

Policy on retaining and removing registrants in FTP cases

1. Policy Statement and Purpose

- 1.1 The registrar may retain registrants who do not meet the GOC's registration requirements, in order that any issues relating to their fitness to practise are properly considered including, where necessary, at a hearing before the Fitness to Practise Committee.
 - 1.2 On conclusion of the fitness to practise case, the registrar will reconsider the matter: if the public interest still requires the retention of any such registrants, they will be retained; if not, they will be removed for failing to meet the GOC's registration requirements.
 - 1.3 This policy is consistent with the GOC's overarching objective under the Opticians Act 1989 of protecting the public.
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2. Scope and Definitions

- 2.1 "Fitness to practise case" means any circumstances where information has come to the attention of the GOC that may call into question a registrant's fitness to practise, fitness to train or fitness to carry on business, and includes proceedings against a registrant under the GOC (Fitness to Practise) Rules Order of Council 2013.
 - 2.2 "Conclusion of the fitness to practise case" means:
 - GOC decision not to refer a matter to Case Examiners, or
 - Case Examiner decision not to refer a matter to the Fitness to Practise Committee, or
 - Fitness to Practise Committee decision on the registrant's impairment and sanction if appropriate, and expiry of the appeal period if any.
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3. Process

- 3.1 Where the registrar determines to retain a registrant who has not met the registration requirements, the GOC may take one or more of the following steps:
 - Where the registrant is an individual, request an undertaking not to carry out any activities that require GOC registration

- Apply for an interim suspension order if appropriate (with individual registrants, this may be appropriate if the individual declines to provide an undertaking or breaches the terms of the undertaking)
- Exclude the registrant's name from online searches of register
- Provide relevant information to anyone enquiring about the registrant's status, including the relevant part of the register (eg registered dispensing optician or registered optometrist with therapeutic specialty etc) and any restrictions affecting the registration, including pursuant to an undertaking.
- Include the registrant's information in registration data, including in a copy of all or part of the register supplied to third parties under a data licence agreement.

3.2 Where the registrar determines to remove such a registrant on conclusion of the fitness to practise case:

- The registrant will receive notice under the Registration Rules 2005
- The registrant may subsequently apply to the registrar to be restored to the register.

4. Review of this policy

4.1 We will review this policy every three years, or sooner if appropriate, taking into account feedback on the policy, changes to legislation and current regulatory practice.