

GENERAL OPTICAL COUNCIL

**Minutes of the 35th Meeting of the Standards Committee
held on Thursday 11th September 2008**

Present: Mr N Rumney (in the Chair)
Mr I Hamer, Mr N Andrew, Miss R E Bailey, Ms G J Morgan,
Mr D W Pyle, Mr J Russell, Ms S Wild, Mrs R Varley,
Advisers: Mr R Carswell, Mr F Munro, Mr G Tomison
In attendance: Dr P Kyle, Mrs J Brower (from Item 8)
Mrs D Taylor, Acting Registrar
Mr J Levett, Director of Standards
Mr P Ireland, Director of Corporate Services (for Item 6)
Mr G Tinsley, Assistant Director of Standards

Apologies for absence

1176. Apologies were received from Mr D Cartwright.

Declarations of Interests/Confidentiality

1177. The Chairman 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. There were no declarations of interest.

Minutes

1178. The minutes of the 34th meeting held on 17th April 2008 **(SD(08)2M)** were approved and signed by the Chairman.

Matters Arising

1179. Mr Carswell responded to minute 1147 on the position of the substitution of contact lenses in Portugal. He confirmed that there is currently no prohibition in law in Portugal as to who can sell contact lenses. However, members of the professional bodies in Portugal are prohibited from supplying lenses other than those for which patients have been fitted under the rules of those bodies. Mr Carswell explained that the CLEER initiative was an EU-wide project gathering evidence of adverse effects resulting from contact lens wear. This potentially could provide an evidence-base to secure legislative change. Mr Carswell reported that the industry at an EU level is keen to adopt the UK approach. Mr Carswell agreed to report back to the Committee on progress regarding the CLEER initiative.

1180. In relation to minute 1165 the Director of Standards reported that the GOC had met with the Department of Health (DH) on 2nd July to discuss proposed changes to the Sale of Optical Appliances Order. The DH had been sent the minutes from the Sale of Optical Appliances Working Group meeting on 14th January 2008. The DH indicated that they will not review the Order unless a substantial evidence-based case is made by the GOC following wide consultation. The GOC had not anticipated or budgeted for a project of this magnitude in 2008-9. Provision had been made in the 2009/10 work plan to revisit this issue. However, the DH had agreed that the legislation should be put in place to exempt prescription diving masks and swimming goggles from the requirement in the Opticians Act that they are sold by, or under the supervision of, a registered optometrist, dispensing optician, or doctor. Work on this would be progressed in 2008-09.

Progress on 2008/2009 workplan and revised budget

1181. The Director of Corporate Resources gave a presentation to the Committee on the budgetary position based on the figures from the first quarter. He reminded members that a deficit budget was announced at the March Council meeting. Furthermore, the quarter 1 figures had revealed certain items where there had been an overspend as well as certain items which had not been budgeted for. The GOC's senior management team had been tasked with looking at savings and providing an update to all committees.

1182. The Director of Standards reported on progress to the 2008-09 Standards Committee workplan and the implications for the budget. He explained that savings had been identified because some of the work had not progressed as originally anticipated. In particular, as ABDO and the College of Optometrists are now carrying out most of the detailed work on the competency review, savings have been identified in this area. The Therapeutics Working Group had completed its work and no more meetings were envisaged. The cost of the Order regarding swimming goggles and diving masks would be taken from the budget that had been identified for the Sale of Optical Appliances Order, though no additional expense will be incurred. Finally, because the Section 60 Order for amending the Opticians Act to deal with the issue of the substitution of contact lenses had been delayed, this cost would now fall into next year's budget.

1183. The Chair reported that he endorsed the approach taken with regard to the budget, and was confident that the work remaining for 2008-09 could be delivered and the identified savings made.

CHRE Performance Review

1184. The Acting Registrar reported that GOC had now received the CHRE 2007-08 performance review report. She explained that the review had identified GOC as an efficient and effective regulator which was meeting all of CHRE's performance standards. However, CHRE had identified three areas of relative weakness which the GOC would need to address for its next review:

- The content of the register so that where a registrant has conditions placed on their registration, the public register clearly identifies what those conditions are;
- Having in place a formal IT-based case management system for the handling of fitness to practise cases;
- Ensuring the views of patients and the public take sufficient priority in the GOC's policy development.

1185. The review also set out good practices adopted by the GOC and key strengths which other regulators should follow. The appraisal system for Hearings Panel members was identified as a particular area of good practice.

Standards Committee work plan 2009/10 and the appointment of advisers

1186. The Director of Standards introduced the draft work plan for 2009/10, and the Committee was invited to consider the plan and the implications this had for the advisers that it needed for the 2009/10 period. The workplan was agreed by the Committee, and no proposals were made to change the current advisers to the Committee for 2009/10.

Revalidation

1187. The Chairman welcomed Jennifer Brower and Peter Kyle from the Revalidation Working Group to the discussion on revalidation. The Director of Standards introduced the paper SD(13)08. It was explained that the GOC would need to report back to the National Revalidation Working Group in January 2009 to explain how it intended to embed the principles outlined in the National Working Group's report into a revalidation scheme for optometrists and dispensing opticians. The paper outlined some of the key issues which needed to be addressed in order for GOC to formulate its response.

1188. Jennifer Brower raised the issue as to whether dispensing opticians should only be required to be revalidated on regulated functions. It was suggested that, as a general approach, the areas of competency against which registrants were to be revalidated should be based on patient safety. It was reported that the Chairman and Director of Standards had met with those responsible for running the NHS re-accreditation process in Wales, and had discussed links between this process and revalidation. Discussion followed on whether the GOC should approve processes such as those being run in Wales and Scotland. Discussion also followed on the linkage between employer appraisal and revalidation. The Director of Standards reported that the DH is commissioning work on the readiness of appraisal systems to support revalidation. It was noted that employer appraisals in optics tended to be based on commercial targets rather than address issues on the quality of clinical care, and hence it was unlikely that employer appraisals could play the role that they will play in medical revalidation.

1189. Peter Kyle explained that the medical profession is anxious about the appraisal system that is being introduced to support the revalidation of doctors and that it will be important to set out how registrants will be supported if they fail the revalidation process.

1190. It was agreed that the Revalidation Workstream should prepare a report to go to the Council in November 2008 which would form the basis of GOC's report back to the Non-medical Revalidation Working Group in January 2009. It was agreed that the issues for discussion highlighted in SD(13)08 should be sent to the optical bodies for their views. The Revalidation Workstream would reconvene to consider the optical bodies responses on 2nd October, 2008.

Codes of Conduct

1191. The Committee received a draft consultation document from the Code Review Working Group. The Director of Standards explained that the Code Review Working Group had reviewed both the Code of Conduct for Individual Registrants and the Code of Code of Conduct for Business Registrants. In reviewing the Codes of Conduct the Working Group considered the guidance and codes of conduct of other health regulators. The Director of Standards explained the rationale behind each of the proposed changes.

1192. Concern was raised that the wording of question 7 in the draft consultation document was too vague and that the wording needs to refer more specifically to the offences listed in the document. It was agreed that the Director of Standards would re-draft question 7 in the light of the Committee's comments.

RESOLVED TO RECOMMEND TO COUNCIL:

that, subject to question 7 being amended, the document be issued for consultation.

Independent Prescribing

College of Optometrists Guidance for Optometrist Prescribers

1193. The Committee received guidance which had been prepared by the College of Optometrists for optometrist prescribers. The Director of Standards explained that a draft of the guidance document had been reviewed by the Therapeutics Working Group (TWG). The TWG considered the guidance and feedback was given to the College. The Director of Standards confirmed that the College had taken this feedback into account, and that the current version had addressed the TWG's concerns.

Clinical Management Guidelines

1194. The Committee received 19 clinical management guidelines (CMG's) which had been commissioned by the College of Optometrists to support optometrist prescribers. It was noted that a further 40 guidelines were being developed. It was confirmed that the CMG's were to act as a tool to be referred to when necessary by optometrist prescribers rather than a prescriptive set of rules.

Consent Guidance

1195. The College of Optometrists proposed changes on consent were considered by the Committee. It was noted that the changes were intended to clarify the issue of consent, particularly as to what was required by way of consent when treating young people under 18, and to bring the College's Code of Ethics and Guidance for Professional Conduct into line with GMC guidance on consent. There were no issues raised with regard to the content of the guidance. The patient information and consent form was also discussed. Clarification was sought as to when the form needs to be used and in what circumstances. It was agreed that the Director of Standards would obtain further information from the College of Optometrists on the intended use of the consent form.

Behavioural Optometry

1196. The Committee received an abstract of a review article of the theory and evidence relating to behavioural optometry. The Chair explained that the issue of behavioural optometry has previously arisen after concerns raised by members of the public had been considered by the GOC's Investigation Committee. The GOC had referred this to the College of Optometrists who were asked to consider whether guidance on behavioural optometry should be issued. The College had subsequently sought to commission a review of the evidence. It was noted that the full article would be published shortly. It was agreed that the Committee should review its position when the full report was available. In the meantime, Mr Carswell agreed to investigate what the position was with respect to indemnity insurance to those practicing behavioural optometry.

Date and time of next meeting

It was noted that the next meeting of the Standards Committee would be held on **Thursday 29th January 2009 at 10.30 a.m.**