

GENERAL OPTICAL COUNCIL

Minutes of the 20th Meeting of the Registration Committee
held on 16 September 2009

Present: Ms K Fielding, Director of Communications & Information
(in the Chair)
Miss K Devlin
Professor A Tomlinson
Miss J Underwood
Mr C Wass
Mr S Heatherington
Mrs J D Taylor, Registrar
Mr M Tait, Policy and Projects Officer – Registration
Mr I Johnson, Registration Assistant
Ms E Susin, PA to Director of Communications &
Information
Ms L Kennaugh, Head of Education (for item 9 on CET)
Mr J Levett, Deputy Registrar and Director of Standards
(for item 12 on protected titles)
Ms C Millington, Communications Manager (for item 13
on public awareness)

Apologies for absence

500. There were no apologies.

Chairman's Opening Remarks

501. The Chair welcomed everyone to the 20th meeting of the committee.

Declaration of Interests

502. The Chair reminded the Committee of the requirement for Members to declare any personal interest under paragraph 6(a) of the Council's Code of Conduct and no declarations were made.

Confidentiality

503. The Chair also reminded the Committee of the requirement for Members and Advisers to adhere to the rules of confidentiality under Standing Orders 5.23 to 5.26.

Minutes of the 19th Meeting

504. The minutes of the 19th Meeting of the Committee were agreed as a true and accurate record of the meeting with the following typographical changes.

The minutes were signed by the Chair, and the Chair of the previous meeting Miss K Devlin.

Matters Arising

505. There were no matters arising.

Report from Registration Department

506. The Director of Communications and Information thought that it was useful for the Committee to have the monthly management report prepared by the Registration Department. The projects component of the report was not discussed, as there are individual items on the agenda for each project in the report.
507. Clarification was requested regarding the tables in the service standards section, for example it was not clear what the numbers under 'Average Time to Process' referred to (it was clarified that this number referred to days), or the target time for completion (the target is three days).
508. It was noted that the figures in the report were monthly only. The Committee considered that it would be preferable in future for the Committee to be provided with cumulative results.
509. A question was raised regarding the student roadshows, as to how the GOC gets necessary information to students engaged in distance learning, in the absence of a student roadshow for these students. It was agreed to look into this and consider what can be done, such as providing information for the distance learning institutions to distribute.
510. An issue was raised regarding whether some students who are uncertain of passing their exams choose not to renew their registration with the GOC for following year, out of concern for not getting their fee back if they do not continue their studies. It was considered that this issue might be worth looking into, for example by contacting students who are being removed from the register to discuss why they are not renewing.
511. It was noted that the GOC's deferred project on student retention timing and fees might resolve the issue around students leaving the register. It was also noted that the current system creates considerable work for university departments in checking their students are registered with the GOC. It was agreed that the GOC needs to involve educational institutions in scoping this project. It was also agreed that the GOC should look into what is currently being done to help the educational institutions in this regard (such as emailing a list of students who have not completed their retention), and examine whether anything else might be done.

Registration fees consultation

512. The GOC is currently consulting on a range of issues associated with the registration fee schedule, in particular around the possibility of differential fees for different groups of registrants, and the possibility of staged payments being introduced.
513. With regard to Dispensing Opticians paying lower fees, it was noted that a driver for this issue is that DOs do not get funding for CET, unlike optometrists. However, it was also noted that ABDO members are currently able to obtain sufficient CET points at no cost via the journal. The alternative view that a lower tier of fees for DOs might result in their being considered second-class citizens was also discussed.
514. In respect of staged payments, the relatively high costs of developing and implementing this scheme were noted. It was also noted that the GOC had

explored an alternative solution with a finance company, but it was found that the GOC's registration fee was too low for such a financing system to be viable. It was also noted that missing a single staged payment could result in a registrant being removed from the register – this could disproportionately affect, and significantly disadvantage, the less well-off registrants.

515. The small sample of registrants who have so far responded to the consultation was noted. It was suggested that a more proactive market-research-style consultation strategy (such as calling a sample of registrants) might get more representative feedback, though it was noted that this would be more costly. It was noted that a degree of weighting would be given to responses where they were from a representative organisation, though quality of argument rather than weight of numbers would be the deciding factor, as outlined in the GOC's Consultation Framework.
516. The process proposed in the paper was agreed, of emailing Committee members the consultation summary document and draft Council policy paper for input, out of session in late October/early November. It was agreed that a teleconference would also be considered, to allow members to discuss the issues in further detail.

Online retention

517. On the basis of the most recent proposal from the preferred supplier IRIS, it was still being planned to deliver the online retention system for 2010/11 retention. However it was noted that the online retention Project Manager would be recommending to the Project Board that the implementation of the online retention system for full retention be delayed until the 2011/12 retention year, due to the short delivery timeframe, lack of time for testing, and the supplier's record in being unable to meet timelines. There may be an opportunity to test the system with a group of registrants before full roll-out in 2011/12, in particular by implementing the system for student retention 2010/11.
518. The Committee endorsed the approach recommended by the Project Manager. It was noted that given the reputational and costs risks for the GOC, it was vital that the online system not have any faults when it is implemented, and that it would be very risky to begin development without an agreed, detailed technical specification, as complex bespoke software systems require very careful management.
519. There was some discussion of the possibility of ending the relationship with the current supplier and beginning work on a new database and online retention system from scratch. It was noted that this would be very expensive, time-consuming and risky. It was noted that the current technical specification would provide flexibility in changing the database separately from the online retention system some time in the future.
520. There was discussion of the GOC's 'Plan B' in the likely event of the online retention not being available for the 2010/11 retention year.

Report on CET scheme

521. The Committee noted progress on the CET scheme, and that the GOC has written to registrants who are not registered to use CEToptics. It was noted that a comprehensive report is available if requested.

Vetting and barring scheme update

522. It was noted that all currently practising GOC registrants (including students) will be considered to be carrying out regulated activity under the planned Vetting and Barring scheme. They will be covered by the scheme if they are *employed* in this capacity, and inclusion on a PCT's ophthalmic services list will be considered to be employment for these purposes. Locum practitioners may be employed by an agency, or by the organisation for whom they are providing services, depending on individual arrangements. Some other staff in optics may be considered to be carrying out regulated or controlled activity, depending on factors such as access to a health record and working with children. Practitioners in certain groups (new joiners or those moving jobs) must be registered by November 2010.
523. There was discussion of the differences between the ISA scheme and the CRB check scheme, and why dual membership of both schemes will be necessary in some circumstances. The ISA specifically protects children and vulnerable groups, whereas the CRB is more broadly focused. It was noted that there will be an issue for employers in managing staff membership the scheme during the five-year window.
524. Information exchange will be supplemented by a MOU between the GOC and the ISA. It was noted that CHRE has written to the ISA on behalf of the regulators, expressing high level concerns that will be brought to the attention of the Home Office.

Draft guidance statement: students with disabilities

525. The Committee noted the new draft guidance statement. It was observed that there is currently a small window for students to apply for courses, and that the GOC's proposed assessment of its competencies could result in students having applications pushed into the following year.
526. It was explained that the GOC would not expect to be involved in most cases. Where a student might be turned down, while the GOC would not be involved in the decision about the case itself (the student's application or proposed adjustments), it would be important for the GOC to have an opportunity to check that its competencies were not discriminatory, or any discrimination was justifiable in terms of public protection. It was noted that the Standards Committee is currently reviewing the GOC competencies.
527. The Committee acknowledged that if the GOC were to find, following a referral, that a competency may be discriminatory, this may create problems for the institution and the student. The GOC's recommendation in such cases would likely be that the institution might wish to consider reviewing its decision in light of any adjustments to the competency. The Committee considered that the detail of what should happen in the event of the GOC finding a competency to be unjustifiably discriminatory should be referred to the Standards Committee.

528. The Committee approved the draft statement, on the basis that the recommendation in the statement be strengthened, so that institutions would be recommended to contact the GOC rather than 'consider contacting', in the event that they are minded to refuse an adjustment on the basis of the student not meeting the GOC competencies.
529. The Committee considered that a document for employers of disabled optometrists and dispensing opticians would be useful, along with the proposed document for disabled students and those considering a career in optics.

Protected titles

530. The Committee noted the work underway to clarify the legal requirements concerning use of protected titles by optical businesses – for example by businesses such as partnerships which are not legally corporate bodies.
531. There was some discussion around the status of the title 'optician' – it was noted that the title of 'optician' is generally protected except where the practitioner is clearly not operating as an optician – eg a manufacturing optician.
532. The Committee was informed that the legal firm Bates Wells and Braithwaite had been engaged by the GOC, and advice was received shortly before the meeting. Once the advice had been reviewed, a summary would be circulated to the Registration Committee, to allow them to advise the Registrar. A full communications plan will be prepared once the issues are settled.

Report on public awareness

533. The Committee noted that good progress had been made on the public awareness project. Focus groups had been held to discuss development of a registration toolkit, and two information booklets had been launched, about the GOC, and how to complain about an optician.
534. There was some discussion of the need to encourage registrants to have their GOC number displayed for members of the public, to provide certainty that the practitioner is registered. This might be a particular issue in large high-street commercial operations where aspects of the eye examination might be delegated. The GOC should consider providing further guidance and materials for registrants – eg the GMC advice that name badges should display the GMC number. Options such as door panels and desk plates should also be considered. These points will be followed up by the Communications team.

Equality and diversity monitoring

535. The Committee noted the excellent response to the initial round of equality and diversity monitoring from full registrants. It was also noted that further analysis would be forthcoming, including comparison with fitness to practice data, and that further trends would emerge over time.

EU language testing

536. The Committee noted the information in the report on the pharmacy regulator's discussions with the Department of Health regarding the EU Directive on Language Testing.

537. The Committee observed that issues in relation to requirements around English language competency are complex, and involve balancing the need for patient safety against the possibility that a registrant might not need a command of English to operate as an optician, such as a foreign-qualified practitioner working with and for members of his/her community. It was noted that it was important for a practitioner to be able to communicate effectively with a range of members of the public.
538. The Committee considered that, given the complexity of the issues and the strong difference between the Department of Health and the pharmacy regulator on the interpretation of the EU Directive, the GOC should not become involved in the discussion, and wait for further developments.
539. The Committee agreed that the issue of whether to strengthen the GOC's communications competency statement, to indicate that it is our expectation that GOC registrants should be able to communicate effectively and that the main language of communication is English, should be referred to the Standards Committee.

Register content and access

540. The Committee noted the plans for the consultation events.

Committee appointment process and competencies

541. The Committee noted that the Committee membership roles had been advertised in the *Times*, *Guardian*, regional papers, and editorials in the optical press.
542. It was noted that interviews will be held in November and early 2010, with Registration Committee interviews taking place in the first wave. Current Committee Members were encouraged to apply.

Registration work plan 2010/11

543. The Committee noted that this draft workplan will require the approval of the Council.
544. The Committee considered that work on considering one-time student registration should be explicitly considered within the Registration Department's planned work on the student registration timetable.
545. The Committee considered that the workplan document could usefully include information on measures of success and accountability and reporting arrangements.
546. The Committee noted that the Registration Department would be seeking the input of the Registration Committee on all the projects outlined in the workplan (with operational issues and ongoing work not generally needing direct input from the Committee).

Date of next meeting

547. The timing of the next meeting is to be agreed at a later date.
548. The Chairman thanked all concerned for the smooth running of the meeting and concluded it at 16.45.

A handwritten signature in black ink, appearing to be 'J. C.', is located at the bottom of the page.