

GENERAL OPTICAL COUNCIL

**Minutes of the 30th Meeting of the Standards Committee
held on 15 February 2007**

Present: Professor R J Buckley (in the Chair)
Miss R E Bailey, Mr R W Chappell,
Mr I Hamer, Ms G Morgan, Mr D W Pyle,
Mr J Russell, Mrs R Varley

Advisers: Mr R Carswell, Mr F Munro, Mr G Tomison

In attendance: Mr J Levett, Director of Standards

Apologies for Absence

1008. Apologies were received from Ms M Black and Mr N J Rumney.

Declaration of interests/Confidentiality

1009. The Chairman welcomed Mr I Hamer and Ms G Morgan to their first meeting of the Standards Committee. He reminded Members and Advisers of the provisions of paragraph 6(a) of the Council's Code for members with regard to declarations of interest, and Standing Orders 5.23 to 5.26 with regard to the confidential nature of the Committee's proceedings.

1010. Members had been notified in advance of the meeting that the Chairman had asked the Chairman of Companies Committee to nominate an adviser who could provide advice from a companies' perspective for the discussion on the professional bodies' guidance. Mr G Tomison had been nominated, and the Chairman welcomed him to the meeting.

Minutes

1011. The minutes of the 29th meeting held on 18 January 2007 **(SD(07)1M)** were approved and signed by the Chairman.

Matters Arising

1012. Minute 973: The Committee noted that the Government's response to the Foster and Donaldson reviews were now expected in the week beginning 19 February, 2007.

1013. Minute 977: The Director of Standards reported that Companies Committee had discussed the issue of employers checking that employees were on PCT Supplementary Lists and whether this should be covered in GOC's Code for Business Registrants. Companies Committee's view was that, whilst a management issue for practices, this was not a matter that needed to be addressed in the GOC Code.

1014. Minutes 992-3: The Chairman reported that the Commission for Human Medicines' views on independent prescribing for optometrists would not be known until after the April meeting of Standards Committee, and hence the Therapeutics Working Group would not now meet until after that meeting.

Composition and membership of the Revalidation Working Group

1015. The Committee reviewed the composition and membership of the Revalidation Working Group. After considering the profile and balance of expertise needed on the Group, and proposals on membership from the Chairman, the current Chairman of the Working Group and the Director of Standards, the Committee agreed the membership.

1016. RESOLVED:

that Ian Hamer, Geoff Harris, Peter Kyle, Nick Rumney, Charles Wass, David Cartwright, Bob Chappell, Paul Carroll, Keith Cavaye, and Jennifer Brower be appointed as members of the Working Group;

that a dispensing optician with experience in the corporate practice sector should also be included in the membership, and that ABDO and FODO should be approached to suggest persons who might fit this profile.

Sale and Supply of Optical Appliances – Professional Bodies Guidance

1017. The Committee received for review guidance from the College of Optometrists and ABDO relating to the fitting of contact lenses, the supply of contact lenses, and the supply of zero powered contact lenses. The Committee also received for review guidance from the College of Optometrists on the supply of spectacles. It was noted that ABDO had not yet revised its guidance on the supply of spectacles, but was due to consider approval of such guidance on 21 March, 2007.

1018. The Committee noted that the guidance had undergone several iterations, and felt that it was appropriate at this stage to highlight points of principle rather than minor drafting considerations in its response to the College and ABDO. Drafting matters, it was agreed, would be sent to the Director of Standards and passed to the College and ABDO for consideration the next time the guidance was amended.

1019. The Committee applauded the collaborative efforts of the College and ABDO to produce guidance which gave a clear benchmark on what is expected of optometrists and dispensing opticians in fitting and supplying contact lenses and zero powered contact lenses. The Committee had no points of principle which it wished to raise in relation to this guidance.

1020. The Committee considered the College of Optometrists' guidance on the sale and supply of spectacles. The Committee noted that the guidance stated that it was 'good practice' for all spectacles to be dispensed by, or under the supervision of, a registered person. It was felt that the duty of care of a registered person to ensure that spectacles met a patient's needs implied a level of clinical care such that it was essential that the sale or supply was conducted by, or under the supervision of, a registered person. This level of clinical care, it was felt, applied even to those spectacles which could otherwise be sold unsupervised by non-registered persons under the terms of the Sale of Optical Appliances Order. It was not felt that registered persons in the context of their practice should take advantage of the provisions of this Order given their overriding duty of care to patients. To this end, it was agreed that the College should be asked to consider amending the guidance to make clear that it was not merely good practice for all spectacles to be sold by, or under the supervision of, a registered person but that a registered person had a responsibility, by virtue of their duty of care to patients, to ensure that this was the case.

1021. The Committee felt that absolute clarity was needed on the position of sports eyewear. The Committee noted that, until such time as a Privy Council order was made, there was no exemption to the requirement that sports eyewear be sold or supplied by, or under the supervision of, a registered person. The Committee found the section on sports eyewear overly detailed and difficult to follow, and felt that all that need be stated in the guidance was that, pending a Privy Council order, sports eyewear could only be supplied under the same conditions as other optical appliances.

1022. RESOLVED:

to inform the College and ABDO that the Committee had no points of principle to raise with respect to the guidance on fitting contact lenses, supplying contact lenses and supplying zero powered contact lenses;

to inform the College and ABDO of the Committee's concerns regarding the College's guidance on the sale and supply of spectacles.

1023. The Chairman reported that the process of reconsidering the guidance had identified two key areas which required further clarification and discussion - delegation and the definition of aftercare. It was agreed that a working group be established to consider these issues, and it was proposed that this should comprise of the current members of the Contact Lens Working Group plus nominees from the College, ABDO, AOP and FODO.

1024. RESOLVED:

to establish a working group comprising of the current members of the Contact Lens Working Group and nominees from the College, ABDO, AOP and FODO to consider residual issues arising from discussions on the professional bodies' guidance.

[Those Advisers present withdrew at this point]

Appointment of Advisers

1025. The Chairman reported that concerns had been raised by the professional and representative bodies that the Committee, as the outcome of its review of the appointment of its advisers at its last meeting, had not asked for its advisers to be nominated by the professional and representative bodies as had been the case in the past.

1026. The Chairman reminded the Committee that the introduction of the current Standing Orders had changed the practice of advisers to the Committee being nominated. Advisers were now appointed by the Committee to reflect its needs in terms of the expertise required to address particular issues. When the Committee had reviewed the appointment of its advisers at its last meeting, it had identified its need for expertise on European issues, service developments in Wales, Scotland and Northern Ireland, and business matters. It was anticipated that the new lay member to be appointed to the Committee would have expertise in business matters. It was felt that the new optometrist member representing Wales would be able to address service development matters in Wales. The former College adviser and the former AOP adviser had expertise in service developments in Scotland and European issues respectively. This left a need to identify an adviser on service developments in Northern Ireland.

1027. The Committee supported the principle that it should appoint advisers according to its need for expertise, and noted that should it need advice in area that had not been anticipated when appointing its advisers it could seek advice on an ad hoc basis. It was noted that the Committee had received the benefit of such advice at its current meeting from the former FODO nominee at the invitation of the Chairman. Relevant expertise was also provided by appointments to the Committee's working groups.

1028. The Committee discussed the timing of the appointment of its advisers. It was agreed that if the Committee was able to agree its business plan for the following year at its September meeting, this would ensure that ample time was given to appoint appropriate advisers in time to cover the full period of that plan.

1029. It was agreed that the College, ABDO, AOP and FODO be informed of the Committee's position with respect to the appointment of advisers under the Standing Orders, and that each body should be informed of the Committee's need for advice in relation to Northern Ireland and be invited to suggest persons who could provide such advice.

1030. RESOLVED:

to bring proposals for the following year's business plan to the Committee's September meeting to facilitate the process of appointing appropriate advisers;

to inform the College, ABDO, AOP and FODO of the Committee's position on the appointment of advisers, and to invite suggestions for an adviser on Northern Ireland.

Date and time of next meeting

It was noted that the next meeting of the Standards Committee would be held on **Thursday 19 April 2007 at 10.30 a.m.**