

PUBLIC RECORD

Date: 6 March 2025

Doctor: Dr Thangavelu SENTHIL KUMAR

GMC reference number: 5198183

Primary medical qualification: MB BS 1996 Annamalai University

Type of case

Misconduct

Summary of outcome

Suspension for eight weeks

Tribunal/Legally Qualified Chair:

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| Legally Qualified Chair: | Ms Marianne O'Kane |
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Review on the Papers

This case was reviewed on the papers, with the agreement of both parties, by a Legally Qualified Chair.

Overarching Objective

Throughout the decision-making process the chair 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.

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1. I have noted the background to Dr Senthil Kumar's case, which was first considered by a Fitness to Practise Medical Practitioners Tribunal between 15 April and 8 May 2024 ('the Tribunal').

Background

2. Dr Senthil Kumar qualified as a doctor in 1996 at Annamalai University, India and has been a General Practitioner registered with the GMC since 2008, working in a number of clinical roles prior to the events which led to the Tribunal hearing. At the time the allegation arose, Dr Senthil Kumar was a full time student undertaking third level study.
3. The allegation related to conduct occurring around March to June 2020, when Dr Senthil Kumar falsely presented himself as Dr A online and used a social media profile in the name of that doctor to gain access to a private online group ('the Covid group'), for doctors who had been out of clinical practice and who sought to return to work to assist the NHS as part of their Covid-19 response. It was alleged that Dr Senthil Kumar accessed the Covid group using Dr A's GMC number without permission and represented that the account held by Dr A was Dr Senthil Kumar's personal profile. It further alleged dishonesty on Dr Senthil Kumar's part.
4. In summary, it was the Tribunal's conclusion that in providing Dr A's details, Dr Senthil Kumar intentionally sought to deceive the organisers and members of the Covid group, by falsely presenting himself as a different doctor, using that person's name and GMC registration number. The Tribunal concluded that such actions were dishonest.
5. In considering impairment, the Tribunal determined that the facts found provided amounted to serious misconduct and found Dr Senthil Kumar's fitness to practise impaired on the basis of this misconduct. It determined to impose an immediate order of suspension for a period of eight months.

The Appeal and the First Review Hearing

6. Dr Senthil Kumar appealed that determination pursuant to section 40 of the Medical Act 1983, as amended ('the Act'). The appeal was listed for hearing on 19/20 February 2025.

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7. The case was first listed for a review hearing on 11 February 2024. On that date, Dr Senthil Kumar's representative applied to adjourn the hearing under Rule 29(2) to await the outcome of the appeal. Further submissions were made on behalf of Dr Senthil Kumar regarding the potential for XXX, but these were not further advanced at that stage. The Tribunal determined to grant an adjournment under Rule 29(2) of the Rules.

The Present Review Hearing

8. Dr Kumar and the GMC have agreed that this review should be considered 'on the papers' in accordance with Rule 21B of the General Medical Council (Fitness to Practise) Rules 2004, rather than by way of the oral hearing which was scheduled to commence on today's date. They have reached an agreed position and the terms of a decision which I could make at this review.
9. I have considered all of the material presented to me, and the submissions made on behalf of Dr Kumar and by the GMC. In the submissions, Dr Kumar and the GMC agree that as the outcome of the pending appeal to the High Court pursuant to section 40 of the Act is not yet known, the parties consider it appropriate to grant their application for an adjournment of this hearing under Rule 29(2) of the Rules for a period of eight weeks. The parties have further agreed that it would be appropriate to extend Dr Kumar's current order of suspension for a period of eight weeks, in pursuance of section 35D(5)(a) of the Act.

Decision

10. When conducting a review on the papers a Tribunal or Tribunal Chair will consider the documents provided by the parties. They can make an order in accordance with the parties' agreement or decide that the scheduled oral hearing should take place.
11. In reaching a decision, I have borne in mind the statutory overarching objective which is 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 the medical profession.
12. I have taken into account that since the previous order was made, the outcome of the appeal is still pending. I have accepted the agreed submissions of both parties and

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determined that it is fair and in the interests of justice to both parties, will allow for effective case management and minimise costs, and is in the wider public interest that the requested adjournment for a period of eight weeks be granted pursuant to Rule 29(2).

13. For the avoidance of doubt, the XXX is to be dealt with separately, at a later date, once the Court's decision on the appeal is known.
14. In light of my decision, I direct that Dr Senthil Kumar's current period of suspended registration, be extended for a further period of eight weeks pursuant to section 35(D)(5)(a) of the Medical Act 1983, as amended. This is required in order to ensure that the overarching objective is met in the interim.
15. Notification of this decision will be served on Dr Senthil Kumar in accordance with the Medical Act 1983, as amended.