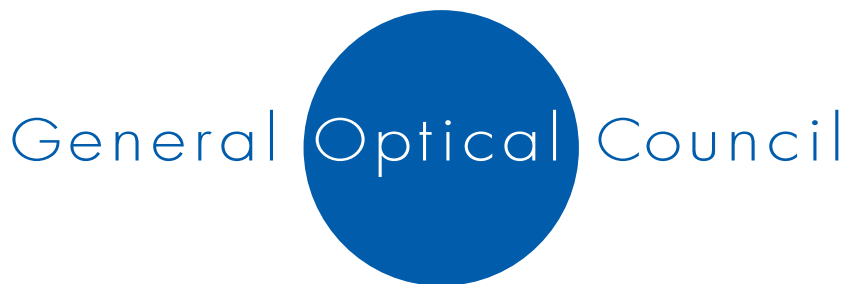


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# Bulletin no. 2 November 2004

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## Dispensing Opticians and the NHS 'Information Spine'

For some years the GOC has been working in support of ABDO to ensure that information about dispensing opticians is available locally. The newly published GOC register does provide such a comprehensive analysis but can only of course provide the information which registrants have given to us and which we are required to publish by the 1989 Opticians Act.

Many registrants will know that the Government has asked the NHS Information Authority to provide more easily available information for public use - this will be in what is called an 'information spine'. The intention is to include, by 2005, details on everyone who is working directly for or under contract to the NHS. All the regulatory bodies have been asked to assist. The Information Authority is aware of concerns about the proper handling of information and will only be publishing available data in a form that has been agreed by the Department of Health.

The GOC has been working in support of this proposal. At present it will mean providing the NHS Information Authority with data which is publicly available as determined by the Act. Should further information be required then the GOC will write to all DO registrants with the renewal pack in early January 2005, to ask for permission to share any other data which is required. The same data will be required from all those working professionally in the delivery of health services.

The impact of this initiative will be to provide information about optometrists and dispensing opticians which is useable by the public, professions and bodies corporate etc.

**Peter C Coe**  
**Registrar**

# Continuing Education & Training: the detailed plans

## FROM VOLUNTARY SCHEMES TO STATUTORY REQUIREMENT

The GOC is indebted to ABDO and the College of Optometrists for having introduced and managed voluntary CET schemes for a number of years. On 1 January 2005 the GOC will take over the schemes - which will at that point still be voluntary - in preparation for CET becoming a statutory requirement later in the year.

Vantage Technologies Ltd has been contracted to manage the voluntary schemes from 1 January and to continue with the statutory scheme once it is running.

### **Carrying voluntary points over to the new scheme**

Registrants must gain 36 general points by the end of the first CET cycle on 31 December 2006. Registrants may carry over a maximum of 12 general CET points gained between 1 January and 31 December 2004 from the ABDO and College voluntary schemes.

In addition to the 36 general CET points, contact lens opticians will need to gain a further 18 contact lens speciality CET points by 31 December 2006. Early in 2005, after confirmation from ABDO and the College, GOC/Vantage will automatically record registrants' CET points accrued in 2004.

### ***ABDO Members***

In October ABDO issued the final statement of credits accrued by ABDO members in 2002, 2003 and 2004. The statement also showed how many credits (up to a maximum of 12 general and 6 contact lens points) will be transferred to GOC/Vantage at the end of 2004, although this number could change if further CET is completed between the statement date and 31 December 2004.

### ***College Members***

In November/December 2004 the College will write to all members of the College asking for the number of CET points accrued during 2004. Early in 2005 the College will advise GOC/Vantage how many points each member has accrued in 2004.

### **If you are not an ABDO or College member:**

GOC registrants who are not members of either ABDO or the College will have to inform the GOC directly of their 2004 CET points total (both general and contact lenses).

To log your CET points go to the GOC website, [www.optical.org](http://www.optical.org), click on Quick Select and choose CET. This will give you access to the CET form on which you may register both your general points and specialist points.

If you have any queries, please e-mail [goc@optical.org](mailto:goc@optical.org) or fax the GOC on 020 7436 3525.

## Contact lens points

For a number of years the GOC has kept a list of optometrists and contact lens opticians who have gained a total of 6 contact lens CET points over a three-year period. 2004 will be the last year that this voluntary contact lens CET list will appear in the Register. This year ABDO and the College will provide this information about their members' contact lens points to the GOC.

The GOC and the optometry profession have also agreed that as of 1 January 2005, on a purely voluntary basis, the GOC will keep a list of those optometrists who, after that date, accrue up to 6 contact lens CET points per year.

## GOC STATUTORY CET SCHEME

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### The statutory CET scheme will:

- ◆ Apply to all registered dispensing opticians and optometrists
- ◆ Be open to anyone who holds a qualification enabling registration even if they are not currently registered
- ◆ Start on the date that new CET Rules come into force. We hope this will be 1 July 2005, but this date is controlled by Parliament and the Privy Council
- ◆ Complete its first cycle on 31 December 2006
- ◆ Be administered via Vantage's CET website - [www.cetoptics.com](http://www.cetoptics.com) - which contains the Scheme Guidelines.

Registrants will be able to carry forward CET points achieved in the voluntary schemes during the period 1 January 2004 to the date on which the Rules come into force.

### Carrying over general CET points - the details

The carry over from the voluntary scheme is optional. If a current registrant does not carry over any points from the voluntary period then s/he must gain all the 36-point requirement during the 18 months of the statutory period, ie averaging 2 CET points a month.

If a current registrant carries over the full 18 CET points allowed from the voluntary period (1 January 2004 - 30 June 2005) then s/he will only need to gain a further 18 points during the first statutory period of the Scheme (1 July 2005 to 31 December 2006).

### Points requirements for new registrants

People who first enter the register after the start date of the statutory scheme will need to gain a reduced number of points - depending on the time left to end of 2006.

## WEB-BASED MANAGEMENT OF THE GOC SCHEME HOW WILL IT WORK ?

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From 1 January, when Vantage takes over management of the scheme, it will be run via the internet (www.cetoptics.com). This is how it will work:

### ***Before a CET event***

1. CET Providers register via the CET website.
2. They can then submit events for approval (approval cannot be retrospective).
3. A list of approved events will be put on the website.
4. The CET User (registrant) uses the CET website to plan their CET.
5. The User applies to the Provider to attend an approved CET event.

### ***After the event***

6. The Provider will issue the User with proof of completion, which the User must keep.
7. After a CET event the Provider has 10 days to inform the website of the attendance of the User.
8. The record of attendees will sit on the website awaiting the User to confirm his/her attendance and so have points added to their record.

***NB: to do this, you will need to know your GOC number***

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### **Verification**

As long as information from the Provider and the User tallies, the User will be awarded the CET points gained at that event. ***It is the User's responsibility*** to inform the website that s/he has completed a CET event.

### **Records**

A record of CET points for each User will be kept on the website and can be accessed at any time by the User. GOC/Vantage will inform the User of points gained each year.

### **Shortfalls**

In 2006 Vantage will inform the GOC of those registrants who have not achieved 36 points. The GOC will inform the User of any shortfall by 15 January 2007.

The User can either accept the shortfall and make up the deficit by 15 March 2007 or s/he can challenge the deficit and provide evidence in support of the challenge. There will be a right of appeal to the Registration Appeals Committee if the Registrar refuses to register the applicant.

### **Overseas CET**

UK registrants who are resident overseas can gain CET points from GOC/Vantage-approved distance learning events. GOC/Vantage will also recognise CET gained (by UK registrants resident overseas) in named overseas schemes.

UK registrants who are resident in the UK can gain CET outside the UK, provided they have obtained approval beforehand from GOC/Vantage of the CET offered overseas. This is the only circumstance where a registrant can apply for approval of a CET event. In all other cases, the CET Provider must apply for event approval.

## SPECIALITY LISTS

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When the GOC gets the necessary legislative powers, it will create speciality lists in the Register.

The first one will be the contact lens fitting list for dispensing opticians. When legislation allows, therapeutic drug supply and prescribing by optometrists will also be the subject of speciality lists.

The process to remain on the contact lens speciality list once CET is a statutory requirement will be similar to that for general CET points.

Assuming that the statutory scheme comes into force on 1 July 2005, 18 speciality contact lens points must be gained by 31 December 2006. Contact lens opticians have the option of carrying over up to 9 contact lens speciality points from the voluntary period. If the maximum of 9 points is carried over, they will

only need to gain a further 9 speciality contact lens points in the statutory period of the first CET cycle (1 July 2005 - 31 December 2006). If no speciality contact lens points are carried over from the voluntary period, a current registrant will have to gain all 18 speciality contact lens points in the statutory period (ie an average of 1 CET speciality point per month).

Dispensing opticians entering the speciality contact lens list for the first time after the start date of the statutory scheme will need to gain a reduced number of speciality contact lens points, depending on time left to end of 2006.

**Enquiries about CET to:**

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## General Ophthalmic Services - a change for Companies

Proposed amendments to the General Ophthalmic Services Regulations are likely to require bodies corporate wishing to be included on National Health Service lists to be enrolled on the Council's list of bodies corporate carrying on business as *ophthalmic opticians*.

On 11 October 2004 the Registrar circulated a letter to the various optical bodies setting out the Council's position regarding eligibility to enrol in the list of bodies corporate carrying on business as ophthalmic opticians.

This confirmed that any body corporate which can comply with the criteria set out in section 9(2) of the Opticians Act, will be enrolled, or transferred, on to the list of bodies corporate carrying on business as ophthalmic opticians once a properly completed application form (Form D) has been received.

This form is available from the Registration Department or may be downloaded from the Council's website.

>>> *continued overleaf*

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### **Limited Liability Partnerships**

To a great extent the terms of section 9(2) of the Opticians Act preclude the enrolment of Limited Liability Partnerships (LLPs) on the Council's list of bodies corporate carrying on business as ophthalmic opticians.

In these circumstances, the Council, at its meeting on 18 November, approved the compilation of a non-statutory list of limited liability partnerships. This list will open on 1 January 2005 and continue until the amendments to the Opticians Act come into force.

LLPs will need to complete Form D to gain entry to this list, the criteria for entry being those set out in section 9(2) (a) to section 9(2)(d) of the Opticians Act, save that references to "directors" should be read as references to "members" of the LLP.

The Council would not take any action against an LLP included on the list for taking or using a title or term protected by Section 28 of the Opticians Act.

*The Opticians Act 1989 and other legislation are on the GOC website, [www.optical.org](http://www.optical.org).*

## **Enrolment of Bodies Corporate – Voluntary or Compulsory ?**

Enrolment of a body corporate in one of the Council's lists has sometimes been described as voluntary whereas the registration of an individual is obligatory. In fact, the legislation is framed in exactly the same terms for both.

Of course, the non-registration of an individual is of no consequence unless he or she practises as an optometrist or dispensing optician by undertaking the activities restricted to registrants under sections 24, 25 and 27 of the Opticians Act or takes or uses any of the titles or terms protected by section 28(1).

Equally, the non-enrolment of a body corporate creates no difficulty if it is not "carrying on business as ophthalmic opticians" or "carrying on business as dispensing opticians", taking or using any of the titles or terms in contravention of section 28(5).

If a body corporate takes or uses a protected title or term when not enrolled, it commits a criminal offence, punishable by a fine of up to £2500 upon conviction in the magistrates court.

### **Use of the title 'optician'**

In relation to the taking and using of titles, it is sometimes said that the title 'optician' itself is not covered by section 28(5) of the Opticians Act because it is not listed in subsections (a)-(c). Subsection (d) does, however, operate to make "optician" a protected title.

Subsection 28(6) explains that a body corporate using the title of 'optician' will be falsely presumed to be implying enrolment. That presumption may be rebutted if the body corporate can show that the title was taken or used in circumstances which would make it unreasonable for people to believe that that was the implication.

### **Use of the term 'optical'**

The Council's Solicitor takes the view that an unenrolled body corporate taking or using the term "optical" would also be falsely implying enrolment under section 28(5)(d).

# Registration renewal: some changes

## Annual Renewal Timetable

The annual registration renewal pack will be posted out in early January 2005 to registrants who are on the GOC database at 31 December 2004. The pack will be sent to your main contact address.

Forms and fees should be returned as soon as possible and **no later than 15 March 2005**. With 16,000 registrants all renewing at the same time, it is very helpful if you can send your form and fee in earlier rather than later.

## Declarations

The 2005 Renewal pack will contain a new 'Declaration' section which must be completed, signed and returned along with the rest of the renewal form to confirm retention of registration.

The Declaration relates to fitness to practise, including criminal convictions, physical and mental health and insurance.

## How to pay your GOC Fee

### by cheque

please put your registration number on the back

### by credit card

Complete and return the form in the renewal pack

### by direct debit

Complete and return the form in the renewal pack

*Paying by direct debit will ensure that your fee is collected, even if your form is delayed*

## Registration Website

The Registration page on the main GOC website is always worth looking at. It can be found at:

[www.optical.org](http://www.optical.org) > Registration.

The site is currently being revised to improve our service to all our users. An expanded Registration section will give both registrants and the public the information they need when they need it, instead of having to make phone calls or waiting for letters or emails to be answered.

The new GOC website should be operational before the end of November. Do visit it regularly to learn about the latest developments. Comments on the site are always welcome.

## Registration Fee 2005 – 2006

At its meeting on 18 November, the Council agreed to recommend to the Privy Council that the registration and retention fee for 2005-2006 should increase to £169. This includes a charge of £27 for the cost of managing the CET scheme and £7 to fund the Optical Consumer Complaints Service. After approval by the Privy Council, the fee will be confirmed in the renewal packs.

## New details? Let us know

Keeping us up-to-date is vital. ***It is your responsibility*** to renew your registration each year and we send out a renewal pack to help you do this. If we do not have your current address it may not reach you and you could ultimately run the risk of being erased for non-payment of fees. You might also miss out on other important GOC correspondence.

Please inform us promptly about any changes of address or name, and new qualifications. Send changes in writing by letter, fax or email ([superinfo@optical.org](mailto:superinfo@optical.org)). Photocopies are needed of marriage and qualification certificates.

## New Faces at the GOC

### A new Council Member



At the end of June **Stuart Roxburgh** replaced Simon Keightley, as one of the Members nominated by the Royal College of Ophthalmologists. Stuart is from Dundee, where he is consultant ophthalmologist for the Tayside Teaching Hospitals and an Hon. Senior Lecturer at the Department of Ophthalmology, Dundee University.

Currently Stuart is also Senior Vice President of the Royal College of Ophthalmologists and Chairman of the Examinations Committee.

### Staff changes

In May **Allison Hughes** was appointed as Executive Assistant to the Registrar and **Jane Bailey** was appointed as Registration Assistant. Previously Allison and Jane both worked in the Registration Department on temporary contracts during the busy registration period. **Elizabeth Chambers** was appointed Administration Officer in August. Elizabeth organises our Council and Committee meetings and assists Carol Ayton, the Finance Officer.

### New Director of Standards

In August **Mark Hayward** took over the post of Director of Standards/Deputy Registrar from Melanie Carter who left the GOC to return to the legal profession, although she continues to work as a consultant on the current legislative change programme.



*Mark Hayward (right) with Professor Roger Buckley, chairman of Standards Committee*

Mark's most recent experience has been as Chief Executive of the UK200 Group, the UK's largest mutual association of professional firms of chartered accountants and lawyers. He brings to the GOC wide experience of standards and regulatory issues gained in three professional disciplines – purchasing and supply, accountancy and town planning.

We welcome feedback on any aspect of the *GOC Bulletin*. We also welcome comments on the content and format of the GOC website – [www.optical.org](http://www.optical.org).

Please send your suggestions and comments by email to [clambert@optical.org](mailto:clambert@optical.org) or write to:

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