

GENERAL OPTICAL COUNCIL**Minutes of the 222nd Public meeting of Council held on
Wednesday 10 May 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, Clare Minchington, Rosie Glazebrook, David Parkins, Roshni Samra and Glenn Tomison.

GOC attendees: Alistair Bridge, David Bryan (paragraph 8615), Tony Duong (paragraphs 8615 to 8617), Hannah Doherty (paragraph 8615), Marcus Dye, Nicola Ebdon, Donna Francis (paragraph 8616), Simon Grier, Claire Herbert (paragraphs 8603 to 8614), Lisa Harmshaw (minutes), Michele Norman (paragraph 8616), Samantha Peters, Batool Reza (paragraphs 8615 and 8617), Keith Watts (paragraphs 8615 and 8616) and Mark Webster.

Observing: Vicky McDermott (incoming Chief Executive and Registrar).

External attendees: Monique Rotik (Collaborate Research, paragraphs 8612 to 8614).

Welcome

8603. The Chair **welcomed** members, employees and those in the public gallery to the 222nd public meeting of Council.

8604. A particular welcome was extended to:

- the four new Council members – Josie Forte, Mike Galvin, Clare Minchington and Roshni Samra, who joined Council as of 1 April 2017; and
- Vicky McDermott, incoming Chief Executive and Registrar who would join the GOC as of 4 September 2017. Council **noted** that this was Samantha Peters' last Council meeting and that she would leave the GOC on 13 June 2017. Council **noted** that during the interim period the remaining members of the Senior Management Team (SMT) would between them cover all internal and external matters as well as decisions falling to the Registrar.

Apologies

8605. Apologies were **received** from Selina Ullah.

Declaration of members' interests

8606. There were no declarations of interest. Those Council members who had responded to the Strategic Education Review 'call for evidence, were urged to

agree to having their comments attributed in the published report in the interests of transparency.

Minutes of the last meeting held on 22 February 2017

8607. Council **approved** the minutes of the meeting held on 22 February 2017 as an accurate record of the meeting, subject to one amendment at paragraph 8595.

Updated Actions – paper C14(17)

8608. Council **noted** the progress made on the actions in the paper.

Matters Arising

8609. There were no matters arising.

Chair's report – paper C15(17)

8610. Council **received** a report from the Chair updating members on his activities since the Council meeting held on 22 February 2017. Council **noted** the appointments of Council members to statutory advisory committees, to the non-statutory committees, and as Council champions.

Chief Executive and Registrar's report – C16(17)

8611. Council **received** a report from the Chief Executive and Registrar updating members on her activities. In particular, Council **noted**:
- paragraph three (pandemic flu) – the GOC's involvement to date was to ensure that all healthcare regulators were lined up. Council **encouraged** the Executive to engage with Public Health England on this area;
 - paragraph six (QA project) – the project was progressing within registration and FTP, with focus on delivering the actions highlighted in the reports prepared by KMPG. Council **noted** the intention to ensure that any actions resulting from recent internal audit work were included going forward and that where needed re-prioritisation of activities which were not supporting core business functions would be given further thought;
 - paragraph ten (strategic review of our approach to information technology) – it was likely that the Executive would seek a Council member to be involved in the tendering process;
 - paragraph 11 (PSA annual performance review) – the report was expected to be published later in the week and would be shared with Council once available; and
 - paragraph 13 (reserves policy) – the Audit and Risk Assurance Committee (ARC) has reviewed at their meeting on 24 April 2017 and were content to recommend the policy for approval. Council **approved** the Reserves policy accordingly.

STRATEGIC

Education Strategic Review: statement following the call for evidence – C17(17)

8612. Council **considered** the findings from the call for evidence, **received** a presentation from Collaborate Research and **noted** the following common positions drawn from the responses received:
- there was consistent support for the general direction of travel proposed – most respondents agreed that changes to the education system were needed in order to adapt to future patient needs and ensure patient safety;
 - change was expected to enhance the opportunities for optical professionals by preparing and enabling registrants for the future;
 - registrants wished to retain control of the eye examination, supported continuation of the current restrictions, including on dispensing to children and those registered as visually impaired, and would support extension of similar restrictions on dispensing to other vulnerable groups of patients including those with learning disabilities and dementia;
 - barriers to change including funding inadequacies, lack of healthcare integration, insufficient competence, confidence and willingness to take on expanded roles, lack of understanding from the public to view optometrists as the ‘GP of the eyes’ and increases in student numbers; and
 - stakeholders were supportive of the efforts by the GOC to effect change, including legislative change.
8613. Council **provided** the following views:
- preparation of a deliverable work plan would be crucial to the successful delivery of this project as would frequent and clear communication;
 - there were real opportunities to expand practice but some uncertainty as to whether, having regard to the challenges presented by technological and societal change alike, the responses received had set sights high enough regarding registrants’ future ambitions. Council **hoped** that this would be explored further as the project progressed;
 - capacity issues in hospitals were very real: going forward, some areas of work traditionally undertaken by ophthalmologists in hospital eye departments would need to be undertaken in the community, including by optometrists;
 - optical professionals were working at a much higher level within the existing system and more registrants will be required to take clinical decisions and move from risk identification to risk management, and this required a cultural shift;
 - optical education needed to be lifelong with a move from CET into continuing professional development (CPD) and revalidation. Council **welcomed** the intention to run the CET evaluation project in parallel to this review;

- there appeared to be consensus that the Student Register should be retained, a view not previously favoured by Council. In particular, Council **noted** that if other optical roles were to become involved in the provision of care in the future (such as optical assistants) then this could lead to other registrable professional roles;
- the future format and content of the Register would require review taking into account the outcome of the Education strategic review and the intention was to dovetail the proposed 'review of the Register' project and the ongoing work on legislative reform with the Education strategic review;
- the competency framework and current teaching was not wholly evidence-based. The framework needed to change from a focus on 'how to' to 'why' and become far more adaptable to changes in technology and the role of the registrant;
- there was a need to increase clinical experience and move to a modular learning system with practical application;
- there was some support to progress to a 'core plus' system which would provide the ability for optical professionals to move, change and progress throughout their career which would have benefits for both the practitioner, the public and public safety;
- there was a need to look at apprenticeships and degree apprenticeships (which are a new concept) which would give access to additional funding;
- the current model for minor eye conditions was no longer fit for purpose;
- there was some sense that not all optometrists were currently on board and instead were looking to the GOC to protect their functions without fully understanding that the technological and societal pressures meant that change to the optical professions was inevitable; and
- whilst the future direction for optometrists was clear, this was less so for dispensing opticians and that this required more thought.

8614. Council:

- **extended thanks** to all those who has responded to the call for evidence and to Collaborate Research for producing the report and presenting the outcomes to Council;
- **approved** the report for publication; and
- **approved** the planned next steps for the project as set out in the paper.

Fitness to Practise Complaints Strategy review: evaluation of the pilot and final strategy – C18(17)

8615. Council **received** the final Strategy for managing Fitness to Practise complaints more quickly and effectively and:

- **noted** progress made, that the pilot exercises had been running alongside an increase in complaints received, improvements to stages one and two had been identified and subsequently implemented;

- **noted** the increase in case volumes remained difficult to predict in the longer term, which was also the experience of other healthcare regulators. It was difficult to compare FTP performance and case volumes across regulators as there were many factors which affected case length, particularly for cases which involved a criminal investigation beyond the regulators control;
- **acknowledged** that new processes would take time to embed, and welcomed the efforts to continue to be innovative in approach where possible;
- **noted** all cases which were ready for hearing had been listed;
- **agreed** that consideration of the time taken by external legal firms to get cases ready for hearing, prioritising appointment of new performance assessors and reviewing the terms and conditions of hearing panel members to require them to sit for longer hearings were all required actions;
- **noted** the intention to consider bringing more legal work in-house but **agreed** this should not be to the detriment of the stability and sustainability of the team;
- **agreed** that a review of the hearings process and wasted hearing days was required;
- **noted** the key performance indicators effective from 1 April 2017. In particular, the 52 week end to end target remained the long term goal. Council **acknowledged** the need to undertake more work to further refine and embed the process changes and ensure the quality of investigation and fairness was maintained. Council **agreed** to amend the KPI for all cases on receipt of referral to Fitness to Practise Committee decision to a median time of 78 weeks or less (per annum) on an interim basis. Council **acknowledged** this included 26 weeks required by provisions within the Opticians Act;
- **requested** that milestone KPIs be developed to support achievement of the 78 week interim KPI, to be used to flag any issues in performance and provide assurance on the direction of travel to Council;
- **suggested** consideration be given to whether the Legal Costs Contingency Reserve (as set out in the Reserves policy) could be utilised to improve performance;
- **noted** the next steps and particularly **welcomed** the intention to develop and consult on a proposed consensual determination process in quarter three 2017/18; and
- **approved** the final strategy.

ASSURANCE

Performance report: quarter four 2016/17 – paper C19(17)

8616. Council **received** the quarter four 2016/17 performance report and:
- **noted** the key improvements, performance highlights and challenges and the report had been further improved with reduced repetition and new content to provide assurance on the four regulatory areas;

- **welcomed** that internal capacity had been enhanced to assist with development of organisation performance reporting and planning;
- **requested** more information be provided in bullet format, including more information on the completeness and accuracy of the Register;
- **requested** different colours be used in the remainder of the report to avoid confusion with the performance tables (which used a traffic light system);
- **sought assurance** of the data accuracy and collection methods. Council **noted** this remained an area of development and there continued to be challenges on getting accurate data into the CRM system, to enable appropriate analysis and cross checking. It was **noted** that the data reported to Council was accurate and cross-checked, however the challenges meant that information gaps existed in the provision of data to Council because such assurance could not currently be provided in some areas;
- **noted** performance information was currently routinely considered by managers and the integration of performance analysis with business planning and risk management processes to ensure their use as business tools was developing, including consideration of embedding within staff performance objectives;
- **extended thanks** to David Parkins, Selina Ullah and Sinead Burns for their input in developing the format of the report and **noted** that online feedback would be sought from Council on the new format;
- **noted** the internal auditors had reviewed data quality and the report would be presented to the next ARC meeting in July 2017;
- **noted** that the strategic key performance indicators (KPIs) would be reported from quarter one 2017/18; and
- **agreed** Council should ensure clarity regarding what KPIs and other management information they required to be provided with assurance to avoid unnecessary reporting.

Financial performance report: quarter four 2016/17 – C20(17)

8617. Council **received** the quarter four financial report for 2016/17, ending 31 March 2017 and:
- **noted** the main headlines, particularly in relation to higher than anticipated overall expenditure as a result of the full recognition of costs regarding open FTP cases;
 - **noted** the reasons for the variation in expenditure, particularly in relation to Financial Reporting Standard 102;
 - **welcomed** the intention to more accurately capture FTP cost movements and increase the scrutiny of legal panel firm costs; and
 - **requested** that future management accounts report separately unrealised investment gains, 'business as usual' and project costs.

OPERATIONAL

Council forward plan – paper C21(17)

8618. Council **noted** the forward plan for 2017/18 and:
- **requested** an update for noting on progress made with QA recommendations in FTP and Registration in July 2017;
 - **noted** the intention to discuss an IT strategy with Council and in light of the recommendations in the IT security internal audit report some issues were being addressed to avoid delay; and
 - **requested** consideration be given to how the Education Strategic Review and Continuing Education and Training (CET) could be linked to avoid discussing both separately at the same meeting.

Any other business

8619. Council **expressed gratitude** to Samantha Peters for her service to the GOC over the last six years as Chief Executive and Registrar. Council particularly welcomed her strategic grasp of the optical world, health care service delivery generally and the emerging disruption arising for all healthcare professionals and wished her well for future endeavours and the completion of her PhD.
8620. The meeting closed at 13:20.

Date and time of next meeting

8621. The next public meeting of Council would be held on **Wednesday 26 July 2017** at 10 Old Bailey, London, EC4M 7NG. The time of the meeting was to be confirmed.

CHAIR