

THE STANDING ORDERS OF THE GENERAL OPTICAL COUNCIL

(In force from 2nd April 2009)

Standing orders

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CHAPTER 1: THE COUNCIL

Membership of the Council

- 1.1 All Council members shall be appointed in accordance with Schedule 1 to the Act.

Chair and Deputy Chair

- 1.2 The Chair of the Council shall be appointed to, and hold, that office under the terms of paragraphs 8 and 9 of The General Optical Council (Constitution Order) 2009.
- 1.3 Deputising arrangements in respect of the Chair, where the Chair is absent from a meeting of the Council, shall be in accordance with paragraph 10 of The General Optical Council (Constitution Order) 2009.

The Council Seal

- 1.4 The Corporate Seal of the Council shall be kept in the custody of the Registrar.
- 1.5 The Seal shall be affixed only at the direction of the Council, and shall be attested by the signatures of:
- (a) two Council members; and
 - (b) the Registrar or other officer of the Council authorised in writing by the Council to act in that behalf.
- 1.6 Any direction by the Council for affixing the Seal shall state the object of its use and shall be entered in the Minutes of the Council.

External representation of the Council

- 1.7 The Council shall be represented externally by the most appropriate person, who may be a Council member, member of the executive staff, committee member, or an adviser. Such an individual will at all times act as a representative of the Council and represent the interests and policies of the Council.
- 1.8 Where a Council member or committee member or adviser attends an event on behalf of, and as a representative of, the Council he or she shall receive the appropriate fees and expenses incurred in so doing.

Education and training

- 1.9 The Council shall make available education and training opportunities for all members of Council relevant to their role as a member of Council. This may be provided by organisations external to the General Optical Council and the Council may require a member to attend within the framework of their expected time commitment.
- 1.10 All Council members are expected to participate fully in the appraisal process for Council members.

Provisional Suspension

- 1.11 The Council shall have the power to provisionally suspend a

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member of Council from office if, by a majority of those present and voting, they resolve to do so at a quorate meeting of the Council, providing that the resolution proposing the provisional suspension will have been circulated to all members before the meeting. Such a provisional suspension will have effect from the point at which the resolution is passed. All provisional suspensions of members must be reported to the Privy Council for consideration of further action under the General Optical Council (Constitution) Order 2009.

- 1.12 Exceptionally, the Chair may provisionally suspend a member with immediate effect by informing the member in writing. Such a provisional suspension will be reported to and considered by the next meeting of the Council. All provisional suspensions of members must be reported to the Privy Council for consideration of further action under the General Optical Council (Constitution) Order 2008.

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CHAPTER 2: PROCEEDINGS OF THE COUNCIL

Frequency of meetings

- 2.1 The Council shall meet at least four times a year on dates to be fixed by the Registrar in consultation with the Chair of the Council.

Notice of meetings

- 2.2 Except in an emergency, Council members shall be notified of a meeting of the Council not less than fourteen days before the day fixed for the meeting.

- 2.3 If:-

- (a) the Council have not fixed a date for their next meeting or
- (b) it appears necessary to vary the date of the next meeting; or
- (c) it appears necessary to hold an additional meeting in an emergency,

the date of the next meeting of the Council shall be determined at the discretion of the Chair of the Council.

Quorum of the Council

- 2.4 The quorum of the Council shall be seven Council members, in accordance with paragraph 11 of The General Optical Council (Constitution) Order 2009.

Record of proceedings

- 2.5 Draft minutes shall be prepared of all meetings of the Council and placed on the members' section of the Council's intranet site.
- 2.6 Proposed amendments to the draft minutes of a meeting should be brought to the notice of the Registrar as soon as possible and no later than the meeting at which the minutes are approved.
- 2.7 The draft minutes of each meeting of the Council shall be embargoed until they have been approved by the Council.
- 2.8 The approved minutes of any meeting of the Council shall be placed on the appropriate section of the Council's website as soon as possible.

Public access

- 2.9 Subject to paragraph 2.10 below, members of the public, including the representatives of the press, shall be admitted to meetings of the Council.
- 2.10 The Council may, by resolution, exclude members of the public from a meeting where their attendance would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for any other specified reason.
- 2.11 The Chair may remove a member of the public from the remainder of the meeting or any part thereof, if, in his or her opinion, that member of the public is frustrating the business of the meeting.

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CHAPTER 3: COMMITTEES OF THE COUNCIL

Committee membership

- 3.1 The Council shall appoint members to each committee.
- 3.2 A Committee member may at any time resign his or her appointment as a member of the committee at any time by notice in writing addressed to the Registrar.
- 3.3 A person appointed to fill a casual vacancy shall hold office until the date upon which the Committee member whose membership he or she has filled would have regularly retired.

Chairs / Deputy Chairs of committees

- 3.4 The Council shall appoint a Chair and Deputy Chair to each committee.
- 3.5 The Chair or Deputy Chair of a committee may resign his or her appointment at any time by notice in writing to the Registrar and shall vacate that office if he or she ceases to be a Committee member.
- 3.6 If the Chair and Deputy Chair of a committee are absent from a meeting of the committee, the committee shall elect one of the Committee members to be the Acting Chair for that meeting.

Appointment of advisers

- 3.7 A committee may appoint up to four persons to act as Advisers to the committee in each year.

Notification of advisers to Council

- 3.8 At the first meeting of the Council in each year, the Registrar shall report to the Council the name of any person appointed or re-appointed as an Adviser to a committee.

Attendance of the Chair of the Council

- 3.9 The Chair of the Council may attend and participate in any meeting of a committee (except the Registration Appeals Committee and the Fitness to Practise Committee). The Chair may nevertheless attend the public sessions of any hearing before the Registration Appeals Committee or the Fitness to Practise Committee.

The suspension and removal of Committee Members

- 3.10 The Council shall have the power to suspend or remove a member of a committee from office if, by a majority of those present and voting, they resolve to do so at a quorate meeting of the Council, providing that the resolution proposing the suspension or removal will have been circulated to all members before the meeting. Such a suspension or removal will have effect from the point at which the resolution is passed.
- 3.11 Exceptionally, the Chair may provisionally suspend a member with immediate effect by informing the member in writing. Such a suspension will be reported to and considered by the next meeting of the Council.

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CHAPTER 4: PROCEEDINGS OF COMMITTEES

Frequency of meetings

- 4.1 Each committee (other than the Registration Appeals Committee and the Fitness to Practise Committee) shall meet in private on dates to be fixed by the Registrar in consultation with the Chair of the committee.

Notice of meetings

- 4.2 Except in an emergency, Committee members shall be notified of a meeting of the committee not less than fourteen days before the date fixed for the meeting.

- 4.3 If:-

- (a) the committee have not fixed a date for their next meeting or
- (b) it appears necessary to vary the date of the next meeting; or
- (c) it appears necessary to hold an additional meeting in an emergency,

the date of the next meeting of the committee shall be determined at the discretion of the Chair of the committee.

Quorum of committees

- 4.4 Where the quorum of a committee is not otherwise established by legislation, the quorum of a committee shall be half the number of members of the committee stated in the Allocation of Roles and Responsibilities. Where half the number of members is a fraction of a whole number, the quorum shall be the nearest whole number above that number.

Record of proceedings

- 4.5 Draft minutes shall be prepared of each meeting of a committee and circulated to the Chair of that committee as soon as possible.
- 4.6 With the approval of the Chair, the draft minutes of each meeting of a committee shall be placed on the members' section of the Council's intranet site.
- 4.7 Committee members should submit proposed amendments of the draft minutes of a meeting to the Chair no later than the next meeting of the committee.
- 4.8 The approved minutes of a meeting of a committee shall be placed on the appropriate section of the Council's website as soon as possible.

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CHAPTER 5: PROCEDURE FOR THE CONDUCT OF BUSINESS

Notice of substantive motions

- 5.1 Notice of a substantive motion shall be given in writing to the Registrar not later than noon on the 21st day before the meeting for which it is intended, and state the nature of the matter on which consideration is sought.
- 5.2 Not later than the 14th day prior to the meeting, the Registrar shall send to Council members (or, as the case may be, Committee members), notice of a motion submitted in compliance with the requirements of Standing Order 5.1 and shall provide members with all relevant information and, where appropriate, recommendations.
- 5.3 Notice of a proposed amendment to a substantive motion shall be given in writing to the Registrar not later than noon on the 7th day before the meeting at which the motion is to be considered, and, where notice has been given in accordance with this Standing Order, the Registrar shall inform the members of the terms of the proposed amendment as soon as possible.
- 5.4 A motion to rescind any resolution passed at the preceding meeting, or seeking the same effect as any motion which was rejected at the preceding meeting, shall not be submitted under Standing Order 5.1.
- 5.5 Motions or amendments not notified to the Registrar in accordance with Standing Order 5.1 may be introduced in the course of a meeting only with the permission of the Chair.

Procedure for the consideration of substantive motions

- 5.6 When a motion is to be considered at a meeting, the Council member (or, as the case may be, Committee member) introducing the motion (or his or her nominated deputy) shall be invited to move the motion and speak in support of it.
- 5.7 Once the motion has been moved, Council members (or, as the case may be, Committee members) shall be invited to second the motion.
- 5.8 If a motion is not moved and/or seconded, it shall be treated as withdrawn, unless postponed by consent of the Council members (or, as the case may be, Committee members) present.
- 5.9 Where an amendment has been notified under paragraph 5.2 or is introduced under paragraph 5.5, discussion of the substantive motion shall not proceed until the amendment has been considered.
- 5.10 If two or more amendments have been proposed to any motion, the amendments shall be considered in the order in which the Chair, in his or her discretion, deems appropriate for the good conduct of business.
- 5.11 Where an amendment to a motion has been carried, a further amendment may be introduced by a Council member (or, as the case may be, Committee member), with the permission of the Chair.
- 5.12 Any Council member (or, as the case may be, Committee member) may speak and vote for or against the motion or move that it be referred to an appropriate committee of the Council. Advisers or other persons in attendance may speak on the motion but may not vote or move for referral.

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- 5.13 The Council member (or, as the case may be, Committee member) who moves the substantive motion (or, in the case of an amended motion, the member who moved the amendment) shall have a right to a final reply, immediately after which the question shall be put by the Chair.

Procedural motions

- 5.14 If during the debate upon any motion or amendment a member seeks to introduce a procedural motion “that the question now be put”, the Chair shall decide whether the debate has proceeded long enough to justify the introduction of such a motion.
- 5.15 If the Chair agrees to the introduction of the motion which is then moved and seconded, that motion shall be put to the meeting immediately without discussion.
- 5.16 If the procedural motion “that the question now be put” is carried, the motion or amendment under debate shall be put to the meeting without further discussion except, for the right of the mover to reply to the debate under Standing Order 5.13.
- 5.17 Other procedural motions may be introduced in the course of a meeting with the permission of the Chair.

Procedure for voting

- 5.18 A vote on any motion or amendment may, at the direction of the Chair, be taken either by a show of hands, or, if a motion for the purpose is carried, by a secret ballot of Council members (or, as the case may be, Committee members) present and voting.
- 5.19 In the event of an equal number of votes for and against a motion or amendment, the motion or amendment will be deemed not to have been carried.
- 5.20 The Chair shall declare that the motion or amendment has been carried or has not been carried, as the case may be, and may, if he or she thinks fit, direct that the number of members voting respectively for and against the motion or amendment, or abstaining from voting, shall be entered in the minutes of the meeting.
- 5.21 The names of the Council members (or, as the case may be, Committee members) voting for or against a motion or amendment, or abstaining from voting, shall not be entered in the minutes of the meeting unless a motion for that purpose is carried.
- 5.22 Nothing in these Standing Orders shall be held to require a Council member (or, as the case may be, Committee member) to vote if that member considers that he or she has full and sufficient reason for abstaining from voting.

Confidentiality

- 5.23 Discussions within committees (or working groups) are strictly confidential and should be restricted to the Committee members and Advisers (or, as the case may be, Working Group members) and other persons in attendance at, that committee (or working group).

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- 5.24 Unless marked 'Strictly Confidential', Council papers are to be made available to the public, upon request, following the Council meeting at which the papers are discussed.
- 5.25 Papers marked 'Strictly Confidential' should not be circulated or discussed with any person other than a person who attended, or was eligible to attend, the meeting for which the paper was prepared.
- 5.26 Where a paper is marked 'embargoed until...*time/date*' it may be published once the date and time of the embargo have passed.

Conduct during meetings

- 5.27 If, at any meeting, a Council member (or, as the case may be, Committee member), Adviser or other person in attendance, obstructs business by disorderly conduct or by persistently contravening rulings under these Standing Orders, the Chair shall have power to require him/her to withdraw from the meeting and to exclude him/her from the remainder of the meeting.
- 5.28 Where an issue is raised regarding the existence of a conflict of interest, the person in respect of whom the conflict of interest is believed to exist shall have the opportunity to address the meeting regarding the potential conflict of interest
- 5.29 A person shall withdraw from discussion and determination of an issue where the Chair of the meeting determines that a conflict of interest exists or may be perceived to exist.

Disapplication of Standing Orders and discretion of the Chair

- 5.30 In relation to proceedings at a meeting, any Standing Order may be suspended by resolution of Council members (or, as the case may be, Committee members) present and voting.
- 5.31 The ruling of the Chair as to the construction or application of any of these Standing Orders to any proceedings shall not be challenged.
- 5.32 Except as provided for by these Standing Orders, procedure for the conduct of business shall be within the discretion of the Chair.

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CHAPTER 6: GLOSSARY

Definitions

- 6.1 In these Standing Orders, except where the context provides to the contrary:
- “the Act” means the Opticians Act 1989;
 - “Adviser” means any person appointed to advise a committee of the Council, in addition to the Committee members required for the proper constitution of that committee, who is entitled to participate in discussions but is not entitled to vote on any issue under consideration by that committee;
 - “Chair” includes, in provisions relating to the conduct of business at meetings, any person presiding at a meeting;
 - “committee” means any committee of the Council other than the Fitness to Practise Committee and the Registration Appeal Committee;
 - “Committee member” means a person appointed to the committee in question by the Council;
 - “the Council” means the General Optical Council continued under the Act;
 - “Council member” means a person appointed to the Council in accordance with Schedule 1 to the Act;
 - “month” means calendar month;
 - “the Registrar” means the Registrar of the Council appointed under section 1 of the Act and paragraph 10 of Schedule 1 to the Act;
 - “Working Group” means a group set up by the Council or a committee to consider and report to them on a specific issue; and
 - “year” means a calendar year.