

**Process for removal of registrants for non-completion of the
2016-18 CET cycle requirements**



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1. Statement

- 1.1 Continuing Education and Training (CET) is the mechanism we use to assure the public that our registrants keep their skills and knowledge up to date and remain fit to practise.
- 1.2 This process covers the steps we will take in deciding whether to remove a registrant's name or registered specialty from the register for failure to meet the CET requirements as defined by the relevant legislation ('CET requirements').¹
- 1.3 Registrants identified as failing to meet the CET requirements, and subject to this removals process, will have a 2019 CET account active as from 14 January 2019.
- 1.4 When registrants log on to their CET account they will receive a notice which advises them they failed the previous cycle and outlines which requirements, including any competencies peer review or interactive CET requirements, they did not complete (as applicable). Registrants will be able to complete and record CET on the system which can count towards their 2016-18 cycle requirements, or their restoration requirements (if removed from the register) – but this will not count towards completion of the 2016-18 cycle requirements.
- 1.5 It should be noted that, except where expressed in legislation, all of the dates in this document are indicative dates – we will aim to meet these but this may not be possible in all circumstances. However, registrants must meet the deadlines set out in our letters e.g. 11 February for registering a dispute or exceptional circumstances and 28 days for an appeal period.

¹ The legal requirements are contained in the Opticians Act 1989 (as amended by the Opticians Act 1989 Amendment Order 2005) and the GOC (Continuing Education and Training) Rules 2005 (as amended by the Continuing Education and Training Rules Amendment Order 2012 and related legislation) hereinafter known as "the Act" and "the CET Rules" respectively. The Act can be found on our website at www.optical.org/about_us/legislation/opticians_act.cfm and the CET Rules can be found at www.optical.org/about_us/legislation/rules_and_regulations.cfm

Under Rule 24 of the CET Rules, the Registrar may remove or refuse to retain (a) the name of a registrant or (b) particulars of a registered specialty, if the registrant has failed to meet the CET requirements under the Rules.

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2. Purpose

- 2.1 The purpose of this process is to outline:
 - 2.1.1 how we will ensure that a registrant's name or registered specialty is only removed from the register if they fail to meet the CET requirements;
 - 2.1.2 what checks will be made to ensure our data is accurate prior to consideration for removal;
 - 2.1.3 when and how registrants will receive a warning of removal, notification of a decision to remove and notification of removal;
 - 2.1.4 how we will deal with the process if a registrant is also under investigation for fitness to practise (FTP) concerns;
 - 2.1.5 how registrants can make an application for exceptional circumstances or dispute our CET records;
 - 2.1.6 how we will process applications for exceptional circumstances or disputes; and
 - 2.1.7 how registrants can appeal a decision to remove their name and/or registered specialty from the register for failure to meet the CET requirements.

3. Scope

- 3.1 This process applies to all fully qualified registrants who are identified as not meeting our CET requirements at the end of the 2016-18 CET cycle by the end of 31 December 2018.

4. Data required

- 4.1 The following data will be required:
 - 4.1.1 Database (referred to hereinafter as 'the spreadsheet') of registrants (including their registration number and details of the CET requirements which have not been met) who have not met the CET requirements, according to our CET system, as at 1 January 2019. To have contact details and registration status added by our CRM system.
 - 4.1.2 List of registrants who are currently subject to FTP investigation, as at 3 January 2019.
 - 4.1.3 List of registrants who have made an application under the exceptional circumstances policy, as at 3 January 2019.
 - 4.1.4 List of registrants who have advised the GOC that they wish to have their name removed from the register for withdrawal or retirement purposes, as at 3 January 2019.
 - 4.1.5 List of registrants who have advised the GOC that they wish to have their speciality removed from the register, as at 3 January 2019.

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5. Stage 1 – Checking and issuing a warning

- 5.1 The spreadsheet of registrants (including their registration number and details of the CET requirements which have not been met) who have not met the CET requirements, according to our CET system, as at 1 January 2019 will be cross-checked for accuracy against the records we hold in our CRM system. Registration status and contact details of registrants will be added to the spreadsheet using the records from our CRM system.
- 5.2 The spreadsheet will be spot-checked to ensure:
- 5.2.1 that no registrants are on the list who have completed their CET requirements, but have been identified due to the six point annual requirement;
 - 5.2.2 that registrants who have been on the register less than one year have been identified correctly e.g. not identified for not completing competencies or peer review (particularly relevant for those registrants with a contact lens specialty for less than a year); and
 - 5.2.3 that registrants identified for non-completion of speciality CET are accurate and are not also identified for non-completion of general CET (unless this is the case).
- 5.3 Any registrants identified as having met the CET requirements following the checks in 5.1 and 5.2 will be removed from the spreadsheet. The archive statement in their CET record will be updated to show as having completed the 2016-18 cycle and the registrant will continue into the 2019-21 cycle.
- 5.4 The registrants who remain on the spreadsheet following the checks in 5.1 and 5.2 will be separated in the following ways and spot-checked:
- 5.4.1 registrants who are subject to FTP investigation will be processed according to **Stage 2** of this process;
 - 5.4.2 registrants who have made an application under the exceptional circumstances policy will be processed according to **Stage 3** of this process;
 - 5.4.3 registrants who have advised the GOC that they wish their name to be removed from the register – see paragraph 5.5;
 - 5.4.4 registrants who have completed the general but not specialty CET requirements – see paragraph 5.6;
 - 5.4.5 registrants who have completed the general CET requirements but not the speciality CET requirements and wish their specialty to be removed from the register – see paragraph 5.7;
 - 5.4.6 registrants who have not completed the general or specialty CET requirements and wish their specialty to be removed from the register – see paragraph 5.8; and
 - 5.4.7 all other registrants who have not met the general CET requirements – see paragraph 5.9.

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- 5.5 The registrants who have advised the GOC that they wish their name to be removed from the register will be spot-checked for accuracy and sent a letter by **14 January 2019** which will advise them that our records show they have not met the CET requirements, but we understand they wish their name to be removed from the register and that we are minded to remove their name from the register.
- 5.6 The registrants who have completed the general but not speciality CET requirements will be spot-checked for accuracy and sent a letter by **14 January 2019** which will advise them that our records show they have not met the speciality CET requirements and that we are minded to remove their speciality from the register.
- 5.7 The registrants who have completed the general CET requirements but not the speciality CET requirements and wish their speciality to be removed from the register will be spot-checked for accuracy and sent a letter by **14 January 2019** which will advise them that our records show they have not met the speciality CET requirements but we understand they wish their speciality to be removed from the register and that we are minded to remove their speciality from the register.
- 5.8 The registrants who have not completed the general or speciality CET requirements and wish their speciality to be removed from the register will be spot-checked for accuracy and sent a letter by **14 January 2019** which will advise them that our records show they have not met the general or speciality CET requirements, but we understand they wish their speciality to be removed from the register and that we are minded to remove both their name and their speciality from the register.
- 5.9 All other registrants who have not met the general CET requirements will be spot-checked for accuracy and sent a letter by **14 January 2019** which will advise them that our records show they have not met the CET requirements and that we are minded to remove their name from the register.
- 5.10 All registrants contacted as per paragraphs 5.5 to 5.9 will have 21 days (until **11 February 2019**) within which to dispute our CET record and provide proof of attainment of CET requirements – using the dispute application form at **Annex 1** (which will be sent with the letter) or submit an exceptional circumstances application for consideration (see separate policy and application form). The registrant will be advised to access their 2016-18 CET account to check their record.
- 5.11 Registrants who submit an exceptional circumstances application will be processed according to **Stage 3**.

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- 5.12 Registrants who submit a dispute application will be processed according to **Stage 4**.
- 5.13 If registrants submit both a dispute application and an exceptional circumstances application, their applications will be processed simultaneously. Both applications and entries will be highlighted to ensure a combined response.
- 5.14 Registrants who do not dispute our CET record or submit an exceptional circumstances application within 21 days (by **11 February 2019**) will be moved to **Stage 5** of this process.

6. Stage 2 – Registrants subject to FTP investigation

- 6.1 Registrants who are subject to FTP investigation will be spot-checked and if they have not met their general requirements will be sent a letter by **14 January 2019**, which will advise them that our records show they have not met the CET requirements and that we are minded to remove their name from the register, but that their name will not be removed from the register until the conclusion of the FTP investigation. In cases where the registrant has met their general requirements but not their specialty requirements, we will advise them that we are minded to remove their name from the specialty register. They will be referred to our policy on retaining registrants on the register despite non-compliance with the GOC requirements.
- 6.2 The registrants will have 21 days (until **11 February 2019**) within which to dispute our CET record and provide proof of attainment of CET requirements – using the dispute application form at **Annex 1** (which will be sent with the letter) or submit an exceptional circumstances application for consideration (see separate policy and application form). The registrant will be advised to access their 2016-18 CET account to check their record.
- 6.3 If they submit an exceptional circumstances or dispute application they will be considered under stages 3 and 4 respectively. If their exceptional circumstances application is accepted or they are found to have completed their 2016-18 CET cycle requirements, they will be removed from the spreadsheet and the archive statement in their CET record updated to show as having completed the 2016-18 cycle and the registrant will continue in the 2019-21 cycle.
- 6.4 Registrants who do not submit an exceptional circumstances application or dispute our CET record within 21 days (by **11 February 2019**) will be spot-checked to ensure that they do not meet the CET requirements and then considered for removal of their name or speciality from the register. Where a decision is made to remove a registrant's name from the register they will be sent a letter by **28 February 2019**, confirming this decision and advising that their name will not be removed from the register until the conclusion of the FTP

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investigation. If it is decided to remove their specialty registration they will be sent a letter.

- 6.5 These registrants will be able to undertake CET while held in **Stage 2**.
- 6.6 If the FTP investigation concludes and the outcome does not result in the registrant's name being removed from the register, the registrant will be removed from the register for non-compliance with the GOC requirements immediately and notified by letter.

7. Stage 3 – Application under exceptional circumstances

- 7.1 Registrants who make an application under the exceptional circumstances policy will have their application acknowledged within three working days of receipt. The deadline for initial applications for exceptional circumstances is **11 February 2019**.
- 7.2 The applications will be checked. The **CET Manager** will advise which 2016-18 CET requirements have not been met and data entered onto a separate confidential spreadsheet.
- 7.3 Each week a batch of applications will be prepared and identified as recommended acceptances, refusals or more evidence required to be considered by the Registrar. We will aim to consider all exceptional circumstances requests in accordance with the exceptional circumstances policy (15 working days of the deadline for exceptional circumstances requests – **4 March 2019**).
- 7.4 Where an application is accepted, the registrant will be sent a letter of confirmation. The registrant will be removed from the spreadsheet, the archive statement in their CET record updated to show them as having completed the 2016-18 cycle and the registrant will continue in the 2019-21 cycle.
- 7.5 Where an exceptional circumstances application requires further evidence, the registrant will be sent a letter requesting further evidence. When the evidence is received their application will be considered by the Registrar (7.3). If a response to the request for further evidence is not received within 14 days, the registrant will be moved to **Stage 5**.
- 7.6 Where an application is refused, the registrant will be moved to **Stage 5**.

8. Stage 4 – Disputes

- 8.1 Registrants who make an application to dispute their CET record will have their application acknowledged within three working days of receipt. The deadline for dispute applications is **11 February 2019**.
- 8.2 It is likely a dispute can be raised if:

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- 8.2.1 the registrant has not accepted pending points;
 - 8.2.2 the registrant has not completed a peer review reflection statement and therefore has been unable to accept points;
 - 8.2.3 a provider has not uploaded points for an event attended by the registrant within the 2016-18 CET cycle;
 - 8.2.4 the registrant has incorrectly accepted CET points as 'general' or 'specialist'; or interactive
 - 8.2.5 the registrant completed CET which has not been recorded in the CET system.
- 8.3 The applications will be checked and data entered onto the spreadsheet to identify the CET completed in accordance with the evidence provided. Registrants will be able to use the archived statement on their 2016-18 CET account to address any issues with the GOC and providers.
- 8.4 Each week a batch of dispute applications will be considered by the **Head of Standards and CET**.
- 8.5 Where a dispute application is accepted, and the registrant has now completed their CET requirements, the registrant will be sent a letter within **14 days** of receipt of the dispute application, providing details of the CET points accepted. Any CET points which are accepted by the GOC (along with evidence) will be entered on the spreadsheet, which will be used to update the archived statement in their CET record. Provided the registrant has now completed the CET requirements, the archived statement in their CET record will be updated to show them as having completed the 2016-18 cycle and the registrant will continue in the 2019-21 cycle.
- 8.6 If the dispute application is accepted, but the registrant still has outstanding CET requirements, the registrant will be sent a letter within **14 days** of receipt of the dispute application, providing details of the CET points accepted and advising them that they will be considered for removal of their name or registered specialty from the register. The registrant will be moved to **Stage 5**.
- 8.7 Where an application requires further evidence, the registrant will be sent a letter within 14 days of receipt of the dispute application requesting further evidence. When further evidence is received their application will be considered by the **Head of Standards and CET** (8.4). If a response to the request is not received within 14 days, the registrant will be moved to **Stage 5**.
- 8.8 Where a dispute application is refused, the Registrar will be asked to confirm the decision and the registrant will be moved to **Stage 5**.

9. Stage 5 – Issuing a decision to remove

- 9.1 Registrants who do not submit an exceptional circumstances application or dispute our CET record within 21 days (by **11 February 2019**) will be checked to

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ensure that they do not meet the CET requirements and then considered for removal of their name or speciality from the register by the Registrar on **13 February 2019**. Where a decision is made to remove a registrant's name and/or registered specialty from the register, they will be sent a letter by **28 February 2019**, confirming the notice of decision², including the reasons for the decision and notifying the registrant of their right to appeal³.

- 9.2 Registrants who have moved from **Stage 3**, where their application for exceptional circumstances has been refused, will be checked to ensure that they do not meet the CET requirements and then considered for removal of their name or speciality from the register by the Registrar. Where a decision is made to remove a registrant's name and/or registered specialty, they will be sent a letter, confirming the notice of decision, including the reasons for the decision and notifying the Registrant of their right to appeal.
- 9.3 Registrants who have moved from **Stage 4**, where their dispute application has been refused, or their application has been accepted but they still have not met the CET requirements will be checked to ensure that they do not meet the CET requirements and then considered for removal of their name and/or speciality from the register by the Registrar. Where a decision is made to remove a registrant's name and/or registered specialty, they will be sent a letter, confirming the notice of decision, including the reasons for the decision and notifying the registrant of their right to appeal.
- 9.4 Registrants will have 28 days within which to appeal the decision to remove their name and/or registered specialty from the register. Registrants who submit an appeal will be moved to **Stage 6**.
- 9.5 Registrants who do not submit an appeal will moved to **Stage 7**.

10. Stage 6 – Appeal

- 10.1 Registrants who submit an appeal will be transferred to the Hearings team for their appeal to be sent to the Registration Appeals Committee.
- 10.2 The Registration Appeals Committee will consider the appeal under the process set out in the Registration Appeals Rules⁴. An appeal hearing will be scheduled as soon as possible.
- 10.3 Registrants who have the decision to remove overturned will be removed from the spreadsheet, the archive statement in their CET record updated to show as

² Under schedule 1A of the Act

³ Under Schedule 1A paragraph 4

⁴ The GOC (Registration Appeals) Rules 2005 can be found on our website at www.optical.org/about_us/legislation/rules_and_regulations.cfm

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having completed the 2016-18 cycle and the registrant will continue in the 2019-21 cycle.

10.4 Registrants who have the appeal refused will be moved to **Stage 7**.

11. Stage 7 – Removal

11.1 Registrants moved to **Stage 7** will have their name and/or registered specialty removed from the register by the **Head of Registration** and once removed will be sent a letter, which will advise them of the retention requirements and that they are no longer able to practise.

11.2 The removal of the registrant's name and/or registered specialty will be recorded on a monthly amendment list which will be sent to stakeholders.

11.3 Registrants moved to **Stage 7** will be able to activate their CET restoration account. Any CET points completed over the preceding 12 months will automatically be logged in their restoration account. Any shortfall will be automatically calculated from the revised archived statement.

11.4 Registrants moved to **Stage 7** will be notified to the **Director of Casework and Resolutions** for consideration of investigation for illegal practice.

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Annex 1: Dispute application form

Please use this form to make an application where you believe that our CET records are not accurate. Refer to your MyCET account for what requirements you did not meet in the 2016-18 CET cycle.

Name (as shown on GOC register)	
GOC registration number	
Contact telephone number	
Contact email address	
Date of application	

Please complete a separate entry for each outstanding CET requirement. Where appropriate, please provide the C-reference.

Outstanding CET requirement as indicated on your MyCET record	Have you completed CET that meets this requirement within the 2016-18 cycle? Please answer yes or no and explain reasons e.g. the provider did not upload your points in time	How should your existing record be amended to meet this requirement? e.g. you wish to change acceptance of general points to specialist points or you wish to add further CET	What evidence are you providing to support any changes to your record? (Please enclose with this form.)

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If there are more areas that you believe require amending please add additional rows to the form.

Declaration

I confirm that the circumstances described and the supporting documentary evidence are genuine. I understand that if I am found to have given a false statement or misleading information, I will be in breach of the GOC's standards.

Signature: _____ Date: _____

*If you are returning this form by email, you can either paste in an electronic signature if you wish or write in 'returned via email'. You must send it from an email address that you have previously provided to our Registration department as your contact address.

Please send this application by email to cet@optical.org, or by post to 10 Old Bailey, London EC4M 7NG. If you require assistance in completing this form, reasonable adjustments in making your application, or information in relation to your CET requirements, please contact our CET team on 020 7307 9488 or cet@optical.org or access your CET record on MyCET.

All responses will be sent by email to the address at the top of this form.

The GOC is a data controller registered with the Information Commissioner's Office. We make use of personal data to support our work as the regulator for the optical professions in the UK. We may process your personal data for purposes including updating the register, administering and maintaining registration, processing complaints and compiling statistics, in line with the Data Protection Act 2018.

The legal requirements are contained in the Opticians Act 1989 (as amended by the Opticians Act 1989 Amendment Order 2005) and the GOC (Continuing Education and Training) Rules 2005 (as amended by the Continuing Education and Training Rules Amendment Order 2012 and related legislation) hereinafter known as "the Act" and "the CET Rules" respectively. The Act can be found on our website at www.optical.org/about_us/legislation/opticians_act.cfm and the CET Rules can be found at www.optical.org/about_us/legislation/rules_and_regulations.cfm Under Rule 24 of the CET Rules, the Registrar may remove or refuse to retain (a) the name of a registrant or (b) particulars of a registered specialty, if the registrant has failed to meet the CET requirements under the Rules.