICAL COUNCIL

F(25)28

AND

GAUTAM PASSI (01-29657)

**DETERMINATION OF A SUBSTANTIVE HEARING
9-11 MARCH 2026**

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| Committee Members: | Remi Alabi (Chair) Joy Tweed (Lay) Mark McLaren (Lay) Gemma O'Rourke (OO) Sarvat Fida (OO) |
| Legal adviser: | Gemma Gillet |
| GOC Presenting Officer: | Vishal Misra |
| Registrant present/represented: | Yes |
| Registrant representative: | Eleanor Curzon |
| Hearings Officer: | Terence Yates |
| Facts found proved: | Allegations 1,2,3 & 4 (by admission) |
| Facts not found proved: | N/A |
| Misconduct: | Found |
| Impairment: | Not impaired – Warning issued |
| Sanction: | N/A |
| Immediate order: | N/A |

Preliminary Issues

1. Mr Gautam Passi (“the Registrant”) attended and was represented by Ms Eleanor Curzon. Mr Vishal Misra, of Counsel, attended to present the case on behalf of the General Optical Council (“the Council”).
2. In advance of the hearing, a preliminary issue had been raised by the Committee to the parties concerning a declaration of interest from a member who had had professional contact with two of the witnesses in the case. Having been informed about the details of the contact, the parties confirmed that they did not have any concerns. The Committee accepted the legal advice from the Legal Adviser that the test was whether a member of the public would conclude that there was a real possibility that the hearing would be unfair or that the committee would be biased. It is important that justice is done, but also that it is seen to be done.
3. The Committee found that a fair-minded observer, fully informed of the facts, would not be concerned that the limited contact the Committee member had had with the witnesses previously, would have any adverse influence on the Committee member’s decision making. In the circumstances, the Committee determined that there was no real possibility that it would be biased in this case or that bias could be perceived and therefore there was no conflict of interest. It determined that the member could continue hearing the matter and proceeded on that basis.
4. The Council had also informed the Registrant of its intention to amend the allegations to correct a typographical error within Schedule A in that the event took place on 6 August 2024 and not the 8 June 2024, as currently stated. The Committee accepted the advice from the Legal Adviser, which included reference to Rule 46(2) and noted that the Registrant did not have any objection to the amendment. The Committee was satisfied that there was no prejudice to either party and that the amendment would not materially change the allegations referred. The Committee agreed to the amendment.

ALLEGATION (as amended)

The Council alleges that you Mr Gautam Passi (01-29657), a registered optometrist:

- 1) *Between May 2024 and August 2024, you submitted Optics Continuing Professional Development (“CPD”) Event attendance forms to the Specsavers Professional Training and Development team, claiming that you attended the CPD events set out in Schedule A.*
- 2) *Your actions at 1) were:*
 - i) *Misleading; and/or*
 - ii) *Dishonest in that you knew you did not attend the CPD events set out in Schedule A.*
- 3) *Between 2 May 2024 and 2 May 2025, during the 2022-2024 CPD Cycle, you claimed points and submitted certificates to the General Optical Council’s CPD Team for the discussion workshops set out in Schedule B.*
- 4) *Your actions at 3) were:*
 - i) *Misleading; and/or*
 - ii) *Dishonest in that you knew you did not attend the CPD events set out in Schedule B.*

And by virtue of the facts set out above, your fitness to practise is impaired by reason of misconduct.

SCHEDULE A

| CPD event title | Date | Time | Location |
|--|---------------------------|--------------|------------|
| 1. Clinical Efficiency & Optometrist Service Excellence from the Test Room | 9 th May 2024 | 6pm – 8pm | [redacted] |
| 2. The Power of the Trust Expert & Embracing Presbyopia | 20 th May 2024 | 6pm – 8:30pm | [redacted] |
| 3. Targeting quality & patient choice | 8 th July 2024 | 4pm – 5:30pm | Online |

| | | | |
|---|-----------------------------|-----------------|------------|
| 4. Wellbeing through purpose | 15 th July 2024 | 6pm – 8pm | [redacted] |
| 5. Dry eye: mental health impact and management | 16 th July 2024 | 6pm – 9pm | [redacted] |
| 6. Clinical efficiency from the test room & Optometrist service excellence from the test room | 6 th August 2024 | 6:30pm – 8:30pm | [redacted] |

SCHEDULE B

| Certificates | Points |
|--|---------------|
| 1. Optometrist service excellence from the test room | 3 |
| 2. Embracing presbyopia | 3 |
| 3. Wellbeing through purpose | 3 |

SCHEDULE C

[Redacted]

DETERMINATION

Admissions in relation to the particulars of the Allegation

5. The Registrant admitted particulars 1, 2, 3 and 4 of the Allegation.

Background to the allegations

6. On 24 July 2025, the Council received a referral from Specsavers Professional Services. The referral stated:

“On 18 July 2024 I received an email from [Mr A], Specsavers Director for Professional Development, in which he raised a concern that Mr Pasdi [sic] had submitted claims for CPD points for a number of CPD events which he had not attended”

7. At the relevant time, the Registrant had been a locum optometrist. Between May 2024 and August 2024, the Registrant submitted CPD forms to Specsavers Professional Training and Development team, as his CPD provider, in which he stated that he had attended six CPD training events during the relevant period;
 - Clinical Efficiency & Optometrist Service Excellence, 9 May 2024;
 - The Power of the Trust Expert & Embracing Presbyopia, 20 May 2024;
 - Targeting Quality & Patient Choice, 8 July 2024;
 - Wellbeing Through Purpose, 15 July 2024;
 - Dry eye: Mental Health Impact and Management, 16 July 2024; and
 - Clinical efficiency from the test room & Optometrist service excellence form the test room, 6 August 2024.
8. Ms A (Specsavers CPD Coordinator) conducted a local level, informal investigation of the data and verified that the Registrant had not attended the CPD courses. Her findings were referred to the Council without any formal investigation or inviting any comment from the Registrant.
9. As a result of the referral, Ms B and Ms C (of the Council’s CPD team) reviewed the CPD information it had been provided by the Registrant. They confirmed that three of the training certificates the Registrant had provided had been for events he had not attended;
 - Optometrist service excellence from the test room, discussion workshop, dated 9 May 2024;
 - Embracing presbyopia, discussion workshop, dated 20 May 2024; and
 - Wellbeing through purpose, discussion workshop, dated 15 July 2024.

10. Ms Furniss confirmed that without undertaking the training certified by the certificates, the Registrant did not meet the CPD requirements for the relevant period to maintain his registration.

Findings in relation to the facts

11. The Committee had sight and considered the following documents at this stage;
 - C1: a 111-page Hearings Bundle
 - C2: a 17-page Council Skeleton argument
 - R1: a 124-page Registrant's Bundle
12. The witness statements had been agreed in advance of the hearing so no live witnesses were called at the facts stage.
13. The Committee found all the allegations proved by reason of admission in accordance with Rule 40(6).

Evidence at the Misconduct and Impairment stage

14. The Registrant gave oral evidence to the Committee at the Misconduct and Impairment stage. The Registrant accepted that his behaviour, as admitted, amounted to misconduct.
15. The Registrant adopted the contents of his 8-page statement dated 2 March 2026 and made reference to the 109 pages of reflective statements covering discussions with colleagues and self-directed learning as contained in R1.
16. In addition, the Registrant told the Committee that he understood that by not undertaking all the required CPD and then misrepresenting that fact, he had adversely impacted his patients and the public confidence in the profession as a whole. He explained that members of the public had the right to look to an optometrist to have the most up to date knowledge and information in order to provide appropriate service and guidance. The Registrant told the Committee that as a registered optometrist, his behaviour and moral compass should mirror that of the Council. He accepted that his behaviour might tarnish the profession as a whole and the Council in the eyes of the public.
17. The Registrant accepted that his behaviour fell far below the standards expected of him and that at the time his practice was impaired. However, he told the Committee that he has learned an incredible amount as a result of the process, his self-directed learning and remediation that he has undertaken since this process began.
18. The Registrant provided the Committee with further details about the work he undertook to complete his diploma in Metaphysical Science and Psychospiritual Psychology. He described it as a profound and transformative personal journey of reflection which had taken 18 months and included daily "check ins". The Registrant

- informed the Committee that as a result of the training he now had a new moral compass.
19. The Registrant explained that his new moral compass has highlighted how inexcusable his previous behaviour was. He emphasised that it does not reflect who he is as a person. He has now put in place a practise of reflecting before acting in all situations, even if overwhelmed. He is conscious and intentional in his actions and is reflective and honest in all his decisions.
 20. The Registrant told the Committee that this regulatory process has allowed him to look back at what happened and why. As a result, he has developed a new understanding of who he is as a person and as a member of the optical profession.
 21. The Registrant stated that, since these allegations came to light, he has made deliberate changes to the way he organises and maintains his professional development. He explained that he now plans his CPD activity across the year in a more structured and consistent way, including engaging with the Association of Optometrist (“AOP”), the College of Optometrists, and relevant professional events. He told the Committee that he has become more organised in his approach, setting aside specific, non-negotiable time in his diary for CPD and described this as a ‘no excuses’ approach.
 22. In cross examination, the Registrant said that at the time he was dishonest about his claiming CPD points he felt desperate and overwhelmed. He explained this was due to [redacted], which included supporting [redacted]. He was overwhelmed and [redacted]. After he had submitted the false information on the first occasion it became easier to do it again. He was very confident that it would not have continued, even if he had not been caught, because it was not in his personality to act in this way.
 23. In response to questions from the Committee, the Registrant accepted that he had a number of months left to complete his CPD requirements but that at the time he wasn’t thinking straight. He accepted that he should have spoken to someone about the pressure he was under and/or made enquiries about an extension to complete the CPD training. At the time, as a locum, he didn’t feel he had someone to speak to. He now knows he should have spoken to the directors of the business (even if he was not an employee), the AOP or the College of Optometrists.
 24. The Registrant told the Committee he had learned that to be truly honest meant to be open about what he had done with colleagues and friends. As a result, he had initiated conversations with regards to the matters before the Committee with colleagues and had included his reflections on these conversations in the bundle provided for the hearing. He had found these conversations difficult to have and that it was not easy to open himself up to being judged but he wanted “*to be honest about his dishonesty*”. However, he had found the process incredibly helpful in developing his insight into his behaviour and the wider impact.
 25. The Registrant told the Committee that he had continued to work as an Optometrist since the concerns had been raised and that there had been no further concerns

about his practise and that he is up to date with his CPD. He reminded the Committee of the positive references in his hearing bundle.

26. The Registrant told the Committee that he started his journey of growth and reflection as soon as this case started. As a result, his decision making is now grounded by the process of “*stop, reflect and then act*” in all situations, personal and professional, small and large. This embedded process and his renewed moral compass means he is confident that there will never be a repeat of the dishonest behaviour.

Findings in relation to misconduct

27. The Committee heard submissions from Mr Misra on behalf of the Council and Ms Curzon on behalf of The Registrant.
28. It accepted the advice of the Legal Adviser, which included reference to the Council’s Hearings and Indicative Sanctions Guidance (“the Guidance”) and the principles established in the cases of *Roylance v GMC* (no 2)[2000] 1 AC 311, *Nandi v GMC*[2004] EWHC 2317 (Admin), *Remedy UK Ltd v GMC* [2010] EWHC 1245(Admin) and *Lawrence v GMC* [2015] EWHC 586. The Legal Adviser reminded the Committee that although The Registrant accepted that his behaviour amounted to misconduct, it remained a matter for its own independent judgement and that no burden or standard of proof applied.
29. The Committee was satisfied that the facts admitted and found proved involved failures on behalf of The Registrant to follow the Council’s 2016 Standards of Practice for Optometrists and Dispensing Opticians, as follows:

5. Keep your knowledge and skills up to date

5.2 Comply with the Continuing Education and Training (CET) requirements of the General Optical Council as part of a commitment to maintaining and developing your knowledge and skills throughout your career as an optical professional.

5.3 Be aware of current good practice, taking into account relevant developments in clinical research, and apply this to the care you provide.

16. Be honest and trustworthy

16.1 Act with honesty and integrity to maintain public trust and confidence in your profession.

16.4 Ensure that you do not make false or misleading statements when describing your individual knowledge, experience, expertise and specialties, including by the use of titles.

17. Do not damage the reputation of your profession through your conduct

17.1 Ensure your conduct, whether or not connected to your professional practice, does not damage public confidence in you or your profession.

17.3 Be aware of and comply with the law and regulations that affect your practice, and all the requirements of the General Optical Council

30. The Committee found that the Registrant's actions amounted to a serious departure from these standards. By submitting false CPD information, The Registrant had acted dishonestly. The Committee noted that the behaviour was deliberate and repeated on a number of occasions over a few months. The Committee accepted that there was no evidence of any direct impact or adverse effect on the Registrant's clinical practice but noted that there was a potential risk to patients and he would not have been able to continue to practise in the absence of an up-to-date CPD record. The Committee considered that any act of dishonesty, in particular towards the company that employs him as a locum and to his regulatory body, is serious and would be considered "deplorable" by fellow practitioners.
31. The Committee found that the admitted facts amount to misconduct.

Findings regarding impairment

32. The Committee heard submissions from Mr Misra on behalf of the Council and from Ms Curzon on behalf of The Registrant. The Committee also had sight of written submissions from Ms Curzon and was reminded to consider the relevant parts of the Council's skeleton argument at this stage.
33. Mr Misra submitted that deliberate dishonesty is on the higher scale of misconduct and reminded the Committee that the conduct had been repeated. He submitted that the public interest compelled a finding of current impairment and that a failure to find impairment would be tantamount to an indication that such conduct need not have regulatory consequences.
34. Ms Curzon submitted that the Registrant was not currently impaired in light of his extensive insight and remediation. She submitted that a finding of dishonesty does not automatically result in impairment and that it is capable of being remedied in exceptional circumstances. She urged the Committee to look carefully at the extensive work the Registrant had undertaken including his varied and targeted CPD, additional lengthy training, detailed reflections and extensive statement. She reminded the Committee of his dedication to the profession, positive references and charity work. She submitted that the Committee could be confident that the conduct had been remedied and would not be repeated.
35. In relation to Mr Misra's submission that a finding of impairment was necessary for the wider public interest, Ms Curzon stated that an informed member of the public, fully aware of the full and extensive remediation the Registrant had undertaken, would not require a finding of impairment to uphold their confidence and trust in the profession and the regulatory process. Ms Curzon reminded the Committee of its power to impose a warning in the absence of a finding of impairment and took it to the relevant paragraphs of the Council's the Guidance.
36. The Committee accepted the advice of the Legal Adviser which included reference to the Council's the Guidance and the legal principles established in the cases of *Meadow v GMC* [2006] EWCA Civ 1390, *Council for Healthcare Regulatory*

Excellence v NMC and Grant [2011] EWHC 927 (admin) and *Cohen v GMC* [2008] EWHC 581.

37. The Committee accepted that it is very rare for a person who has committed serious professional misconduct by reason of dishonesty to avoid a finding of impairment. The Committee found that although dishonesty is difficult to remedy, it is capable of being remedied in exceptional circumstances.
38. The Committee agreed that dishonesty is considered very serious misconduct and that the scale of the dishonesty is relevant to the issue of impairment. The Committee noted that the behaviour was repeated over a three-month period and was intended to mislead his CPD provider and the Council by falsely presenting that he had attended and completed CPD events when he had not. Without the false information, the Registrant would not have met the minimum number of CPD points required for the CPD cycle between 2022 and 2024. The Committee however noted that the Registrant had legitimately completed a larger proportion of the required work in the relevant CPD cycle.
39. The Committee found that the Registrant's behaviour was not at the most serious end of the scale of dishonesty in that his misconduct had not led to any loss to any third party or directly impacted his clinical practice patient care. The Committee concluded that, although serious, this misconduct was at the lower end of the scale of dishonesty.
40. The Committee went on to consider if the Registrant had remedied his misconduct. The Committee noted that The Registrant was of previous good character, had unequivocally accepted his dishonesty and not sought to lay the blame elsewhere. Although he had explained the context to his behaviour, he had not sought to use this as an excuse for the actions he took.
41. The Committee was impressed by the detail and extent of the targeted, self-directed work the Registrant had undertaken in the last 18 months. The Committee found that The Registrant's oral evidence had been genuine, compelling and supported by the evidence provided in his remediation bundle which included evidence of targeted training, detailed reflective statements and positive testimonials.
42. The Committee found that the Registrant had demonstrated a deep and genuine understanding of the nature and gravity of his misconduct and the potential impact on his patients, the profession and the public. The Committee considered the oral evidence to be an excellent demonstration of insight and that his answers to questions reassured the Committee that he recognised the impact of his actions. The Committee therefore found that he had demonstrated a high level of insight.
43. The Committee went on to consider the risk of repetition. The Committee was not wholly convinced that had the Registrant not been caught, he would have stopped the behaviour sooner. However, it found that the current high level of insight was relevant to this issue. The Committee found that the Registrant had undertaken extensive remediation to understand his dishonest behaviour and taken steps to ensure that dishonest misconduct would not be repeated. He now had in place coping mechanisms to underpin his decision-making process and a support network

to turn to if he becomes overwhelmed. The Committee was reassured that the Registrant was now equipped to respond appropriately if faced with challenging circumstances.

44. In light of the evidence presented, the Committee accepted that the Registrant is not an inherently dishonest individual. Having carefully considered the extensive evidence provided by the Registrant and his oral testimony, the Committee concluded that he has genuinely considered his conduct with a self-critical eye, has acknowledged fault and had learned a lesson from the experience.
45. The Committee accepted that these proceedings had had a huge impact on the Registrant and that he was genuinely disappointed and ashamed of his own behaviour. These proceedings had been a hard stop which had led him to recognise the need for change and then effect those changes.
46. The Committee noted that the Registrant had continued to work as an optometrist throughout this process and there had been no further concerns raised about his practise.
47. Based on a careful consideration of everything in the round, the Committee determined that the Registrant had developed sufficient insight, had undertaken sufficient remediation and had demonstrated genuine remorse such as to remediate his misconduct. Therefore, the Committee concluded that there was a low future risk that the misconduct would be repeated and was satisfied that a finding of impairment was not necessary on the grounds of public protection
48. The Committee went on to consider whether a finding of impairment is necessary to maintain public confidence in the profession and uphold the proper professional standards.
49. The Committee accepted that any finding of dishonesty would engage public confidence and the wider public interest. However, it was satisfied that through the extensive work and steps the Registrant had undertaken and his engagement with the regulatory process, on balance, the Committee considered that an informed and fair-minded member of the public, if appraised of all the facts, would not consider that a finding of impairment was necessary to maintain public confidence in the profession or to uphold proper professional standards. The Committee considered that the conduct came close to but fell just short of the threshold for a finding of current impairment on the grounds of public interest.
50. For those reasons, the Committee found that the Registrant's fitness to practise is not currently impaired.

Warning

51. The Committee went on to consider whether a Warning was necessary and appropriate. The Committee reminded itself of the submissions made on behalf of the Registrant in relation to a Warning and the reference made within the Council's skeleton argument as to the need to consider Section 13F(5) of the Opticians Act

1989, if no finding of impairment was made. The Committee carefully considered the relevant parts of the Council's Guidance.

52. The Committee considered that the following factors, suggested in the Council's Guidance at paragraph 20.6, apply in this case;
- The conduct was a clear and specific breach of the Standards of Practice.
 - The particular conduct, approaches, but falls just short of the threshold for current impairment.
 - the concerns are sufficiently serious that, if there were a repetition, they would likely result in a finding of impaired fitness to practise.
 - There is a need to record formally the particular concerns.
53. The Committee reminded itself of the mitigating factors that had led to its finding of no impairment, including the Registrant's genuine expression of regret, previous good history, extensive and appropriate rehabilitative steps and testimonials. However, having regard for the public interest in upholding standards and maintaining public confidence in the profession, whilst falling short of a finding of impairment, the Committee concluded that it is necessary to impose a warning. A Warning was appropriate to mark the seriousness of the conduct and to highlight to the wider profession that such behaviour was unacceptable. It would also serve as a reminder to the Registrant that his misconduct represented a serious departure from the Standards expected and should not be repeated.
54. The Committee considered the appropriate length of the warning and took into account the fact that the conduct had been repeated over a period of three months and related to communication to the Registrant's CPD provider and his Regulator. The Committee considered that a period of two years is necessary and proportionate in order to uphold the standards for fellow practitioners.
55. The Committee decided that the Warning should be worded as follows:
- “the Fitness to Practise Committee has concluded that your fitness to practise is not currently impaired. However, the Committee found that your conduct did fall far below the Standards, in particular Standards 5, 16 and 17, expected of a Registrant and considers it appropriate and proportionate to issue you with a formal warning for a period of 24 months. This Warning will be placed on your registration record and may be taken into account in any future fitness to practise proceedings. While no further action is being taken at this time, the Committee reminds you of the importance of adhering to the Standards set by the General Optical Council and expects no repetition of the conduct in question. This Warning will expire on 10 March 2028.”*
56. The Committee therefore issued a Warning which will be recorded against the Registrant's Registration for a fixed period of 24 months and will expire on 10 March 2028.

Chair of the Committee: Remi Alabi



Signature

Date: 11 March 2026

Registrant: Gautam Passi

Signature present and received via email

Date: 11 March 2026

| FURTHER INFORMATION |
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| Transcript |
| A full transcript of the hearing will be made available for purchase in due course. |
| Appeal |
| Any appeal against an order of the Committee must be lodged with the relevant court within 28 days of the service of this notification. If no appeal is lodged, the order will take effect at the end of that period. The relevant court is shown at section 23G(4)(a)-(c) of the Opticians Act 1989 (as amended). |
| Professional Standards Authority |
| <p>This decision will be reported to the Professional Standards Authority (PSA) under the provisions of section 29 of the NHS Reform and Healthcare Professions Act 2002. PSA may refer this case to the High Court of Justice in England and Wales, the Court of Session in Scotland or the High Court of Justice in Northern Ireland as appropriate if they decide that a decision has been insufficient to protect the public and/or should not have been made, and if they consider that referral is desirable for the protection of the public.</p> <p>Where a registrant can appeal against a decision, the Authority has 40 days beginning with the day which is the last day in which you can appeal. Where a registrant cannot appeal against the outcome of a hearing, the Authority's appeal period is 56 days beginning with the day in which notification of the decision was served on you. PSA will notify you promptly of a decision to refer. A letter will be sent by recorded delivery to your registered address (unless PSA has been notified by the GOC of a change of address).</p> <p>Further information about the PSA can be obtained from its website at www.professionalstandards.org.uk or by telephone on 020 7389 8030.</p> |
| Contact |
| If you require any further information, please contact the Council's Hearings Manager at Level 29, One Canada Square, London, E14 5AA or by telephone, on 020 7580 3898. |