

PUBLIC RECORD

Dates: 25/06/2024

Medical Practitioner's name: Dr Syed IMAM

GMC reference number: 5206126

Primary medical qualification: MB BS 1987 University of Karachi

Type of case	Outcome on impairment
Review - Misconduct	Not Impaired

Summary of outcome
Suspension revoked

Tribunal:

Legally Qualified Chair	Mrs Alison Storey
Lay Tribunal Member:	Mr Steve Chappell
Medical Tribunal Member:	Dr Suzanne Joels
Tribunal Clerk:	Mr Josh Dayco

Attendance and Representation:

Medical Practitioner:	Present, represented
Medical Practitioner's Representative:	Mr Andrew Colman, Counsel, instructed by MDDUS
GMC Representative:	Mr Salek Ahmed, Counsel

Attendance of Press / Public

In accordance with Rule 41 of the General Medical Council (Fitness to Practise) Rules 2004 the hearing was held in public.

Overarching Objective

Throughout the decision making process the tribunal has borne in mind the statutory overarching objective as set out in s1 Medical Act 1983 (the 1983 Act) to protect, promote and maintain the health, safety and well-being of the public, to promote and maintain public confidence in the medical profession, and to promote and maintain proper professional standards and conduct for members of that profession.

Determination on Impairment - 25/06/2024

1. At this review hearing the Tribunal now has to decide in accordance with Rule 22(1)(f) of the General Medical Council (GMC) (Fitness to Practise) Rules 2004, as amended ('the Rules') whether Dr Imam's fitness to practise is impaired by reason of misconduct.

Background

2. Dr Imam qualified with MBBS from Sindh Medical College, Karachi, Pakistan in 1987. Prior to the events which are the subject of the hearing, Dr Imam moved to the Republic of Ireland in 1994 and practised in Psychiatry. In 2005, Dr Imam moved to the UK where he undertook a hospital role as a registrar in General Practice in Strathclyde. He qualified as a General Practitioner ('GP') in 2006 and took a salaried post.
3. At the time of the events Dr Imam had been a GP partner at the Cleveland Surgery ('the Surgery') since November 2015, which was his first role as a GP partner.
4. The facts found proved at Dr Imam's hearing which took place in May 2023 can be summarised as follows. From March 2018 to February 2019, Dr Imam inappropriately entered Quality Outcomes Framework ('QOF') codes in patient medical records without any corresponding QOF compliant review in patient consultations. When the QOF codes were added, Dr Imam knew that they were inaccurate, and his actions were carried out to wrongly improve the QOF performance data. In addition, it was also to demonstrate that the improvements required by the Care Quality Commission ('CQC') were being achieved, and to persuade the CQC to remove the services from special measures. Dr Imam's actions were found to be dishonest.

The 2023 Tribunal

5. Dr Imam’s case was first considered by a Medical Practitioners Tribunal in May 2023 (‘the 2023 Tribunal’). It found that Dr Imam’s dishonesty was serious as it was premeditated, repeated, prolonged and designed to mislead regulators to avoid appropriate regulatory scrutiny. The 2023 Tribunal found that Dr Imam’s actions had brought the medical profession into disrepute and breached fundamental tenets of the profession.
6. The 2023 Tribunal found that there was no evidence of initial insight by Dr Imam and, in fact, a concerted attempt to blame others for his wrongdoing. However, it noted that Dr Imam made full admissions to the Allegation and accepted that his actions were inappropriate, serious and dishonest. The 2023 Tribunal considered this as developing insight. However, the 2023 Tribunal determined that reasonable and well-informed members of the public and medical profession would expect a finding of impairment to be made in this case, both to mark the seriousness of Dr Imam’s misconduct, and to uphold proper standards across the medical profession. Accordingly, it found that Dr Imam’s fitness to practise was impaired by reason of misconduct.
7. Turning to sanction, the 2023 Tribunal determined to suspend Dr Imam’s registration for a period of 12 months and directed a review. It found that, despite the seriousness of the dishonesty, ‘the mitigating factors present are such that public confidence in the medical profession and proper professional standards can be maintained by the imposition of a suspension of significant length’.
8. The 2023 Tribunal suggested that a future Tribunal reviewing Dr Imam’s case may be assisted by the following:
 - Further evidence of progression of remediation: Dr Imam may wish to undergo resilience training;
 - Evidence of Continuing Professional Development and that he has kept up to date clinically during his period of suspension;
 - Reflections on any learning or relevant courses that Dr Imam has undertaken.

The Evidence

9. The Tribunal has taken into account all the evidence received, both oral and documentary.
10. The Tribunal received documentary evidence. This evidence included but was not limited to:

- Various correspondence between the GMC and Dr Imam’s legal representative;
- Various correspondence between the GMC and Dr Imam;
- Dr Imam’s reflection statement;
- Various relevant CPD certificates.

Submissions

11. On behalf of the GMC, Mr Ahmed, Counsel, submitted that the GMC is neutral on the issue whether Dr Imam’s fitness to practise is currently impaired. He said that Dr Imam’s reflective statement shows some level of insight into his misconduct. However, Mr Ahmed submitted that the statement could have been more reflective on the inappropriateness of Dr Imam’s actions and could have been more descriptive on what exactly Dr Imam has learnt through the CPD courses he had undertaken.
12. On behalf of Dr Imam, Mr Colman, Counsel, submitted that Dr Imam’s fitness to practise is no longer impaired. He said that the original Tribunal had determined that to uphold proper standards and public confidence in the profession the appropriate and proportionate sanction was to suspend Dr Imam’s registration for 12 months. That had now been addressed by the period of suspension.
13. He said that the original Tribunal had identified that Dr Imam had fully engaged with the GMC and the MPT hearing and had taken steps to remediate concerns about probity and ethics. He had shown remorse and regret and had evidenced significant insight into his dishonest actions.
14. The review was ordered for Dr Imam to demonstrate how he had remediated, addressed his insight and was safe to return to unrestricted practice. It was suggested that he provide the reviewing Tribunal with evidence of progression of his remediation, in particular resilience training, evidence of Continuing Professional Development and further reflections.
15. He said that Dr Imam has done everything asked of him and more. Dr Imam had completed specific targeted training in resilience, preventing burnout, probity, reflection and insight. In addition he had studied for a Diploma in medicine for elderly patients. He had completed a large number of CPD courses.
16. Mr Colman referred to the reflections provided and which demonstrated how Dr Imam has used the time of his suspension to learn how to manage stress and avoid negative

consequences in the future. The low risk of repetition found by the original Tribunal was diminished further. He said that Dr Imam had used his time wisely.

The Relevant Legal Principles

17. The Tribunal reminded itself that the decision of impairment is a matter for the Tribunal's judgement alone. As noted above, the previous Tribunal set out the matters that a future Tribunal may be assisted by. This Tribunal is aware that it is for the doctor to satisfy it that he would be safe to return to unrestricted practise.
18. This Tribunal must determine whether Dr Imam's fitness to practise is impaired today, taking into account Dr Imam's conduct at the time of the events and any relevant factors since then such as whether the matters are remediable, have been remedied and any likelihood of repetition.

The Tribunal's Determination on Impairment

Impairment

19. The Tribunal considered whether Dr Imam's fitness to practise remains impaired by reason of his misconduct.
20. The Tribunal noted the evidence provided by Dr Imam. In particular, the courses he has undertaken relating to resilience, probity, ethics and other relevant clinical matters. He has invested a good deal of effort into keeping his clinical skills up to date.
21. The Tribunal considered that Dr Imam's dishonesty only relates to a single aspect of his practice, when he was in a management position. It noted that this is no longer the case, and that Dr Imam has stood down from a management position.
22. His reflective statement has focussed on his resilience and how he has taken steps to improve this and to manage stress in the future. The Tribunal considered that this was an important aspect as it reassured the Tribunal that the risk of repetition is low.
23. The Tribunal considered that Dr Imam had provided evidence to address the issues raised by the 2023 Tribunal. It was satisfied that Dr Imam had sufficient insight into his dishonest conduct and that the risk of repetition in this case is low.

24. Therefore, the Tribunal determined that Dr Imam has done everything he can to remediate his misconduct and given all the evidence in this case, there is no risk to public confidence in the profession or to the maintenance of standards if current impairment was not found.
25. In all of the circumstances, the Tribunal determined that Dr Imam's fitness to practise is no longer impaired by reason of misconduct.
26. The Tribunal noted that the current suspension on Dr Imam's registration is due to expire on 3 July 2024. In the light of its findings on impairment, the Tribunal sees no reason why such restrictions should continue. Therefore, the Tribunal revokes the order of suspension with immediate effect.
27. That concludes the case.