

GENERAL OPTICAL COUNCIL**Minutes of the 224th Public meeting of Council held on
Wednesday 15 November 2017 at 10:00 at 10 Old Bailey, London, EC4M 7NG**

Present: Gareth Hadley (Chair), Helen Tilley (Senior Council Member), Sinead Burns, Josie Forte, Mike Galvin, Scott Mackie (paragraph 8666 to end), Clare Minchington, David Parkins, Roshni Samra, Glenn Tomison and Selina Ullah.

GOC attendees: Vicky McDermott, Kayleigh Allen (paragraphs 8671 to 8672), Alistair Bridge, Hannah Doherty (paragraphs 8669 to 8670), Tony Duong (paragraph 8675 to 8676), Marcus Dye (paragraphs 8666 to 8668 and 8673), Nicola Ebdon, Simon Grier, Claire Herbert (paragraphs 8666 to 8668), Safia Iman, Angharad Jones (paragraph 8673 to 8674), Lisa Harmshaw (minutes), Batool Reza (paragraph 8675 to 8676), Michelle Norman (paragraphs 8679 and 8681), David Rowland (paragraph 8674) and Mark Webster.

Welcome

8655. The Chair **welcomed** members, employees and those in the public gallery to the 224th public meeting of Council.

Apologies

8656. Apologies were **received** from Rosie Glazebrook.

Declaration of members' interests

8657. The following declarations of interest were **noted**:

- Item five (Chair's report re Senior Council Member role description): **Helen Tilley** – in her role as SCM;
- Item six (Education Strategic Review): **all registrant members** – as they were likely to be affected in their non-GOC roles by the direction, progress and outcome of the review; and **David Parkins** – in his role as Vice Chair of the Clinical Council for Eye Health Commissioning;
- Item seven (CET project update): **Scott Mackie** – in his role as a CET Approver; and
- Item 15 (Registration Fees Rules 2018/19) – **all registrant members** - as a 'user as a trustee'.

8658. All members had received un-redacted papers and Council were **content** that none of the declarations presented a direct conflict and therefore the members were permitted to participate in the discussion and make decisions.

Minutes of the last meeting held on 26 July 2017

8659. Council **approved** the minutes of the meeting held on 26 July 2017 as an accurate record of the meeting.

Updated Actions – C29(17)

8660. Council **noted** the progress made and in relation to action 09(17) (Accreditation of Prior Learning policy) further analysis was being undertaken on the consultation outcome which would be presented to Council in February 2018.

Matters Arising

8661. There were no matters arising.

Chief Executive and Registrar's report – C30(17)

8662. Council **noted** the report and that:
- the 2016/17 annual report and financial statements had been laid before Parliament and would be published on 15 November 2017;
 - for the first time the GOC Register had reached over 30,000 registrants;
 - Lisa Davis would be returning from maternity leave in late November 2017 to resume her role as Director of Fitness to Practice (FTP) and Safia Iman would remain with the GOC for three months as interim Director of Transformation, primarily to support the education and hearings teams on business improvement activities;
 - the IT strategy implementation was progressing well and a number of meetings had been held with the preferred supplier. It was expected the transition would be delivered by the target date of 8 December 2017; and
 - the planning for next year's *Love Your Lenses* campaign had begun which Council **agreed** had been very successful and demonstrated proper exercise of the GOC's responsibility towards public protection.

Chair's report – C31(17)

8663. Council **noted** the report and:
- an oral update on the outcome of the Health Systems Leaders' Roundtable held on 10 November 2017, a [summary of which is separately published on the GOC website](#); and
 - that interviews to appoint business representatives to the Companies committee and a dispensing optician and optometrist to the Investigation committee had concluded and a press release would be issued shortly. Three business representatives had been appointed, leaving one vacancy which would be re-advertised in due course.
8664. Council **approved**:
- the role description of the Senior Council Member; and

- the proposal of the Nominations committee that members of the Investigation committee should no longer be proscribed from appointment as members of standing advisory committees (i.e. Education, Standards, Registration and Companies).

Education Strategic Review: draft project plan – C32(17)

8665. Council **considered** the intention to consult on high level concepts and principles as part of the Education Strategic Review and **noted** the intention to publish the research report from Collaborative Research alongside the consultation.
8666. In considering the planned consultation, Council:
- **were supportive** of the concepts and themes as set out in the paper, **agreeing** these were balanced without being overly prescriptive and that they should be consulted on;
 - **welcomed** the intention to engage with students, newly qualified practitioners and patients in early 2018;
 - **requested** further thought be given to how additional qualifications fitted in with the review;
 - **acknowledged** that opportunities to reduce the timeframe for the review would be taken where possible, whilst ensuring the review met the desired outcomes;
 - **welcomed** that contact that had been made with the relevant statutory bodies in the devolved nations to ensure the important characteristics of each were taken into account and that any future recommendations were equally applicable in all four nations;
 - **welcomed** the appointments to the project team expected in January 2018;
 - **requested** that the review consider any arrangements which might be needed post Brexit; and
 - **delegated authority** to the Chief Executive and Registrar and Chair to approve the consultation.

Continuing Education and Training (CET) project update – C33(17)

8667. Council **considered** an update on the CET project and **noted**:
- the CET review would be aligned with the project to review the Opticians Act;
 - the questions set out in paragraph 13 of the paper had been based on the findings from the Education Strategic Review (ESR) call for evidence;
 - that delivery of the CET scheme was highly IT-dependent, a process of re-tendering for a new CET IT contract was underway, to ensure the CET system was more modern and accessible from the start of the next cycle (2019) in order to better meet registrant requirements; and

- discussions had begun with various dispensing optician organisations to look at ensuring consistency of requirements across the different registrant groups.

8668. In considering the update Council:

- **agreed** that continuing professional development was fundamental to equipping optical professionals for the future and that any new CET system should address the needs of the whole profession and not just newly qualified registrants;
- **requested** the public statement clearly explained the different phases of the project and terminology in order to aid understanding;
- **suggested** consideration of the Scottish CPD arrangements be undertaken, which were targeted and based on contractual requirements;
- **suggested** that the Professional Associations Research Network (PARN) might be a helpful organisation to assist with this project; and
- **delegated authority** to the Chief Executive and Registrar and Chair to approve a public statement summarising the project plan.

Fitness to Practice (FTP) consensual panel disposal policy consultation outcome – C34(17)

8669. Council **considered** the outcome from the consultation and **noted**:

- that ten consultation responses had been received;
- the process for management of cases would be referred to as 'consensual panel disposal' with feedback showing there was broad appetite for this; and
- the key issues raised by the consultation, namely transparency (to assure the public that this was not a plea bargaining activity) and communication with all parties involved.

8670. In considering the consultation outcome Council:

- **noted** the lack of responses from patients and patient representative groups and **acknowledged** the intention to actively seek such feedback as part of the evaluation particularly by engaging with those who had been through the process;
- **requested** that thought be given to establishing a patient and patient representative focus group;
- **requested** that feedback obtained from the evaluation be responded to, so those giving the feedback were clear on how their observations had been addressed;
- **requested** that systems be put in place to verify a registrant's intention to retire if this is were to be a factor taken into account when agreeing to consensual panel disposal;
- **approved** the policy; and

- **delegated authority** to the Chief Executive and Registrar and Chair to finalise the policy and the consultation findings for publication.

FTP Acceptance criteria guidance – C35(17)

8671. Council **considered** a proposal to consult on draft acceptance criteria guidance and **requested** the following be addressed prior to consultation:
- re-wording of paragraph 1.5 ('...not to investigate or resolve complaints that are very minor or to punish registrants for past mistakes...'); and
 - additional explanation in paragraph 1.6 on how to complain if complainants were unable to use the investigation form on the GOC website.
8672. Council **acknowledged** the need to engage with registrants so they are clear on what constitutes a FTP complaint, that the GOC is a place of further guidance and assistance and such engagement could assist in improving registrants understanding of their own current and future CET requirements. Council:
- **requested** a timetable detailing all forthcoming consultations be presented to the next Council meeting;
 - **agreed** to consult on the draft Acceptance Criteria guidance; and
 - **delegated authority** to the Chief Executive and Registrar and Chair to approve the draft guidance and consultation.

Vision and safe driving research outcomes – C36(17)

8673. Council **discussed** the outcomes of the research and:
- **agreed** that the GOC had a role in determining how best it could protect the public from harm within current public policy constraints, and that the GOC and other regulatory bodies should highlight the deficiencies with the current system which in turn may assist in effecting public policy change in the future;
 - **acknowledged** that this issue extended beyond the optical profession (for example doctors and managing patients with dementia) and the need to balance patient confidentiality with registrants' wider duty to protect the public from risk of harm;
 - **welcomed** the planned actions which Council **agreed**:
 - were proportionate to enhancing public protection;
 - would provide registrants with greater clarity and guidance on their responsibilities;
 - would enable alignment with other guidance (such as that issued by the DVLA and the College) in order to reduce confusion; and
 - would assist in promoting positive registrant behavioural change, particularly via CET.
 - **agreed** to take no further action in relation to an automatic notification system, which would require legislative change;

- **noted** that there were optometrists on the relevant DVLA advisory panel and **requested** exploration of whether the GOC could also be represented;
- **requested** exploration of a joint initiative between the GOC, DVLA and relevant optical bodies to raise awareness of the public protection issues in this area; and
- **delegated authority** to the Chief Executive and Registrar and Chair to approve supplementary guidance for registrants (on reporting concerns to the Driver and Vehicle Licensing Agency (DVLA) and the Driver Vehicle Agency (DVA)) for consultation.

Public perceptions research – C37(17)

8674. Council **discussed** the findings from the third public perceptions survey and provided the following comments:

- these surveys were welcome and should continue to inform general strategic direction, policy making and evidence, as should further research (such as that planned on commercial pressures);
- the flexing of questions each year was appropriate to ensure that relevant areas were covered;
- there continued to be a need to raise public awareness and change perceptions of using an optician instead of a GP for eye health issues; and
- **noted** the presumption in one of the survey questions that more automation and artificial intelligence would equate to less human interaction and **requested** this be addressed more creatively in future to ensure patients understood the impact of technological change in the role of registrants to ensure confidence in the optical profession.

Performance report: quarter two 2017/18 – C38(17)

8675. Council **received** the performance report and **noted**:

- the introduction of a new measure of the quality of new entries on the Register;
- that performance measurement systems continued to be developed, such as presenting more data on open FTP cases in order to provide a more accurate picture of performance, which was **welcomed**;
- that data on the outcome of the pilot on education provider customer satisfaction would be presented in due course; and
- that discussions following the tender for the review of the non-UK registration process had taken longer than expected but that a contingency plan was in place to ensure that a route for registration was available, including for those based in the Republic of Ireland.

8676. In considering the report Council:

- **expressed concern** at the delay of the review of the Opticians Act project which was considered pivotal in taking forward other strategic projects, but **acknowledged** that receipt of the legal advice (expected in November 2017) would help move the project forward;
- **requested** the accuracy of data on the Register be reported in a way which demonstrated the materiality of any inaccuracies identified and that this information also be regularly shared with the Registration committee; and
- **requested** the percentage of FTP cases where police investigations are required be included in future reports and that where a police investigation is required that the GOC make contact to establish whether it would be acceptable for the GOC to proceed.

Financial performance reports: Half year to 30 September (2017/18) – C39A(17) and Mid-year forecast to 31 March 2018 – C39B(17)

8677. Council **noted** the half year report and the actions planned to achieve financial targets for 2017/18 and help ensure robust financial performance delivery for the year ended 31 March 2018.

8678. Council **noted** the mid-year (Q2) forecast for 2017/18 and the actions planned to achieve the financial targets for 2017/18 and:

- **acknowledged** there was further work to develop budget owners' confidence in their ability to budget and deliver planned work; and
- **requested** further consideration be given to establishing the base operating costs in order to be able to consider the long term sustainability of the organisation using reserves to fund some of the project work.

Registration fees Rules 2018/19 – C40(17)

8679. Council **considered** draft fee Rules for 2018/19 and:

- **agreed** with the rationale for introducing a single standard fee rather than a “higher” standard fee plus a prompt payment fee but **requested** that consideration be given to introducing a fine for late payment in future years if it was considered necessary;
- **noted** that if certain legislative reform took place the requirement for student registration may be removed resulting in a potential loss of income but that this could be balanced out if all bodies corporate were required to register;
- **requested** work be undertaken to look at whether education providers should be charged for accreditation activities; and
- **approved** the 2018/19 fee Rules to be signed by the Chair of Council and the Registrar and then published on the GOC website.

Disclosure policy – C41(17)

8680. Council **approved** the updated disclosure policy (forming part of the Information Governance handbook), as recommended by the Audit and Risk Committee.

Integrity of the Register review – C42(17)

8681. Council **considered** the update on this project and:
- **agreed** that using the next renewal period to request registrants to update their education records was a proportionate and practical solution to ensuring the data held by the GOC was both complete and accurate;
 - **welcomed** the intention to carry out an audit of a random sample of registrant records in summer 2018;
 - **noted** work had commenced to review offsite archive records, taking into account information governance and record retention requirements;
 - **requested** future performance reports reflect progress with this project;
 - **noted** that Registration committee meetings were closer aligned to Council meetings so that any matters arising could be reported through the committee in a timely manner; and
 - **approved** the request for an additional budget of £60k to address the key issues.

Equality, diversity and inclusion (EDI) monitoring report 2016/17 – C43(17)

8682. This item was deferred to the February 2018 public Council meeting.

Council forward plan – paper C44(17)

8683. Council **noted** the forward plan for 2017/18.

Any other business

8684. There was no other business for discussion.

8685. The meeting closed at 14:50.

Date and time of next meeting

8686. The next public meeting of Council would be held on **Wednesday 28 February 2018** at 10 Old Bailey, London, EC4M 7NG. The time of the meeting was to be confirmed.

CHAIR