

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

GENERAL OPTICAL COUNCIL

F(22)43

AND

DONALD LYDON (01-23661)

**NOTICE OF INQUIRY
SUBSTANTIVE HEARING**

Take notice that an inquiry will be conducted in the above matter by the Fitness to Practise Committee of the General Optical Council.

A substantive hearing will be proceeding:

Remotely

The substantive hearing will take commence at 9:30am on **Monday 17 July 2023 – Tuesday 25 July 2023** by way of video conference or telephone conference facilities.

The Inquiry will be based upon the allegation submitted by the Council (see below) and will determine whether the fitness to practise of **Donald Lydon** is impaired by virtue of the provisions contained in section 13D(2) of the Opticians Act 1989.

Vineeta Desai
Hearings Manager, General Optical Council

07 March 2023

ALLEGATION

The Council alleges that you, Mr Lydon (01-23661), a registered Optometrist:

1. Submitted General Ophthalmic Service ('GOS') 1 and/or GOS 3 claims for matters other than sight tests in respect of:
 - a) Patient L on or around 12.5.2016;
 - b) Patient Q on or around 23.8.2016;
 - c) Patient H on or around 24.8.2016;
 - d) Patient F on or around 26.8.2016;
 - e) Patient S on or around 26.8.2016;
 - f) Patient U on or around 26.8.2016;
 - g) Patient Y on or around 26.8.2016;
 - h) Patient 1 on or around 26.8.2016;
 - i) Patient J on or around 27.8.2016;
 - j) Patient X on or around 27.8.2016;
 - k) Patient B on or around 31.8.2016;
 - l) Patient C on or around 31.8.2016;
 - m) Patient Z on or around 31.8.2016;
 - n) Patient 5 on or around 31.8.2016;
 - o) Patient J on or around 01.09.2016;
 - p) Patient L on or around 01.09.2016;
 - q) Patient W on or around 01.09.2016;
 - r) Patient 2 on or around 01.09.2016; s) Patient A on or around 02.09.2016; t) Patient H on or around 02.09.2016; u) Patient N on or around 02.09.2016; v) Patient V on or around 02.09.2016; w) Patient K on or around 03.09.2016; x) Patient M on or around 03.09.2016; y) Patient P on or around 03.09.2016; z) Patient D on or around 03.09.2016;
 - aa) Patient H on or around 12.09.2016;
 - bb) Patient R on or around 13.09.2016;
 - cc) Patient 4 on or around 17.09.2016;
 - dd) Patient F on or around 23.09.2016.
 - ee) Patient E on or around 24.09.2016;
 - ff) Patient T on or around 7.10.2016;
 - gg) Patient D on or around 08.10.2016;
 - hh) Patient G on or around 20.10.2016;
 - ii) Patient E on or around 29.10.2016;
 - jj) Patient L on or around 09.11.2016;
 - kk) Patient 5 on or around 25.11.2016; and/or
 - ll) Patient C on or around 02.12.2016.
2. Altered dates on GOS 1 forms in respect of patients seen whilst you were subject to an interim suspension order imposed by a Fitness to Practise Committee of the General Optical Council including:
 - a) Patient Q;
 - b) Patient X;
 - c) Patient W;

- d) Patient T;
- e) Patient V;
- f) Patient U;
- g) Patient 1;
- h) Patient S;
- i) Patient A;
- j) Patient M;
- k) Patient D;
- l) Patient J;
- m) Patient K;
- n) Patient P;
- o) Patient Y;
- p) Patient Z;
- q) Patient E;
- r) Patient C;
- s) Patient L;
- t) Patient F;
- u) Patient 5;
- v) Patient 2; and/or
- w) Patient N.

3. Practised as an optometrist whilst subject to an interim suspension order imposed by a Fitness to Practise Committee of the General Optical Council between on or around 24 August 2016 and/or 31 January 2017;
4. The matters set out at a paragraph 1 above were misleading and/or dishonest, in that you knew and/or or ought to have known, that contact lens assessments and/or contact lens aftercare cannot be claimed for using GOS 1 and/or GOS 3;
5. The matters set out at paragraph 2 above were misleading and/or dishonest in that you altered the dates on GOS 1 forms to conceal having seen patients during a period of interim suspension;
6. The matters at paragraph 3 above were misleading and/or dishonest in that you knew and/or or ought to have known that you were not permitted to provide services to patients for which your registration was required whilst subject to an interim suspension;

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

Committee Members: Jayne Wheat (Chair/Lay)
John Vaughan (Lay)
Miriam Karp (Lay)
Danielle Ellis (Optometrist)
Caroline Clark (Optometrist)

Legal Adviser: Emma Boothroyd

Hearings Officer: TBC

Transcribers: Marten Walsh Cherer Limited

If you require further information relating to this hearing, please contact the Council's Hearings Manager at hearings@optical.org.