

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

GENERAL OPTICAL COUNCIL

F(25)17

AND

JACK HARDING (SD-9654)

**DETERMINATION OF A SUBSTANTIVE HEARING
10-13 NOVEMBER**

Committee Members:	Mr Adrian Smith (Chair/Lay) Ms Lisa Hill (Lay) Ms Miriam Karp (Lay) Ms Nahid Sadr-Kazemi Bennett (Dispensing Optician) Ms Claire Anstee (Dispensing Optician)
Legal adviser:	Ms Caitlin Connor
GOC Presenting Officer:	Ms Violet Smart
Registrant present/represented:	No and not represented
Hearings Officer:	Ms Natasha Bance
Facts found proved:	All particulars found proved
Facts not found proved:	N/A
Misconduct:	Found
Impairment:	Impaired
Sanction:	Erasure
Immediate order:	Imposed

Proof of service and proceeding in the absence of the Registrant

1. The Committee heard an application from Violet Smart for the General Optical Council (“**Council**”) for the hearing to proceed in the Registrant’s absence.
2. The Committee accepted the advice of the Legal Adviser as to the relevant principles to be applied when determining that application. First, in terms of Rule 22(a) of the Fitness to Practise Rules 2013 (“**Rules**”), the Committee had to be satisfied that notification of the hearing had been served in accordance with Section 23A of the Act and Rule 61 of the Rules. The Legal Adviser advised that, in addition to service by registered or recorded post, service by email was permissible under the Rules where the Registrant had provided an email address for communication and had consented to receive communications by email.
3. Ms Smart directed the Committee’s attention to the relevant documents within the service bundle produced by the Council by which the Registrant had been notified of the hearing by email, and multiple attempts had been made to notify him by recorded post at his registered address and email address. Having considered the contents of that bundle, the Committee was satisfied that all reasonable efforts had been made to notify the Registrant of the hearing.
4. The Committee then considered whether it would be in the public interest to proceed in the Registrant’s absence in accordance with Rule 22(b) of the Rules. The Committee accepted the advice of the Legal Adviser. The Legal Adviser referred the Committee to the principles to be applied when considering whether to proceed in absence as outlined in *Adeogba v General Medical Council* [2016] EWCA Civ 162 at [17] – [23].
5. The Committee determined that it would be in the public interest for the hearing to proceed in the Registrant’s absence. The Committee observed that there had been no request for an adjournment by the Registrant and that the Registrant had not responded to any of the Council’s communications in relation to the hearing. The Committee therefore considered that it was unlikely that an adjournment would secure the Registrant’s attendance at any future hearing. The Committee considered the inconvenience that any adjournment may cause to the three witnesses who were due to attend to give evidence. The Committee further observed that the allegations concerned conduct which was alleged to have occurred in 2022 and, given the passage of time, there was a public interest in bringing this matter to a conclusion. The Committee therefore considered it was fair, appropriate and proportionate to proceed in the Registrant’s absence.

Addendum to Determination dated 13 November 2025

6. On 21 November 2025 the Committee was alerted to an error in the wording of the allegation, in that it ends:

“...by virtue of the facts set out above, his fitness to practise is impaired by reason of his misconduct.”

This line should have read:

“...by virtue of the facts set out above, his fitness to undertake training is impaired by reason of his misconduct.”

7. The Committee has received legal advice that:
- It has no express statutory power to amend an allegation after a hearing has concluded; and
 - It has a limited inherent power to correct accidental errors that do not substantially affect the rights of the parties or the decision arrived at, derived from *R (B) v NMC* [2012] EWHC 1264 (Admin).
8. The Committee is satisfied that the error in the wording of the allegation was accidental, and that correcting it does not substantially affect the rights of the parties or the decision reached.
9. Throughout the hearing, the Committee proceeded on the basis that the Registrant was a student dispensing optician, applied the correct standards, and made its finding of impairment expressly in terms of fitness to undertake training.
10. The Committee therefore determines that the final line of the allegation should now be taken as reading:

*“...by virtue of the facts set out above, his fitness to undertake training is i
impaired by reason of his misconduct.”*

Signed:



Adrian G. Smith

Chair of the Committee

25th November 2025

11. The allegations against the Registrant were in the following terms:

ALLEGATION

The GOC alleges that Mr Harding (SD-9654), a Student Dispensing Optician, whilst working at Vision Express [redacted]:

- 1. On or before the 22nd June 2022, used his supervisor, Colleague A and/or Colleague B's signature on one or more of the following Association of British Dispensing Opticians (ABDO) pre-qualification (PQP) documents:*
 - a) Tracking sheets of dispensing tasks dated between on or around 3 March 2021 and/or 11 February 2022; and/or*
 - b) Tracking sheets of supervised time dated between on or around 3 March 2021 and/or 18 May 2022.*
- 2. Submitted the documentation referred to at paragraph 1(a) and/or 1(b) above to ABDO.*
- 3. His actions at 1(a), 1(b) and/or 2 above were misleading and/or dishonest, in that he knew or ought to have known that:*
 - a) He did not have the permission of Colleague A and/or Colleague B to use their signature; and/or*
 - b) Colleague A and/or Colleague B were required to sign the documents referred to at 1a and/or 1b above.*

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

DETERMINATION

Background to the allegations

12. The Registrant registered with the Council as a student dispensing optician on 27 November 2018, having been registered with the Council in the same capacity for a period prior to that.
13. Between 2015 and 2022, the Registrant was employed by Vision Express, [redacted]. He was originally employed as a lab technician and latterly as a trainee dispensing optician.
14. In 2018, the Registrant began undertaking a programme of study to become a qualified dispensing optician provided by the Association of British Dispensing Opticians (“ABDO”). That programme involved a practical placement in a work environment in addition to studies at the ABDO college. The Registrant was required to complete and submit to the ABDO a ‘Pre-Qualification Period (PQP)’ portfolio (“**PQP Portfolio**”) as part of that programme. The PQP Portfolio was intended to be a supervised record of a student’s dispensing history through the student’s practical placement. It was intended to constitute evidence to prove that a student had obtained the necessary experience and satisfied the necessary criteria to be permitted to sit the final qualifying examination and thereafter register with the Council as a qualified dispensing optician.
15. Completion and submission of the PQP Portfolio was necessary before a student would be eligible to sit their final qualifying examination. The completed PQP Portfolio was to include, among other things, tracking sheets for dispensing tasks and tracking sheets for supervised time, which were intended to constitute supporting evidence that the PQP Portfolio had been completed. Each of those tracking sheets had to be signed by the student’s registered supervisor(s).
16. Prior to undertaking any work as part of the PQP Portfolio, a student had to submit to the ABDO an initial declaration signed by the student and their supervisor(s) (“**Initial Declaration**”).
17. The Registrant submitted his Initial Declaration in or around November 2018. It was signed by the Registrant, Colleague A as his principal supervisor and Colleague B as his secondary supervisor.

18. The Registrant submitted his PQP Portfolio to the ABDO in June 2022. That included various tracking sheets of dispensing tasks and tracking sheets of supervised time which purported to be signed by Colleague A and Colleague B as his supervisors.
19. On receipt of the Registrant's PQP Portfolio, the ABDO noticed a discrepancy between the signatures of Colleague A as shown on the Initial Declaration and her signature as it appeared on tracking sheets which had been submitted by the Registrant as part of his PQP Portfolio.
20. Colleagues A and B were subsequently contacted to verify that the signatures shown on the documents were their own respective signatures. Colleague A and Colleague B were shown a sample of tracking sheets of dispensing tasks and tracking sheets of supervised time which purported to bear their respective signatures. Colleague A and Colleague B confirmed that they had not signed any of those tracking sheets.
21. On or around 26 August 2022, the ABDO notified the Registrant of these issues and advised that the ABDO was consequently unable to accept his PQP Portfolio.
22. The Registrant was suspended from Vision Express on or around 26 August 2022 pending an internal investigation. The Registrant resigned from his role at Vision Express on the same day.
23. A referral was subsequently made to the Council in respect of these matters. The Council investigated and referred the matter to the Fitness to Practise Committee for an inquiry and substantive determination.

Evidence

24. The Committee read, viewed and considered the following documents which had been submitted on behalf of the Council:
 - Hearing bundle dated 27 October 2025 (162 pages);
 - Council's skeleton argument dated 4 November 2025 (5 pages); and
 - The Council's service bundle (20 pages).
25. No documents had been submitted on behalf of the Registrant.
26. At the outset of the hearing the Committee confirmed with the Council the documents it had seen.
27. At the hearing, the Committee heard oral evidence from:

- Colleague A (Locum Optometrist)
- Witness C (Administrative Assistant in the Examinations Office at the ABDO)
- Colleague B (Locum Optometrist)

Colleague A

28. Colleague A formally adopted her witness statement dated 28 March 2025. With the permission of the Chair, it accordingly formed part of her evidence in chief.
29. Colleague A worked at Vision Express, [redacted] from 1997 to June 2023. Colleague A was the Registrant's primary supervisor until she required to take a period of extended leave in April 2022. At that time, Colleague B became the Registrant's primary supervisor.
30. Colleague A said that she regularly had to chase the Registrant to supply her with the records and case reports she needed to review and sign as his supervisor. Colleague A described feeling like she was "constantly having to nag" the Registrant to provide records and logs to her for review and signing off. Colleague A said that the Registrant knew that she would not sign anything without having verified the content and satisfying herself that the contents were true and accurate. On one occasion in or around November 2021, Colleague A noticed an inaccuracy with one of the records the Registrant had submitted to her. Colleague A said that she raised this issue with the Registrant directly and emphasised to him the need to ensure records were true and accurate.
31. Colleague A said that she was contacted by Witness C at the ABDO on 23 August 2022. Witness C advised that the ABDO was unable to identify the signatures on documents the Registrant had submitted to the ABDO as part of his PQP Portfolio. Witness C provided Colleague A with a sample of tracking sheets bearing Colleague A's signature, specifically: (i) tracking sheets for dispensing tasks dated from 3 March 2021 to 2 July 2021; and (ii) tracking sheets for supervised time dated from 3 March 2021 to 18 May 2022. Colleague A said that she reviewed the signatures on those documents and confirmed to the ABDO on 26 August 2022 that those documents had not been signed by her. Colleague A then raised the matter with Vision Express' professional services team who opened an internal investigation.

32. The only form that Colleague A said she recalls signing was the Initial Declaration. Prior to the ABDO raising this issue, Colleague A said that she was not aware that the Registrant had submitted any tracking sheets to the ABDO.
33. Colleague A said that the Registrant would have known that Colleague A would never sign any documents that she was not satisfied were true and accurate. Colleague A had never given the Registrant permission to use her signature or complete documents on her behalf. Colleague A said that the Registrant would have known that he should not have signed those documents on Colleague A's behalf.

Witness C

34. Witness C formally adopted her witness statement dated 5 March 2025. With the permission of the Chair, it accordingly formed part of her evidence in chief.
35. In her evidence, Witness C explained that the initial declaration form is used as an example of the signatures provided by a student's supervisors, which is then used when verifying signatures contained in documents subsequently submitted within the PQP Portfolio. The tracking sheets were important to ensure that the student had obtained enough supervised experience to gain the skills and competencies the student needed to practise as a dispensing optician, subject to the student passing the exams.
36. Witness C said that the Registrant submitted his PQP Portfolio to Witness C by email on or around 17 and 22 June 2022. On reviewing the Registrant's PQP Portfolio, Witness C said that she noticed a discrepancy between the signatures of Colleague A on the Initial Declaration and in tracking sheets of dispensing tasks and tracking sheets of supervised time. On 23 August 2022, Witness C said that she contacted Colleague A by email to check the position. Witness C sent Colleague A a sample of those tracking sheets. Witness C said that Colleague A confirmed to her on 26 August 2022 that the signatures shown on those tracking sheets were not hers.
37. Witness C exhibited to her statement tracking sheets for dispensing tasks dated from 3 July 2021 and 11 February 2022. Witness C explained that in her view the signatures of Colleague A and Colleague B on those forms also did not appear to match their signatures in the Initial Declaration.

Colleague B

38. Colleague B formally adopted his witness statement dated 30 November 2024. With the permission of the Chair, it accordingly formed part of his evidence in chief.

39. Colleague B worked at Vision Express in [redacted] until August 2022. Colleague B was one of the Registrant's supervisors. He took over as the Registrant's primary supervisor in or around April 2022 as Colleague A had to go on leave for an extended period.
40. Colleague B said that shortly after he left Vision Express, he was contacted by the former practice manager at Vision Express in relation to the issues that had arisen with the signatures on documents included in the Registrant's PQP Portfolio. That former colleague provided Colleague B with copies of: (i) tracking sheets dated from 3 March 2021 to 2 July 2021; and (ii) tracking sheets for supervised time dated from 3 March 2021 to 18 May 2022, which purported to bear his signature and which had been submitted by the Registrant to the ABDO. Colleague B confirmed that he had not signed any of those documents. Colleague B also confirmed that he had never been asked by the Registrant to complete the tracking sheet of supervised time or the tracking sheet of dispensing tasks.
41. Colleague B said that he had not given the Registrant permission to use his signature on any documents at any time. Colleague B stated that the Registrant ought to have known that he would not be able to sign those documents on behalf of Colleague B because it was common sense. By signing the documents on Colleague B's behalf, the Registrant was purporting that Colleague B had signed and verified the content of those documents which is false.
42. Colleague B stated that there were certain occasions where the Registrant would ask Colleague B to sign case scenario documents as part of his PQP Portfolio. On those occasions, Colleague B said that he would verify the content of those documents before signing them. Colleague B said that the Registrant was aware of this.

Findings in relation to the facts

43. In reaching its decisions on the facts, the Committee took into account all the oral and documentary evidence in this case together with the oral and written submissions made by Ms Smart on behalf the Council.
44. The Committee took into account the advice of the Legal Adviser which included guidance on the burden and standard of proof, hearsay and dishonesty. In respect of hearsay, the Legal Adviser reminded the Committee of the relevant principles as summarised in *Thorneycroft v NMC* [2014] EWHC 1565 (Admin) at paragraph [45]. The Legal Adviser referred the Committee to the guidance on dishonesty at section 17 of the Council's Hearings and Indicative Sanctions Guidance and

advised as to the test for dishonesty as set out in *Ivey v Genting Casinos (UK) Ltd* [2017] UKSC 67. The Legal Adviser reminded the Committee that they required to consider each individual particular within the allegations separately.

45. The Committee was aware that the burden of proof rests on the Council and the standard of proof is the civil standard, namely the balance of probabilities. This means that a fact will be found proven if the Committee is satisfied on the available evidence that it is more likely than not that the incident occurred as alleged.
46. The Committee accepted the evidence of each witness as credible and reliable in all material respects.

Hearsay

47. In reaching its decisions on findings in fact, the Committee considered what account, if any, to take of hearsay evidence which had been referred to in Colleague A's oral evidence. This was to the effect that the Vision Express manager who had undertaken the local investigation into the Registrant's conduct had advised Colleague A that the Registrant had admitted during that interview to forging Colleague A's signature. A reference to that admission was also contained in the Hearing Bundle. Having regard to the principles in *Thorneycroft v NMC*, the Committee concluded that it would not be fair to admit this evidence in the circumstances and particularly in the Registrant's absence. The Committee therefore disregarded that evidence in reaching its conclusions in respect of findings in fact. The Committee noted that the Council did not seek to rely on that evidence in any event when inviting the Committee to find the particulars proven.

Particular 1

48. The Committee considered each element of particular 1 separately. The Committee ultimately found particular 1 proven.
49. In respect of particular 1(a), the Committee considered the copies of the tracking sheets for dispensing records dated from 3 March 2021 to 11 February 2022 which purported to bear the signatures of Colleague A and Colleague B, which had been produced in the Hearing Bundle.
50. The Committee observed that Colleague A and Colleague B had been shown copies of the tracking sheets for dispensing records dated from 3 March 2021 to 2 July 2021. Both Colleague A and B had exhibited those records to their respective witness statements which they had formally adopted. Both Colleague A and Colleague B had unequivocally confirmed, both in their witness statements and again in oral testimony before the Committee, that they had not signed those

tracking sheets. Witness C had confirmed in her evidence that those tracking sheets had been submitted to the ABDO by the Registrant by email in June 2022.

51. In respect of particular 1(a), the Committee observed that there was no evidence that Colleague A or Colleague B had been shown the tracking sheets for dispensing tasks dated from 3 July 2021 to 11 February 2022 purportedly bearing their signatures and exhibited to Witness C's statement. Therefore the Committee noted that neither Colleague A or Colleague B had not had the opportunity to confirm whether or not the signatures shown on those particular tracking sheets were their own. However, the Committee had regard to the totality of the evidence. In particular, the Committee considered the statements made by each of Colleague A and Colleague B that they had never signed any of the tracking sheets referred to in particulars 1(a) and (b). The Committee also had regard to the evidence of Witness C who had noticed a discrepancy in the signatures of Colleagues A and B as shown on the tracking sheets for dispensing tasks dated from 3 July 2021 to 11 February 2022, as compared with their signatures on the Initial Declaration. The Committee therefore found that the inference could be drawn that Colleague A and Colleague B had not signed the tracking sheets of dispensing tasks dated from 3 July 2021 to 11 February 2022. The Committee therefore found that, on the balance of probabilities, Particular 1(a) had been proven in its totality.
52. In respect of particular (b), the Committee considered the copies of the tracking sheets for supervised time dated from 3 March 2021 to 18 May 2022. The Committee observed that Colleague A and Colleague B had also been shown copies of those tracking sheets and had exhibited them to their respective witness statements which had been formally adopted. Both Colleague A and Colleague B had also unequivocally confirmed, both in their witness statements and again in oral testimony before the Committee, that they had not signed those tracking sheets. Witness C had confirmed in her evidence that those tracking sheets had been submitted to the ABDO by the Registrant by email in June 2022.
53. Particular 1(b) was therefore found proven.

Particular 2

54. The Committee had regard to the evidence of Witness C on behalf of the ABDO. The Committee accepted the evidence of Witness C that the Registrant had submitted the tracking sheets referred to in 1(a) and 1(b) to the ABDO by email between 17 and 22 June 2022. The Committee also considered the emails between Witness C and the Registrant dated from 17 and 22 June 2022 included within the Hearing Bundle which served to confirm that the Registrant had submitted the documentation referred to in particulars 1(a) and (b) to the ABDO.

55. Particular 2 was therefore found proven.

Particular 3

56. The Committee considered each element of particular 3 separately. The Committee ultimately found particular 3 proven.

57. In respect of 3(a), the Committee found that the Registrant knew or ought to have known that he did not have the permission of Colleague A and Colleague B to use their signatures. The Committee accepted their evidence that they had never provided the Registrant with permission to use their respective signatures at any time. The Committee accepted the evidence of Colleague A and Colleague B that this would have been clear to the Registrant as the Registrant knew they would check and verify documents before signing them.

58. In respect of 3(b), the Committee observed that in terms of the Initial Declaration, the Registrant had undertaken that that he had read and understood the PQP Guidance for Students. A copy of that guidance was exhibited to Witness C's statement. That Guidance stipulated that:

- Registered supervisors may not sign records for work they have not themselves supervised (page 3);
- In respect of the tracking sheets for supervised time, supervisors had to sign each individual entry "*to verify your time*" (page 5);
- In respect of the tracking sheets for dispensing tasks, supervisors had to sign each entry "*to validate that the work has been completed by you, under their supervision*" (page 7).

59. The Committee therefore considered that the Registrant knew or ought to have known that Colleague A and Colleague B were required to sign the documents referred to at particulars 1(a) and 1(b). This is also clear from the face of the relevant tracking sheets, each tracking sheet having a column which is headed 'Supervisor Signature'.

60. The Committee considered that the Registrant's conduct in signing the relevant documents on behalf of Colleagues A and B without their permission was misleading. The application of the signatures of Colleague A and B to those documents would indicate to a person reading those documents that the documents had been approved by those individuals as the Registrant's supervisors, when they had not been. This was misleading to the ABDO as the intended recipient of the documents.

61. The Committee considered the test for dishonesty as set out in *Ivey v Genting Casinos*. The Committee found that, by applying the objective standards of

ordinary decent people, the Registrant's conduct as described in 3(a) and 3(b) was dishonest.

62. Particular 3 was therefore found proven.

Misconduct and impairment

63. The Committee went on to consider whether the facts found proved amounted to misconduct, and if so, whether the Registrant's fitness to undertake training was currently impaired. No further evidence was presented at the misconduct and impairment stage.
64. The Committee heard oral submissions from Ms Smart on behalf of the Council in relation to misconduct and impairment. Ms Smart also referred the Committee to written submissions in the skeleton argument filed on behalf of the Council. In relation to misconduct, Ms Smart submitted that the facts found proved amounted to dishonesty and represented a serious falling short of the standards expected of a student dispensing optician. Ms Smart referred the Committee to standards 15 and 16 of the Council's Standards for Optical Students (effective April 2016). In relation to impairment, Ms Smart reminded the Committee that not every finding of misconduct should lead to a finding of impairment and that the Committee must look forward and not back when determining impairment. Ms Smart submitted that relevant factors for the Committee to consider when determining impairment include whether the conduct which led to the allegation is remediable, whether it has been remedied and whether it is likely to be repeated. Ms Smart submitted that the Registrant has not meaningfully engaged with these proceedings and there was no evidence of any insight or remediation. Ms Smart submitted that in those circumstances, the Committee could not be satisfied that his dishonesty had been remediated and/or was unlikely to be repeated. Ms Smart submitted that public confidence in the profession would be undermined if a finding of impairment was not made. Ms Smart invited the Committee to find that the Registrant's conduct amounted to misconduct and that his fitness to undertake training was impaired.
65. The Committee accepted the advice of the Legal Adviser. The Legal Adviser referred the Committee to the meaning of misconduct as contained in *Roylance v General Medical Council [1999] Lloyd's Rep Med 139* at 149, namely that there should be a "*a falling short by omission or commission of the standards of conduct expected among medical practitioners, and such falling short must be serious*". The Legal Adviser reminded the Committee that it must exercise its judgment to determine whether an act or omission amounts to misconduct.

66. In relation to impairment, the Legal Adviser advised that, in terms of *PSA v Nursing and Midwifery Council (Grant)* [2011] EWHC 927, when deciding whether fitness to practise (or fitness to undertake training) is impaired, the Committee should ask themselves "*not only whether the registrant continued to present a risk to members of the public, but whether the need to uphold proper professional standards and public confidence in the registrant and in the profession would be undermined if a finding of impairment of fitness to practise were not made in the circumstances of this case.*"
67. The Legal Adviser also referred the Committee to the test for impairment emanating from Dame Janet Smith's report to the Fifth Shipman Inquiry as approved in *PSA v Nursing and Midwifery Council (Grant)*:

"Do our findings of fact in respect of the doctor's misconduct, deficient professional performance, adverse health, conviction, caution or determination show that his/her fitness to practise is impaired in the sense that s/he:

a. has in the past acted and/or is liable in the future to act so as to put a patient or patients at unwarranted risk of harm; and/or

b. has in the past brought and/or is liable in the future to bring the medical profession into disrepute; and/or

c. has in the past breached and/or is liable in the future to breach one of the fundamental tenets of the medical profession; and/or

d. has in the past acted dishonestly and/or is liable to act dishonestly in the future."

Decision regarding misconduct

68. The Committee found that the facts found proven amount to misconduct on the part of the Registrant.
69. The Committee observed that, to reach a finding of misconduct, the Committee had to be satisfied that there had been a serious falling short of the standards expected of a student dispensing optician. The Committee considered the Standards for Optical Students (as effective from April 2016). The Committee considered that the conduct which had been found proven amounted to a breach of the following standards:
- Standard 15.1 - act with honesty and integrity to maintain public trust and confidence in your profession;

- Standard 15.4 - ensure that you do not make false or misleading statements when describing your individual knowledge, experience, expertise and specialties including the use of titles;
- Standard 15.6 – do not make misleading, confusing or unlawful statements within your communications;
- Standard 16.1 - ensure that your conduct, whether or not connected to your professional study, does not damage public confidence in you or your profession;
- Standard 16.3 - be aware of and comply with the law and all the requirements of the Council; and
- Standard 18.2. - be open and honest with your supervisor or training provider and take part in reviews and investigations when requested and with the Council, raising concerns where appropriate.

70. The Committee found that the Registrant's dishonest conduct in falsifying the signatures of Colleague A and Colleague B, and consequent breach of those standards, was serious and amounted to misconduct.

Decision regarding impairment

71. The Committee found that the fitness of the Registrant to undertake training as a student dispensing optician is impaired.

72. The Committee considered that limbs (a) to (d) of the test for impairment as per Dame Janet Smith's report and approved in *PSA v Nursing and Midwifery Council (Grant)* were engaged by the Respondent's misconduct. The Committee considered that if undiscovered, the Registrant's misconduct had the potential to place patients at risk of harm, in terms of limb (a). The Committee considered that the Registrant had brought and was liable in the future to bring the optical profession into disrepute by his misconduct, in terms of limb (b). The Committee considered that honesty and integrity were fundamental tenets of the profession which had been breached by the Registrant, in terms of limb (c). The Committee noted that the facts found proven amounted to a finding that the Registrant had acted dishonestly in the past. There being no evidence of any insight or remediation, the Committee considered the Registrant was liable to act dishonestly in the future. The Committee therefore also found limb (d) satisfied.

73. The Committee noted that dishonesty may reflect an attitudinal problem and is recognised in the authorities and relevant guidance as being more difficult to remediate, but that it was possible that it could be remediated. The Committee considered whether the Registrant's misconduct had been remediated and to what extent it could be said that it is highly unlikely that it will be repeated. The Committee observed that there was no evidence before it of any remediation,

insight, genuine remorse on the part of the Registrant, the Registrant not having attended or been represented at the hearing and not having produced any documentary evidence for the Committee's consideration. The Committee could not be satisfied that it was unlikely to be repeated.

74. The Committee considered that, given the nature of the misconduct in falsifying multiple signatures of Colleague A and B and lack of any remediation, insight or remorse by the Registrant, public confidence in the profession would be undermined if a finding of impairment was not made.
75. Given the above considerations, the Committee determined that the Registrant's fitness to undertake training is currently impaired on both public protection and public interest grounds.

Sanction

76. The Committee heard submissions from Ms Smart on behalf of the Council in relation to sanction. Ms Smart reminded the Committee that sanctions were not intended to be punitive. They were a matter for the Committee's independent judgment. The Committee should start with the least restrictive sanction available, and only if it determines that would not be appropriate should the Committee move to consider the next, more restrictive, sanction. Ms Smart notified the Committee that the Registrant had no previous fitness to practise history. With regards to aggravating factors, Ms Smart invited the Committee to consider the number of times the Registrant falsified the signatures of Colleague A and Colleague B; and that he did so on two different documents; and that the only purpose of that dishonesty was to benefit himself. Ms Smart submitted that whilst no actual harm resulted from the Registrant's misconduct, the level of dishonesty was high and it was evident that there would have been some element of planning. Ms Smart submitted that, in the circumstances, an order for erasure was the appropriate sanction in this case.
77. The Committee accepted the advice of the Legal Adviser. The Legal Adviser referred the Committee to the relevant sections of the Indicative Sanctions Guidance ("**ISG**") in relation to the available sanctions following a finding of impairment (section 21). The Legal Adviser also referred the Committee to the relevant guidance in the ISG at paragraphs 8.4 and 8.5 in respect of student registrants. The Legal Adviser then referred the Committee to the relevant guidance in the ISG in relation to the appropriate sanction in cases involving dishonesty at paragraphs 22.4 to 22.6. The Legal Adviser reminded the Committee that the overarching objective was public protection. When considering sanction, proportionality was a key consideration which required the Committee to strike a balance between the Registrant's interests and achieving its overarching objective of public protection.

Decision regarding sanction

78. The Committee first considered whether there were any mitigating or aggravating factors in the Registrant's case.
79. The Committee did not consider there to be any relevant mitigating factors. In reaching that conclusion, the Committee had regard to the relevant sections of the ISG in relation to student registrants (at paragraphs 8.4 and 8.5). The Committee noted that the guidance provided that when considering a proportionate sanction for a student registrant, the Committee may consider the stage of a registrant's training when making decisions. However in cases involving serious concerns about a student registrant's dishonesty, the stage of training may be given less weight when considering what action is necessary to protect the public. The Committee had regard to the Registrant's dishonest misconduct in falsifying multiple signatures of Colleague A and Colleague B on multiple documents. The Committee determined that, regardless of the level of the Registrant's training, he ought to have known that his conduct was wholly unacceptable. The Committee therefore gave little weight to the stage of the Registrant's training when considering what action is necessary to protect the public.
80. The Committee next considered whether there were any aggravating factors present in terms of paragraph 14.3 of the ISG. The Committee considered the following features of the Registrant's case to be aggravating factors:
- That the Registrant had been dishonest, in particular by falsifying multiple signatures of Colleague A and Colleague B on multiple documents. The Committee considered that the level of dishonesty involved in the Registrant's conduct was significant and required a degree of premeditation.
 - The fact that there was no evidence of any remorse, reflection, remediation or insight from the Registrant in relation to his misconduct.
81. The Committee considered the sanctions available to it in turn, from the least necessary to the most severe:
- No further action: The Committee did not consider it was appropriate to take no further action. The Committee observed that, to take that course where a finding of impairment had been made, there had to be exceptional circumstances. The Committee considered that no exceptional circumstances were present in this case on the evidence before it.
 - Financial penalty: The Committee did not consider it was appropriate to impose a financial penalty order. The Committee observed that the

misconduct did not appear to be financially motivated or result in financial gain.

- Conditional registration: The Committee did not consider it would be appropriate to impose conditions given the nature of the misconduct. The Registrant's misconduct did not relate to clinical concerns, where the imposition of conditions may be a more appropriate sanction. Instead the Registrant's misconduct related to significant dishonesty which was reflective of an attitudinal problem. That being the case, the Committee considered that there were no workable and measurable conditions which could be imposed to effectively address those concerns and which would be sufficient to protect the public or avoid public confidence in the profession being undermined. Further, the Committee had no evidence that the Registrant would be willing to comply with any conditions. The Committee observed that none of the factors referred to in paragraph 21.25 of the ISG appeared to be present in this case.
- Suspension: The Committee did not consider it would be appropriate to impose suspension given the nature of the misconduct. The Committee considered paragraph 21.29 of the ISG. The Committee considered that the Registrant's misconduct related to significant dishonesty which was reflective of an attitudinal problem in terms of 21.29(b). The Committee could not be satisfied that the Registrant had any insight and that he did not pose a significant risk of repeating the behaviour in terms of 21.29(d). There was no evidence before the Committee that the Registrant was capable and willing to develop insight and remediate his misconduct. The Committee considered that suspension would protect the public while the suspension was in place. However, given the seriousness of the Registrant's dishonest conduct and lack of insight, the Committee determined that suspension would not be sufficient to protect the public and mark the public interest considerations in this case.

82. The Committee considered that erasure was the appropriate sanction in this case. The Committee considered paragraph 21.35 of the ISG. The Committee considered that the Registrant's behaviour was fundamentally incompatible with being a registered professional. The Committee considered that the Registrant's misconduct amounted to a serious departure from the Standards for Optical Students (as effective from April 2016) in terms of paragraph 21.35(a), for the same reasons as it set out in its decision in relation to misconduct and impairment. The Committee considered that the Registrant's misconduct created a risk of harm to patients in terms of paragraph 21.35(b), in that patients could have been harmed had his misconduct not been discovered. The Committee considered whether the dishonesty was persistent in terms of paragraph 21.35(f). The Committee considered that, although not persistent, the Registrant had falsified multiple signatures of Colleagues A and Colleague B on multiple documents, which amounted to significant dishonesty. The Committee observed that there was no

evidence of any insight into the seriousness of the Registrant's actions or consequences in terms of paragraph 21.35(h).

83. The Committee determined that erasure from the register was the only means of protecting the public and maintaining public confidence in the optical profession.

Immediate order

84. The Committee heard submissions from Ms Smart on behalf of the Council on the question of whether an immediate order should be granted. Ms Smart submitted that this was a serious case which justifies the imposition of an immediate order. Ms Smart submitted that, given the seriousness of the Registrant's misconduct, an immediate order was necessary to protect the public and was otherwise in the public interest.
85. The Committee accepted the advice of the Legal Adviser. The Legal Adviser reminded the Committee that, in terms of section 13I of the Opticians Act 1989, the Committee may grant an immediate order if satisfied that to do so is either: (i) necessary for the protection of the public; (ii) otherwise in the public interest; or (iii) in the best interests of the registrant.
86. The Committee determined that it was appropriate to grant an order for immediate suspension in the circumstances. The Committee observed that they had no evidence as to whether the Registrant was continuing to work in the optical industry, and that an immediate order was therefore necessary to protect the public and to uphold public confidence in the profession during the period within which the Registrant may appeal the Committee's decision. The Committee was satisfied that to order immediate suspension to cover any appeal period was necessary for the protection of the public and was otherwise in the public interest. The Committee therefore decided to impose an immediate order.

Chair of the Committee: Adrian Smith

Signature 

Date: 13 November 2025

Registrant: Jack Harding

Signature *Registrant not present, sent via email*

Date: 13 November 2025

FURTHER INFORMATION
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>
Effect of orders for suspension or erasure
To practise or carry on business as an optometrist or dispensing optician, to take or use a description which implies registration or entitlement to undertake any activity which the law restricts to a registered person, may amount to a criminal offence once an entry in the register has been suspended or erased.
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.

