

## **COUNCIL**

### **Chief Executive and Registrar's report**

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**Meeting:** 9 May 2018

**Status:** for noting

**Lead responsibility and paper author:** Vicky McDermott (Chief Executive and Registrar)

### **Recommendation**

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1. Council is asked to **note** the contents of this report.

### **Overall**

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2. Working with SMT we have undertaken a baselining of the organisation to identify where we are now, our future aspirations, and opportunities and the formulation of a plan to bridge any gaps. This was presented to Council on 27 February. A proposed future operating model with a supporting business case was presented to Council on 16 April.
3. Following the approval in principle of the business case we began staff consultation on 24 April. The staff consultation is on adopting a new proposed operating model for the General Optical Council (GOC) that will deliver significantly improved outcomes for patients and the public. This proposed new operating model will enable us to achieve four key objectives:
  - improved operational performance;
  - improved operational efficiency;
  - a more flexible and targeted approach to regulation that addresses, and where possible prevents, harm to the public; and
  - to generate an operating model that is at break even or better to create an organisation that is sustainable and provides value for money for both registrants and the public.
4. The need for the GOC to change is urgent. The optical sector is undergoing rapid change, with our ageing population leading to increased demand, hospitals under growing strain, new technologies and treatments emerging, business models evolving, and the roles of optometrists and dispensing opticians changing as clinical care is increasingly provided in the community. There is also growing pressure on all regulators to demonstrate public benefit and value for money.

5. This proposed model will help us to adapt to these challenges. We expect it to bring benefits including handling FTP cases more quickly for the benefit of registrants and patients alike; supporting registrants by sharing lessons drawn from FTP cases; making it easier for patients, registrants and stakeholders to raise concerns with us; and responding more quickly to changes in eye care delivery and technology. It will also ensure the organisation's financial stability.
6. Our proposed change programme covers a number of key deliverables:
  - Phase 1 – delivery of operational improvement plans across each of our regulatory areas – from now until March 2019;
  - Phase 2 – launch of our proposed model – provisionally scheduled for November 2018, but subject to the outcome of the consultation;
  - Phase 3 – further enhancement and increased automation and self-service within the new model.
7. We will also be seeking stakeholders' views on our proposed new model and will be creating opportunities over the coming months to do this.
8. The PSA have completed an audit of fitness to practise cases as part of their annual performance review process for 2016-17. We have received the detailed records of the audit. There are some discrepancies in the detailed audit files that they have produced and there is constructive ongoing discussion between ourselves and the PSA to ensure that the audit records are accurate. We expect to hear from them in due course about how they rate our performance over the course of the last year but the ongoing dialogue about the audit could delay the timetable for publishing the final report.
9. I am pleased to see the increasing synergies between the ESR programme, the Education Team and the work on CET, this is evident in the papers for consideration by Council this time. The increasing synergies will lead to an increased level of patient protection and also to a better lifelong learning experience for Registrants.
10. A more detailed report of the recent registration period appears below, but I wanted to make particular comment as to the excellent performance by the team over this period. Particularly in respect of supporting Registrants through the process of validating additional information in this cycle.
11. The second annual Love Your Lenses campaign, took place from 24-30 March 2018. The focus was on "Wash and dry, before you touch your eye", and it was great to see such widespread support across the sector for the campaign. Our partners were very prominent in the media campaign, and it was a positive example of what can be achieved when the sector works together.

**Registration**

12. Annual renewal opened on schedule on 31 January 2018. This was achieved despite the challenges set in preparing the additional work required to address the electronic information gaps on the register. This was especially commendable given that we were required to implement our backup plan; a separate survey covering both education records and EDI, independent, but running in parallel to the main renewal process.
13. Renewal closed on 31 March. Total number of renewals achieved:
  - Fully Qualified registrants 98.6 per cent (out of 22,255); and
  - Body Corporate registrants 96 per cent.
14. Notifications were issued to those who failed to renew their registration and these have subsequently been erased from the register.
15. 617 applications for the low income fee have been assessed and granted compared to 566 in 2017.
16. The additional information was completed by 18,309 registrants. Work is now being carried out to analyse the quality of the responses and the planned next steps.
17. Call volumes received were 50 per cent higher compared to January - March 2017 (5,139 v. 3,416) due to dealing with queries around the additional information requests. Outgoing calls were significantly lower (683 v. 1,293) due to the migration to electronic payments rather than credit cards.
18. Accuracy of entries to the register achieved in February and in March was 99 per cent against a target of 95 per cent. 90 per cent of forms were completed within KPIs in March against a target of 80 per cent.
19. The registration team should be commended for seamlessly dealing with this challenging renewal period.

**Fitness to Practise – Case Progression**

20. At the end of Q4, progress against the Glide Path which was presented to Council in February 2018 was much as predicted.
21. We have formally reviewed our pilot of in-house advocacy services. This has proved very successful, with highlights to date including a saving of £125,000 in external legal costs between October 2017 and March 2018 (although external legal costs remain very high) and development of in-house knowledge relating to High Court IO extension applications.
22. We received 495 referrals into FtP in 2017-18, an increase of 16 per cent (or 70 referrals) on the previous year. However, of these, 49 were the result of an improved process between the Registration and FtP teams which has seen the earlier referral (i.e. before the end of March) of relevant annual retention

declarations to the Case Progression team. The true increase in new referrals is, therefore, more realistically in the region of 5 per cent.

23. Acceptance Criteria consultation has concluded. Responses were broadly supportive and provided helpful feedback, which Council will be taken through at the meeting (paper C18(18)).

### **Legal Department**

24. The new Defence Stakeholder Group met in March 2018 and was attended by representatives from the main membership bodies and legal defence firms. The group agreed that it should meet quarterly and that its focus should be on “big issues” where the group can potentially make a difference. At the first meeting, actions were agreed in respect of the GOC being more informative around likely timescales in individual cases and also in respect of encouraging experts meeting to try and narrow the issues in clinical cases that have been referred to the FTPC.
25. Callers in crisis: We are working on guidance for staff in managing communications with people who appear to be in crisis, e.g. if a registrant mentions suicide.

### **IT Strategy implementation**

26. The outsourcing of our IT infrastructure to Celerity was successfully completed in January. The majority of the servers are now hosted off-site as planned with the GOC benefitting from far better security and resilience.
27. The IT domain is now stable and service reliability and availability is slightly improved. We continue to work with Celerity to plan the next steps. The critical task is to upgrade a number of our current platforms to an acceptable base level. A detailed work plan to achieve this has been discussed at SMT, however the focus has now been widened in recent weeks as the reorganisation plans have developed. The proposed scope is now far wider and is to be considered at Council.
28. Operationally, work is being carried out to evaluate the information within the trouble ticket system. The focus is on identifying and finding solutions to recurring issues and themes.

### **Human Resources**

29. “My HR” went live on 1 December 2017 and has made noticeable improvements to the way the business manages HR. Over the last quarter, small enhancements have been introduced and the system is now embedded into general working practices.
30. The workshops around an effective pay and performance process within the GOC concluded in January. The outputs of these workshops have been analysed and suggested improvements were approved by the Remuneration

Committee. The proposals have been presented to all staff and were generally well received. The recent focus has been on training staff around setting and cascading objectives for the coming year.

### Finance

31. The overall result for the 12 months to 31 March 2018 is a net deficit of £1,359k. This is adverse to the budget of £1,217k by £142k. This needs to be adjusted to reflect the performance of the investment portfolio. An unrealised loss of £570k was recorded in Q4. This resulted in an overall unrealised loss of £47k against a budgeted gain of £300k. Excluding this from the result would give a net deficit of £1,312k against a budget deficit of £1,517k, which is ahead of budget by £205k. A full, detailed analysis is provided in the Financial performance report.

#### Summary result for year to 31 March 2018

	Actual	Budget	Variance
	£'000	£'000	£'000
Total Income	8,702	8,551	151
Total BAU Expenditure	(9,361)	(9,084)	(277)
Total Project expenditure	(653)	(984)	331
Surplus / (Deficit) after project expenditure	(1,312)	(1,517)	205
Unrealised Investment gains	(47)	300	(347)
Total Surplus / (Deficit)	(1,359)	(1,217)	(142)

32. The annual budget process was successfully completed and presented to Council in February 2018. Work is now focused on the successful completion of the annual report and accounts for Council in July 2018.

### Education

33. The Education department is holding targeted consultation with external stakeholders and members via workshops to review the principles of a new approach to Accreditation and Quality Assurance, and to review draft documentation. The overarching objective is to improve our A&QA approach so that it is more proportionate, risk-oriented, flexible, transparent and consistent, in line with the sector. This is being developed with our Education Strategic Review work in mind, so that we can prepare a step-change approach to, later, reach the future outcomes of the ESR. We are also working to launch a new annual monitoring process later this year.

### Continuing Education and Training

34. We will also be discussing our plans to accelerate improvements to our system of Continuing Education and Training (CET), as well as preparing for the end of the current three-year cycle in December 2018 (paper C16(18)).

### Business standards

35. We have revised the draft business standards following feedback from our advisory committees and other stakeholders and these have been approved for

consultation by the Chair and Chief Executive. We will be launching the consultation at the end of May in line with our project plan. The consultation will last for a period of 3 months and we have appointed an external agency to lead on our consultation with external stakeholders during this period, including gaining input from patients and registrants. We will circulate the consultation document to Council, together with the draft standards, once this has been finalised.

36. We have been also been exploring how we can promote awareness and compliance with the new business standards, pending legislative change to require all businesses carrying out restricted functions to register. We have an initial discussion with NHS England and will be following this up, as well as engaging with the devolved administrations in Scotland, Wales and Northern Ireland.

### **Governance**

37. In order to improve our ability to deliver projects on time and on budget, we have provided training for all project managers in the organisation and introduced new templates covering the key elements of the project life cycle.
38. Our project to ensure compliance with the General Data Protection Regulations is on target for completion as planned, with recent work including delivering employee briefings and amending our data protection policy to reflect the changes in legislation.

### **Safe Contact Lens Use**

39. Love Your Lenses Week took place at the end of March, with the focus being on raising awareness of the importance of washing hands properly before putting in contact lenses. We achieved significant print and media coverage, including an article in The Sun and interview on BBC Radio. On social media, there were 1.7m hashtag impressions on Twitter and the Love Your Lenses Facebook page had 11,000 impressions.

### **Education Strategic Review**

40. The Education Strategic Review remains on track in line with the published project plan and we are exploring options for moving at pace to a phased implementation of the Review from September 2018. This is covered in the paper that we will be discussing elsewhere on the agenda (paper C15(18)).

### **Education consultation**

41. The work we have been doing on both the Education Strategic Review and the CET Review will feed into a consultation that we plan to launch in mid-May. We are proposing that the consultation will cover:
  - proposed new standards for education providers;
  - proposed approach to quality assurance of education providers;
  - proposed changes to the system of CET;

- proposed new learning outcomes to underpin both student education and CET.

### Hearings

42. We have continued to conclude hearings events and our gratitude extends to the Nursing and Midwifery Council and the General Pharmaceutical Council who have provided Hearings Officers to clerk support our events during a period of exceptional absence within the team. This is an example of excellent inter-regulator working and we will continue to explore opportunities to build relationships and assist each other where able. We have also been engaging with the Association of Optometrists to keep them informed about the scheduling of the legacy cases which will intensify later this year.

### Business plan

43. We have revised our Business Plan for 2018/19 to reflect the work we have been doing to progress our Organisational Transformation Programme. Once staff consultation is complete at the end of May 2018 this shall be further updated and published.

### Consultation plan

44. We have produced a consultation plan for 2018/19 [**annex one**]. Council will note that it has proved necessary to postpone until Q4 2018/19 the consultation on our guidance for registrants on vision and driving. This will enable us to focus earlier in the financial year on the delivery of our Education Strategic Review and CET Review, and on finalising the new business standards. We will then be able to focus on vision and driving and as well as finalising the guidance, seek to raise awareness among registrants of how to exercise their professional judgement in line with our standards of practice.

### Stakeholder engagement

45. Since the last Council meeting, I have continued to meet with our stakeholders, supported by internal briefings from our Comms team. These briefings allow the meetings to be meaningful conversations regarding current and future issues.
46. I have had one to one meetings with my counterparts at the Federation of Manufacturing Opticians (FMO), the College of Optometrists (COO), the General Medical Council (GMC), the Association of Optometrists (AOP) and the Federation of Ophthalmic and Dispensing Opticians (FODO). I have also had a telephone one to one with my counterpart at CORU, Ireland's multi-profession health regulator.
47. I have met with the Chief Operating Officer of the Local Optical Committee Support Unit (LOCSU) and we have agreed to share our draft business standards with them to gain valuable feedback. A meeting has been set up for late May.

48. Along with our Fitness to Practise Director, I met with the Director of Scrutiny and Quality at the Professional Standards Authority (PSA) to discuss their draft Standards of Good Regulation.
49. I also met with the Chief Executive and Legal and Regulatory Services Director of the AOP. I was accompanied by our Director of Fitness to Practise and Head of Case Progression to discuss CET, FTP and business standards.
50. I attended both the Chief Executive Steering Group (CESG) which provides an opportunity to discuss inter-regulatory issues.
51. Both the Chair and I met separately with Mazars LLP for the purpose of assisting them to gather views to help develop the internal audit strategy and annual plan. Other SMT members, a Council member and various individuals from the Governance team also met with them to give them a wide overview to develop their plan.
52. I attended the Williams' Review evidence session in March 2018, accompanied by the Communications Manager, to give evidence to Professor Sir Norman Williams regarding the review of gross negligence manslaughter in healthcare.
53. I met with both the Director of Workforce and the Deputy Director, Professional Regulation from the Acute Care and Workforce Directorate at the Department of Health and Social Care to discuss a number of areas of shared interest.
54. I visited Davis Opticians in Market Harborough, as I was keen to visit another independent practitioner. I also had the opportunity as part of this visit to meet with the current Chairman and immediate past Chairman of the Association of Independent Opticians (AIO) whom I had previously met in November 2017 at their conference.
55. I have attended the Remuneration Committee and Education Committee meetings in April.
56. I arranged a visit to observe and follow a domiciliary patient journey in March but was unable to attend at the last minute. The Chair, together with the Head of Case Progression and Standards Manager, met with the team at the Outside Clinic in Swindon. They observed separate visits following domiciliary patient journeys with the clinic alongside a Professional Services optometrist. This allowed our staff to gain a good understanding of their provision of service and patient care as well as the opportunity to see the mapping process of the patient journey through the clinic's systems and departments. Another visit has been planned for me to attend in July.
57. I met with Ana Granger from Claremont to prepare for the Love your Lenses campaign.



**Consultation Plan 2018/19**


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	Q1	Q2	Q3	Q4
<b>Education and training</b>	<b>Education and training:</b> consultation on our approach to education and training, covering: (a) proposed new standards for education providers (b) proposed approach to quality assurance of education providers (c) proposed changes to the system of continuing education and training (CET) (d) proposed new learning outcomes to underpin both student education and CET <i>(June to July)</i>		<b>Education Strategic Review:</b> final consultation on proposed new system of education, including approach to quality assurance <i>(Oct to Dec)</i>  <b>CET review:</b> final consultation on proposed new CET system <i>(Oct to Dec)</i>	
<b>Business standards</b>	Consultation on draft business standards <i>(June to August)</i>			
<b>Vision and driving</b>				Consultation on vision and driving guidance <i>(January to March)</i>