

GENERAL OPTICAL COUNCIL

**Minutes of the 134th Meeting of the Companies Committee
held on 13 February 2007**

Present: Mr B J Carroll (in the Chair)
Professor R Anderson, Mr M W Bateman,
Mr K Cavaye, Mr B Collison, Mr J Gordon,
Mr M Hansford, Dr G Harris, Mr D J D Perkins
Dr S T D Roxburgh, Mr B Smith, Mrs R Varley.

In attendance: Mr P J Ireland, Director of Corporate Resources
Mr J Levett, Director of Standards
Ms K Fielding, Communications Manager

Election of Chairman

2669. The Deputy Registrar announced the results of nominations for the position of Chair of the Committee, for which Mr B J Carroll was nominated unopposed and duly elected as Chairman.

Election of Deputy Chairman

2670. The Deputy Registrar announced the results of nominations for the position of Deputy Chair of the Committee, for which Mr M W Bateman was nominated unopposed and duly elected as Deputy Chairman.

Apologies for absence

2671. An apology was received from Mr P C Coe, Registrar.

Chairman's Opening Remarks

2672. The Chairman began the meeting by congratulating the Chairman of Council, Mrs R Varley, on the award of her OBE in the New Years Honours List for her services to the NHS and healthcare.

2673. The Chairman welcomed Mr K Cavaye, newly elected dispensing optician to the Committee and general introductions then followed.

Declaration of Interests

2674. The requirement for Members and Advisers to declare a personal interest under 6(a) of the Code of Conduct was duly noted.

Confidentiality

2675. The requirement for Members and Advisers to adhere to the rules of confidentiality under Standing Orders 5.23 to 5.26 was duly noted.

Minutes of the 133rd Meeting

2676. The minutes were agreed as a true and accurate record of the meeting and duly signed by the Chairman.

Matters Arising

2677. Minute 2663(ii)

It was noted that discussion at Registration, Standards and Finance and Procedure Committees had concluded that student representation would best be served by the setting up of a student forum rather than the appointment of students directly onto GOC committees. Such a forum would include student representation and could meet bi-annually or annually.

2678. Minute 2656

It was noted that drafts of GOC retention forms had not been shared with the Committee for comments prior to production and circulation and that, had this happened, challenge by the optical bodies to the GOC's right to request certain information could have been avoided.

2679. Chairman of Council advised the meeting that she had intervened personally in this matter with the optical bodies and referred it to the Registration Committee for a decision.

Internet Sale of Spectacles

2680. **Paper CO(01)07** appraised the Committee of the current status on this subject. It was noted that the College of Optometrists and ABDO had reached an advanced stage in the review and consolidation of their own guidance on the definition of supervision of the supply of spectacles and contact lenses and the definition of general direction of the supply of powered contact lenses.

2681. This guidance was to be received at the GOC's Standards Committee meeting to be held on 15 February. Assuming the guidance was considered appropriate, the intention was that the GOC would use it as the basis on which to consider instances where supply of optical appliances fell outside these standards.

2682. The GOC had already published its position in October 2006 that it may take formal action on a case by case basis where it deemed practitioners had not met these requirements.

Foster/Donaldson Reviews

2683. The Government's White Paper on its response to the Foster/Donaldson reviews was expected to be published on 21 February 2007. Unconfirmed intelligence had speculated that it would address the role, constitution and powers of CHRE; governance and membership of the regulatory bodies; adjudication; revalidation and complaints.

2684. It was suggested that the White Paper might focus on regulation of the medical profession with further discussion on how it would cross over to the other professions. A rapid legislative timetable was anticipated.

2685. The Committee noted that, while in favour of the principle of revalidation, it should fully reflect the low risk inherent in optics. It was noted that CHRE also agreed that revalidation should be proportionate.

Guidance

2686. The matter of guidance on the sale and supply of optical appliances would be discussed at the meeting of the Standards Committee to be held on 15 February.

2687. Two issues had arisen in relation to this, and it was intended that these be considered separately:

- (i) how far protected acts could be delegated to non-qualified personnel;
- (ii) the practical extent to which the ongoing clinical management of aftercare should be handled.

It was noted that Standards Committee had established a Working Group to consider these two issues and this would include representation from Companies Committee.

Companies Committee Input to the GOC

2688. The Chairman questioned how the GOC decided and how it considered, on which specific issues to commission legal advice. He suggested that this committee, because of its commercial expertise, could provide valuable input into the understanding of the GOC's need for, and response to, legal advice.

2689. More generally, it was recognised that Companies Committee could offer valuable advice to Council on a wide range of topics, but it needed to know what issues were presently in discussion by other committees in order to provide input before work was presented to Council for approval.

2690. It was noted that Companies Committee should have representation on Working Groups where matters under discussion required a corporate perspective.

2691. It was agreed to review when Companies Committee met in the meetings cycle and possibly bring forward the timing of this meeting in order that it could provide input at an earlier stage.

Items for Information

2692. A paper was tabled which identified the current GOC Working Groups. It was noted that the Sale of Optical Appliances and the Effectiveness of Council Working Groups' work had now been completed and these Working Groups disbanded.

2693. **Paper CO(06)07** highlighted the issues which related to UK implementation of EU legislation on overseas professional entering the UK workforce and providing temporary provision of services. It was noted that further discussions were planned between UK Government departments and regulatory bodies in March 2007 in order to allay the concerns of the regulatory bodies prior to implementation in October 2007.

2694. It was agreed to append a list of topics which could be of interest to this Committee to the minutes of the meeting for members' information.

2695. Members noted the membership of each GOC committee for the cycle of meetings in 2007.

Any Other Business

2696. Standards Committee had asked this Committee to consider whether the Code of Conduct for business registrants should require employers to check if their employees were included in a PCT Supplementary List. The Committee confirmed that this was not a regulatory issue but a management issue for an employer and therefore did not need inclusion in the Code of Conduct.

Date and Time of Next Meeting

2697. The next meeting of the Companies Committee will be held on **Tuesday, 5 June 2007 at 2.00 p.m.**