

Freedom of Information Act 2000

Health Regulators Model Publication Scheme – General Optical Council

Part 1: Introduction

Under the Freedom of Information Act 2000 (“the FOI Act”), we have adopted and maintain a ‘publication scheme’ (“the Scheme”) so that information can be made available to the public. The Scheme has been approved by the Information Commissioner and follows the standard format used by health regulatory bodies in the United Kingdom. The Scheme is regularly reviewed.

The General Optical Council

The General Optical Council (“the GOC”) is the statutory regulatory body for optometrists and dispensing opticians in the United Kingdom, established by the Opticians Act 1989. It has four core functions:

- Setting standards for optical education and training, performance and conduct.
- Approving qualifications leading to registration.
- Maintaining a register of individuals who are qualified and fit to practise, train or carry on business as optometrists and dispensing opticians.
- Investigating and acting where registrants’ fitness to practise, train or carry on business is impaired.

Freedom of Information

The Freedom of Information Act was passed on 30 November 2000. It created a general right of access to all types of recorded information held by public authorities. It also sets out exemptions from that right and places a number of obligations on public authorities.

The Information Commissioner has a duty to promote best practice under the FOIA and to ensure compliance. The Commissioner’s address is:

The Office of the Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

www.informationcommissioner.gov.uk

Your rights to information under the FOI Act will come into force on **1 January 2005**. From that date, with certain exemptions, the GOC will be required to:

- Let you know in writing or by e-mail if we hold the information you have asked for; and
- Provide to you any information we have within 20 days.

We will also have a general duty to provide advice or assistance to you or to anyone seeking information (e.g. to explain what information is available or to clarify what you want to know).

Purpose and structure of the Scheme

The purpose of the Scheme is to let you know what information is readily available from us. By 'readily available' we mean information that is on our website, or that can be obtained from us by letter, fax or e-mail.

In creating and reviewing this Scheme, we have to consider the public interest when:

- Allowing public access to the information we hold; and
- Publicising the reasons for decisions that we make.

By law, our Scheme must:

- Set out the classes of information that we publish or intend to publish;
- Say how we will publish the information in each class; and
- Say if we will provide the information free or charge for it.

The Scheme is in three parts:

- Part 1 tells you about the Scheme;
- Part 2 sets out the classes or types of information that we publish or intend to publish. It also contains a list of classes of information that will generally not be made available;
- Part 3 is the Publications List, which tells you what information is published, how it can be obtained and whether it is free of charge.

The Scheme is available on the GOC website (www.optical.org) or from the GOC offices.

The purpose of the Scheme is to make information accessible before you need to ask for it.

Obtaining information under the Scheme

The GOC publishes large volumes of information on its website. Most information provided in the scheme will be freely available for downloading from the website. Other information listed in this Scheme, which is not available from the website, is available when requested in writing from the GOC offices.

Information listed under the Scheme may be requested by letter, fax or email. A form for requesting information is also available on the website or from the GOC offices.

You should send your request for information contained in the Scheme to:

FOI Act Information Requests
General Optical Council
41 Harley Street
London
W1G 8DJ

Fax: 020 7436 3525
Email: goc@optical.org

We are committed to make this information available to all sections of the community. Copies of this Scheme (Parts 1 and 2) will be available in English.

Most documents in our Publications List are available only in English. Where available in other languages this will be indicated. On request we are able to provide some documents in large print versions.

Like most organisations, the GOC makes use of abbreviations on its documents and other records. We try to make sure such abbreviations are kept to a minimum. If necessary, we will provide an explanation of any abbreviations used.

Exempted information

The FOI Act provides exemptions for certain classes of information. If the exemptions apply to the information you have requested you will be informed in writing. However, the GOC is not obliged to confirm or deny if such information is held.

Responsibility for the GOC Scheme

Overall responsibility for the Scheme resides with the Council. Day to day responsibility for the Scheme rests with the Director of Communications and Information:

General Optical Council
41 Harley Street
London
W1G 8DJ

Tel: 020 7307 3472
Fax: 020 7436 3525
Email: kfielding@optical.org

Charging for information in the Scheme

Generally, access to information held by the GOC will be free of charge. Single copies of any publication listed in our publication list will normally be available free of charge from our website or from the Information Controller.

Charges may be imposed for:

- Producing multiple copies of specified information in paper or other format;
- Specified hard copy publications;
- Translations.

Charges will reflect the staff time necessary to produce the information and any copying and postage. We will let you know these charges when you request the information and we will require payment in advance.

Charging regimes

In the Publications List we indicate which of the following charging regimes could apply:

<i>Free on Website (FOW)</i>	There is no charge made by us for downloading the information from the website, although the user will have to meet any charges made by the Internet Service Provider (“the ISP”) and/or telephone company as well as any personal costs for printing etc.
<i>Free of Charge Hard Copy (FOCHC)</i>	Indicates that information will be provided in a hard copy format from the GOC office free of charge.
<i>Chargeable Hard Copy (CHC)</i>	Indicates information that is available from the GOC offices on payment of a charge.

Copyright

Material made available through our scheme is subject to GOC or third party copyright. GOC information may be reproduced for personal or professional use only, in accordance with general Copyright Licensing Agency guidelines. Where information is reproduced, it must be reproduced accurately, not used in a misleading context and an appropriate acknowledgement must be inserted.

Permission to reproduce material does not extend to any material accessed through the Scheme that is in the copyright of third parties. You must obtain permission to reproduce such information from the copyright holder concerned.

Information made available under this Scheme must NOT be reproduced, copied or otherwise used for any commercial purposes.

Reviewing and updating the Scheme

We review our Scheme annually. New material will be added to the Publications List monthly and brought to the attention of users through the website.

Tell us what you think

We are committed to expanding the amount of information in this Scheme and ensuring that you can find, request and receive the information easily. New information will be placed on the Scheme regularly. You will appreciate that reviewing and publishing material is in some cases a costly process and may take some time.

However, we will endeavour to ensure that our Scheme contains information that is of use to everyone interested in understanding more about the activities of the GOC. If you have any comments on this Scheme please write to the Director of Communications and Information at the address given above.

Complaints about the operation of the Scheme

If you have a complaint about the operation of the Scheme:

- Write to the Chief Executive at the GOC offices seeking resolution of your complaint; and
- If you are not satisfied with the response that you receive, you may write to the Information Commissioner, who is appointed to consider such complaints at the address shown above.

Requests for personal information

Under the Data Protection Act 1998 (“the DPA”), you already have a statutory right to have access to personal data we hold about you on computer or in a structured manual file (i.e. on paper). You also have the right to expect the GOC, as the Data Controller, to ensure that data is:

- Processed fairly and lawfully;
- Obtained for specific and lawful purposes;
- Adequate, relevant and not excessive for that purpose;
- Accurate and, where necessary, kept up to date;
- Not kept for longer than is necessary;
- Processed in accordance with your rights as the data subject;
- Kept secure;
- Not transferred abroad unless to countries with adequate data protection laws.

For the purposes of the DPA:

- “Personal data” is information that relates to a living identifiable person
- “The Data Controller” is the person or organisation that controls the purpose and manner in which data is processed;
- “The Data Subject” is the person to whom the data relates.

Where we are the Data Controller, and subject to certain exemptions (see below), you are entitled to be told whether we hold personal data about you and, if so:

- To be given a description of the personal data in question;
- To be told for what purposes the personal data is processed;
- To be told the recipients, or classes of recipients, to whom the personal data is or may be disclosed;
- To be given a copy of any personal data held with any unintelligible terms, acronyms or codes explained;
- To be given any information available to us as to the source of the personal data.

A form for applying for access to your personal data is available from the website or on request from the GOC offices. A fee of £10 must accompany your request for personal data under the DPA. You will be required to supply proof of your identity. You may also be required to provide us with further information in order to allow us to locate the information that you seek. A request for access to personal data will be dealt within 40 days of receipt of the request and payment of the fee.

Exempted information

As with the FOI Act, the DPA provides some exemptions to disclosure in relation to certain classes of information. If the exemptions apply to the information you have requested you will be informed in writing. However, the GOC will not necessarily confirm or deny if such data is held about you.

Complaints

If you consider that a request by you for access to your personal data has not been dealt with properly you may:

- Write to the Chief Executive at the GOC offices seeking resolution of your complaint;
- Write to the Information Commissioner, who is appointed to consider such complaints at the address shown above.

Part 2: Classes of information

Introduction

This Scheme aims to make as much of our information as possible readily accessible to the public, on a continuous basis.

The GOC makes available information within the Information Classes described below, unless it falls within the exempted information also detailed below. Information falling into the classes below will be retained in accordance with our retention policy.

The GOC has adopted a model Scheme developed nationally for all health regulatory bodies. The type of information provided through this Scheme by the GOC will be similar to that available from other health regulatory bodies.

Under each Information Class can be found brief descriptions of the information available within the class.

Under each publication listed in the Publications List can be found:

- The format in which the information is made available;
- “Notes” containing any relevant additional information;
- An indication as to any charge that may be made.

Information classes

We will publish information in the following classes, some of which may be chargeable (see Section 3):

- | | |
|----------------------------|--|
| <u>Administration</u> | <ul style="list-style-type: none">• information relating to the administrative structure of the organisation• information relating to finance and business planning• information relating to employment• information relating to the governance and work of the Council |
| <u>Registration</u> | <ul style="list-style-type: none">• information relating to the Register• information relating to requirements for registration |
| <u>Education</u> | <ul style="list-style-type: none">• information relating to standards in education• information relating to recognised qualifications |
| <u>Fitness to practise</u> | <ul style="list-style-type: none">• information relating to standards of conduct and competence• information relating to investigations and fitness to practise proceedings |
| <u>Communications</u> | <ul style="list-style-type: none">• publications produced by the organisation• press statements |

Other information

- any other information that does not relate to one of the other classes outlined above

Exempted information

The following information will not normally be made available to the public.

Administration

- sensitive personal information relating to members of staff, members of Council, Visitors, Advisors, members of the hearings panel including specific terms and conditions of employment and remuneration
- minutes of, and supporting papers relating to, matters discussed in closed sessions of Council, committee or working group meetings
- financial information relating to specific contracts or other commercially sensitive matters

Registration

- sensitive personal information relating to applicants and registrants, except where such disclosure is required by statute or has otherwise been previously notified to the data subject
- any details of registrants where the GOC has reason to believe that such information may be used for unapproved commercial purposes

Education

- documentation relating to the recognition/approval or otherwise of individual qualifications or educational institutions

Fitness to practise

- papers relating to preliminary investigations
- personal data relating to allegations
- any evidence adduced at a hearing before the Fitness to Practise Committee or Registration Appeal Committee except where such material appears in the transcripts of such proceedings

All classes

- any information subject to legal professional privilege, or other relevant privilege, for such period as the privilege remains active
- any other information that may be subject to exemption under the provisions of the FOIA, subject to case by case consideration of individual requests