

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

GENERAL OPTICAL COUNCIL

F(23)21

AND

PRIYAL PATEL (01-24061)

**DETERMINATION SUMMARY OF A SUBSTANTIVE HEARING
02–12 JULY 2024
PRIVATE HEARING**

Committee Members:	Ms Rachel O’Connell (Chair/Lay) Mr Kevin Connolly (Lay) Ms Vivienne Geary (Lay) Ms Ann Barrett (Optometrist) Ms Gemma O'Rourke (Optometrist)
Clinical adviser:	Dr Jennifer Bearn
Legal adviser:	Ms Aminah Khan
GOC Presenting Officer:	Ms Yasmin Omotosho
Registrant present/represented:	No and not represented (2-9 July 2024) Yes and unrepresented (10-12 July 2024)
Registrant representative:	N/A
Hearings Officer:	Ms Latanya Gordon
Facts found proved:	Particulars 1 and 2
Facts not found proved:	None
Misconduct:	Not found
Impairment:	Impaired in relation to Particular 2 [redacted]
Sanction:	Suspension order for 12 months – With Review
Immediate order:	Immediate order of suspension imposed

ALLEGATION (AS AMENDED)

The Council alleges that you, Priyal Patel (01-24061), a registered Optometrist:

1. *On 1 May 2021, you attended [redacted], where you were a locum optometrist, while [redacted].*

And by virtue of the facts set out in allegation 1 above, your fitness to practise is impaired by reason of misconduct.

2. *You have the [redacted] as set out at Schedule A.*

And by virtue of the facts set out in allegation 2 above, your fitness to practise is impaired by reason of [redacted].

Schedule A

[redacted]

DETERMINATION

Admissions in relation to the particulars of the allegation

The Registrant made no admissions to any particulars of the allegation.

Findings in relation to the facts

The Committee found particular 1 and particular 2 of the Allegation proved based on the evidence.

Findings in relation to misconduct

The Committee found that the conduct found proved in particular 1 of the Allegation does not amount to misconduct.

Findings in relation to impairment

The Committee determined that the Registrant's fitness to practise as an optometrist is currently impaired in relation to allegation 2.

Sanction

The Committee determined the sanction of suspension for a period of 12 months, with a review hearing to take place before the period of suspension expires.

Immediate Order

The Committee accepted the advice of the Legal Adviser, which was that to make an immediate order, the Committee must be satisfied that the statutory test in section 131 of the Opticians Act 1989 is met, i.e. that the making of an order is necessary for the protection of members of the public, otherwise in the public interest or in the best interests of the Registrant.

The Committee imposed an immediate order of suspension. The Committee concluded that an immediate order of suspension was necessary to protect members of the public, which included patients, in this case. Additionally, the Committee was of the view that an immediate order of suspension was in the Registrant's own interests.

Revocation of interim order

The Committee revoked the existing interim order of suspension that was in place in respect of the Registrant's registration.

Chair of the Committee: Ms Rachel O'Connell

Signature



Date: 12 July 2024

Registrant: Ms Priyal Patel

Signature : Present via MS Teams

Date: 12 July 2024

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 10 Old Bailey, London, EC4M 7NG or, by telephone, on 020 7580 3898.

